

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

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_____AD3d_____

REINALDO E. RIVERA, J.P.
JOHN M. LEVENTHAL
L. PRISCILLA HALL
SYLVIA O. HINDS-RADIX, JJ.

2005-03383

DECISION & ORDER

The People, etc., respondent,
v Kenneth O'Keefe, appellant.

(Ind. No. 1950/03)

Thomas J. Eoannou, Buffalo, NY, for appellant.

Timothy Sini, District Attorney, Riverhead, NY (Elizabeth Miller 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 April 24, 2013 (*People v O'Keefe*, 105 AD3d 1062), affirming a judgment of the County Court, Suffolk County, rendered March 31, 2005.

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).

RIVERA, J.P., LEVENTHAL, HALL and HINDS-RADIX, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

February 7, 2018

PEOPLE v O'KEEFE, KENNETH