

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

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_____AD3d_____

WILLIAM F. MASTRO, J.P.
SHERI S. ROMAN
SANDRA L. SGROI
HECTOR D. LASALLE, JJ.

2008-09959

DECISION & ORDER

The People, etc., respondent,
v David Harper, appellant.

(Ind. No. 518/16)

David Harper, Napanoch, NY, appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, NY (John M. Castellano, Johnnette Traill, and William H. Branigan of counsel), for respondent.

Paul Skip Laisure, New York, NY (David P. Greenberg of counsel), 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 December 17, 2010 (*People v Harper*, 79 AD3d 944), affirming a judgment of the Supreme Court, Queens County, rendered September 24, 2009.

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).

MASTRO, J.P., ROMAN, SGROI and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

July 11, 2018

PEOPLE v HARPER, DAVID