

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

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ALAN D. SCHEINKMAN, P.J.
REINALDO E. RIVERA
ROBERT J. MILLER
HECTOR D. LASALLE, JJ.

1995-05578

DECISION & ORDER

The People, etc., respondent,
v Basheen Rush, appellant.

(Ind. No. 4107/94)

Basheen Rush, Albion, NY, appellant pro se.

Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Ruth E. Ross of counsel), for respondent.

Richard L. Herzfeld, New York, 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 April 27, 1998 (*People v Rush*, 242 AD2d 108), affirming a judgment of the Supreme Court, Kings County, rendered June 7, 1995.

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).

SCHEINKMAN, P.J., RIVERA, MILLER and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

May 30, 2018

PEOPLE v RUSH, BASHEEN