

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,  
SECOND JUDICIAL DEPARTMENT

People v. Rosa

2026 NY Slip Op 03985 (N.Y. Ct. App. 2026) · No. 2015-03356 · Decided June 24, 2026

SUMMARY

The Appellate Division, Second Department denied Nathan Rosa’s pro se application for a writ of error coram nobis seeking to vacate a prior decision on the ground of ineffective assistance of appellate counsel. The court held that Rosa failed to establish that he was denied the effective assistance of appellate counsel.

CASE DETAILS

|                       |                                                                                                                                                                                                     |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of the State of New York, Appellate Division, Second Judicial Department                                                                                                              |
| WRITING FOR THE COURT | Betsy Barros, J.P.; Francesca E. Connolly, J.; Angela G. Iannacci, J.; James P. McCormack, J.                                                                                                       |
| JURISDICTION          | Supreme Court of the State of New York, Appellate Division, Second Department                                                                                                                       |
| DECIDED               | June 24, 2026                                                                                                                                                                                       |
| DOCKET                | 2015-03356                                                                                                                                                                                          |
| DISPOSITION           | writ_denied                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Application for a writ of error coram nobis seeking to vacate the court's prior decision affirming the appellant's criminal judgment, based on alleged ineffective assistance of appellate counsel. |
| PRECEDENTIAL VALUE    | Published New York Appellate Division decision; the opinion states that it is uncorrected and subject to revision before publication in the Official Reports.                                       |
| PARTIES               | Nathan Rosa v. The People of the State of New York                                                                                                                                                  |

TOPICS

- ineffective assistance
- state post-conviction relief
- appellate procedure
- criminal procedure

PRACTICE AREAS

criminal procedure

appellate procedure

post-conviction relief

## QUESTIONS PRESENTED

1. Whether Rosa established that he was denied the effective assistance of appellate counsel and was therefore entitled to a writ of error coram nobis vacating the prior appellate decision.

## HOLDINGS

1. The application for a writ of error coram nobis was denied because the appellant failed to establish that he was denied the effective assistance of appellate counsel.

## FACTUAL BACKGROUND

Nathan Rosa was convicted in a criminal proceeding resulting in a judgment rendered by the Supreme Court, Kings County, on April 15, 2015. The Appellate Division affirmed that judgment in 2019. Rosa subsequently alleged that his appellate counsel had been ineffective and sought coram nobis relief.

## PROCEDURAL HISTORY

The Supreme Court, Kings County, rendered a judgment against Nathan Rosa on April 15, 2015. The Appellate Division affirmed that judgment in a decision and order dated October 9, 2019, reported at 176 AD3d 878. Rosa then applied for a writ of error coram nobis to vacate the prior appellate decision on the ground of ineffective assistance of appellate counsel.

## DISPOSITION

writ\_denied

## CASES CITED

- People v. Rosa, 176 A.D.3d 878
- Jones v. Barnes, 463 U.S. 745
- People v. Stultz, 2 N.Y.3d 277

## OPINION

People v. Rosa 2026 NY Slip Op 03985

PER CURIAM.

People v Rosa - 2026 NY Slip Op 03985 skip to main content It appears you are using Adblock. Please disable Adblock to best experience our website. Law Reporting Bureau Thomas J.K. Smith, State Reporter Court Decisions Resources About Home All Court Decisions Decisions People v Rosa 2026 NY Slip Op 03985 June 24, 2026 Appellate Division, Second Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This decision is uncorrected and subject to revision before publication in the Official Reports. The People of the State of New York, respondent, v Nathan Rosa, appellant. Supreme Court of the State of New

York, Appellate Division, Second Judicial Department Decided on June 24, 2026 2015-03356, (Ind. No. 5302/13) Betsy Barros, J.P. Francesca E. Connolly Angela G. Iannacci James P. McCormack, JJ. Nathan Rosa, Stormville, NY, appellant pro se. Eric Gonzalez, District Attorney, Brooklyn, NY (Leonard Joblove and Keith Dolan of counsel), for respondent. [\*1] DECISION & ORDER 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 October 9, 2019 ( People v Rosa , 176 AD3d 878 ), affirming a judgment of the Supreme Court, Kings County, rendered April 15, 2015. 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 ). BARROS, J.P., CONNOLLY, IANNACCI and MCCORMACK, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court Court Decisions All Court Decisions Official Reports Service Bound Volumes Decision Search Resources RSS Feeds Style Manual Citation Tools Opinion Formatting & Privacy Guidelines Opinion Selection Criteria Legal Research Portal Site Index About About the Law Reporting Bureau About our Operations Contact Us Twitter Quick Contact Info 17 Lodge Street Albany, NY 12207 Phone: (518) 453-6900 Links to or from other sites do not signify endorsement or relationship with them.