

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

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G/htr

_____AD3d_____

WILLIAM F. MASTRO, J.P.
RUTH C. BALKIN
CHERYL E. CHAMBERS
JOSEPH J. MALTESE, JJ.

2013-10625

DECISION & ORDER

The People, etc., respondent,
v Byron Rodas, appellant.

(Ind. No. 97/11)

Byron Rodas, Poughkeepsie, NY, appellant pro se.

William V. Grady, District Attorney, Poughkeepsie, NY (Kirsten A. Rappleyea of counsel), for respondent.

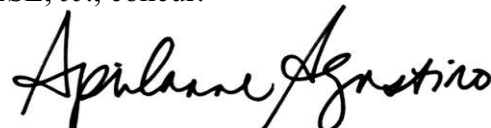
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated September 23, 2015 (*People v Rodas*, 131 AD3d 1181), affirming a judgment of the County Court, Dutchess County, rendered October 31, 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., BALKIN, CHAMBERS and MALTESE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

November 21, 2018

PEOPLE v RODAS, BYRON