

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

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O/kmg

_____AD3d_____

A. GAIL PRUDENTI, P.J.
STEVEN W. FISHER
ANITA R. FLORIO
THOMAS A. DICKERSON, JJ.

2004-07085

DECISION & ORDER

The People, etc., respondent,
v Ramon Santos-Mispas, appellant.

(Ind. No. 03-989)

Ramon Santos-Mispas, Gouverneur, N.Y., appellant pro se.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),
for respondent.

Janet A. Gandolfo, Sleepy Hollow, N.Y., former appellate counsel.

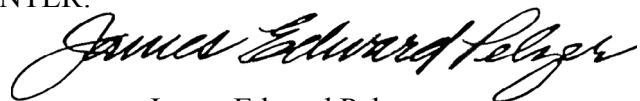
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated March 27, 2007 (*People v Santos-Mispas*, 38 AD3d 923), affirming a judgment of the County Court, Orange County, rendered July 30, 2004.

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).

PRUDENTI, P.J., FISHER, FLORIO and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 10, 2008

PEOPLE v SANTOS-MISPAS, RAMON