

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

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G/kmb

_____AD3d_____

WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
PETER B. SKELOS
MARK C. DILLON, JJ.

1992-04806

DECISION & ORDER

The People, etc., respondent,
v Miguel DeFreitas, appellant.

(Ind. No. 77897)

Miguel DeFreitas, Wallkill, N.Y., appellant pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Douglas Noll and Andrea M. DiGregorio of counsel), for respondent.

Kent V. Moston, Hempstead, N.Y. (Jeremy L. Goldberg 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, an opinion and order of this Court dated August 14, 1995 (*People v DeFreitas*, 213 AD2d 96), affirming a judgment of the County Court, Nassau County, rendered June 9, 1992.

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, SKELOS and DILLON, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

May 1, 2012

PEOPLE v DeFREITAS, MIGUEL