

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

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_____AD3d_____

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
HOWARD MILLER
RUTH C. BALKIN, JJ.

2007-05151

DECISION & ORDER

The People, etc., appellant,
v Raymond Brun, respondent.

(Ind. No. 1780/06)

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Andrea M. DiGregorio of counsel), for appellant.

Norman Trabulus, New York, N.Y., for respondent.

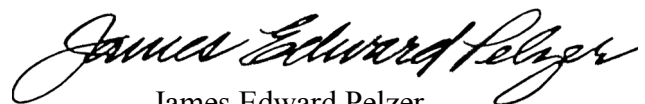
Application by the respondent for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated January 27, 2009 (*People v Brun*, 58 AD3d 862), modifying an order of the County Court, Nassau County, dated May 11, 2007.

ORDERED that the application is denied.

The respondent 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., RIVERA, MILLER and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

July 7, 2007

PEOPLE v BRUN, RAYMOND