

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

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_____AD3d_____

L. PRISCILLA HALL, J.P.
SHERI S. ROMAN
SANDRA L. SGROI
SYLVIA O. HINDS-RADIX, JJ.

2010-09470

DECISION & ORDER

The People, etc., respondent,
v Rafael Ceara, appellant.

(Ind. No. 09-00323)

Rafael Ceara, Ossining, NY, appellant pro se.

Anthony A. Scarpino, Jr., District Attorney, White Plains, NY (Steven A. Bender 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 November 25, 2015 (*People v Ceara*, 133 AD3d 873), affirming a judgment of the County Court, Westchester County, rendered August 3, 2010.

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).

HALL, J.P., ROMAN, SGROI and HINDS-RADIX, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 7, 2018

PEOPLE v CEARA, RAFAEL