

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

D57004  
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WILLIAM F. MASTRO, J.P.  
LEONARD B. AUSTIN  
SHERI S. ROMAN  
SANDRA SGROI, JJ.

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2013-09310

DECISION & ORDER

The People, etc., respondent,  
v Joseph Burno, appellant.

(Ind. No. 2144/11)

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Joseph Burno, Fishkill, NY, appellant pro se.

Madeline Singas, District Attorney, Mineola, NY (Yael V. Levy and Mary Faldich of counsel), for respondent.

Leslie W. Rubin, Floral Park, 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 July 8, 2015 (*People v Burno*, 130 AD3d 747), affirming a judgment of the Supreme Court, Nassau County, rendered September 10, 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).

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

ENTER:



Aprilanne Agostino  
Clerk of the Court

October 24, 2018

PEOPLE v BURNO, JOSEPH