

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

M77699  
E/sl

PETER B. SKELOS, J.P.  
DAVID S. RITTER  
MARK C. DILLON  
RANDALL T. ENG, JJ.

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2005-03273

The People, etc., respondent,  
v Manuel Perez, appellant.

DECISION & ORDER ON MOTION

(Ind. No. 342/02)

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Motion by the appellant for leave to reargue his application 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 11, 2007 (*People v Perez*, 46 AD3d 708), affirming a judgment of the Supreme Court, Queens County, rendered March 29, 2005, which was determined by decision and order of this court dated August 12, 2008, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court dated August 12, 2008.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

SKELOS, J.P., RITTER, DILLON and ENG, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 29, 2008

PEOPLE v PEREZ, MANUEL