

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

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AD3d

CHERYL E. CHAMBERS, J.P.
SYLVIA O. HINDS-RADIX
JOSEPH J. MALTESE
COLLEEN D. DUFFY, JJ.

2013-06231

DECISION & ORDER

The People, etc., respondent,
v Mark Wallace, appellant.

(Ind. No. 7/12)

Mark Wallace, Wallkill, NY, appellant pro se.

William V. Grady, District Attorney, Poughkeepsie, NY (Bridget Rahilly Steller of counsel), for respondent.

Bruce A. Petitio, Poughkeepsie, NY, 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 May 13, 2015 (*People v Wallace*, 128 AD3d 866), affirming a judgment of the County Court, Dutchess County, rendered May 16, 2013.

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).

CHAMBERS, J.P., HINDS-RADIX, MALTESE and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 28, 2018

PEOPLE v WALLACE, MARK