

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

D36609
W/kmb

_____AD3d_____

RANDALL T. ENG, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
PETER B. SKELOS, JJ.

1999-10578

DECISION & ORDER

The People, etc., respondent,
v Frank PalomPELLI, appellant.

(Ind. No. 99-00065)

Frank PalomPELLI, Stormville, N.Y., appellant pro se.

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

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 July 22, 2002 (*People v PalomPELLI*, 296 AD2d 557), affirming a judgment of the County Court, Orange County, rendered October 14, 1999.

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).

ENG, P.J., MASTRO, RIVERA and SKELOS, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

November 28, 2012

PEOPLE v PALOMPELLI, FRANK