

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

D34502  
O/kmb

\_\_\_\_AD3d\_\_\_\_

WILLIAM F. MASTRO, A.P.J.  
RUTH C. BALKIN  
JOHN M. LEVENTHAL  
ARIEL E. BELEN, JJ.

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2009-06300

DECISION & ORDER

The People, etc., respondent,  
v Thomas Walker, appellant.

(Ind. No. 3747/07)

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Thomas Walker, Ossining, N.Y., appellant pro se.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Edward Bannan of counsel),  
for respondent.

Robert C. Mitchell, Riverhead, N.Y. (Kirk R. Brandt of counsel), 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 May 3, 2011  
(*People v Walker*, 84 AD3d 842), affirming a judgment of the County Court, Suffolk County,  
rendered June 18, 2009.

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., BALKIN, LEVENTHAL and BELEN, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

April 17, 2012

PEOPLE v WALKER, THOMAS