

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

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DANIEL D. ANGIOLILLO, J.P.  
ANITA R. FLORIO  
CHERYL E. CHAMBERS  
SHERI S. ROMAN, JJ.

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1997-05532

DECISION & ORDER

The People, etc., respondent,  
v Jean Claudy Delius, appellant.

(Ind. No. 95656)

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Jean Claudy Delius, Rome, N.Y., appellant pro se.

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

Martin Goldberg, Franklin Square, 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 August 24, 1998 (*People v Delius*, 253 AD2d 529), affirming a judgment of the County Court, Nassau County, rendered May 13, 1997.

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).

ANGIOLILLO, J.P., FLORIO, CHAMBERS and ROMAN, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

September 12, 2012

PEOPLE v DELIUS, JEAN CLAUDY