

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D34491
O/kmb

_____AD3d_____

WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
MARK C. DILLON
JOHN M. LEVENTHAL, JJ.

2007-01954

DECISION & ORDER

The People, etc., respondent,
v Derek Sloane, appellant.

(Ind. No. 06-00658)

Derek Sloane, Auburn, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Laurie Sapakoff and Richard Longworth Hecht of counsel), for respondent.

John P. Savoca, Yorktown Heights, N.Y., former appellate counsel.

Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated February 24, 2009 (*People v Sloane*, 59 AD3d 745), affirming a judgment of the County Court, Westchester County, rendered February 14, 2007.

ORDERED that the application is denied.

The appellant has failed to establish that he was denied the effective assistance of appellate counsel (*see Jones v Barnes*, 463 US 745; *People v Stultz*, 2 NY3d 277).

MASTRO, A.P.J., RIVERA, DILLON and LEVENTHAL, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 17, 2012

PEOPLE v SLOANE, DEREK