

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

D35370
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_____AD3d_____

PETER B. SKELOS, J.P.
THOMAS A. DICKERSON
SHERI S. ROMAN
ROBERT J. MILLER, JJ.

2007-04181

DECISION & ORDER

The People, etc., respondent,
v Monte Herring, appellant.

(Ind. No. 05-00255)

Monte Herring, Stormville, N.Y., appellant pro se.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),
for respondent.

Bernard D. Brandy, Goshen, N.Y., former counsel.

Application by the defendant for a writ of error coram nobis seeking leave to file a
late notice of appeal from a judgment of the County Court, Orange County, rendered October 7,
2005.

ORDERED that the application is granted, and the defendant's notice of appeal is
deemed to have been timely filed.

The defendant has established his entitlement to the relief requested (*see People v
Syville*, 15 NY3d 391).

SKELOS, J.P., DICKERSON, ROMAN and MILLER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

June 20, 2012

PEOPLE v HERRING, MONTE