

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

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HOWARD MILLER, J.P.  
ROBERT W. SCHMIDT  
FRED T. SANTUCCI  
WILLIAM F. MASTRO, JJ.

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2000-10564

DECISION & ORDER

The People, etc., respondent,  
v Darnell Epps, appellant.

(Ind. No. 2533/00)

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Abraham Abramovsky, New York, N.Y., for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Phyllis Mintz of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Tonya Plank of counsel), former appellate counsel.

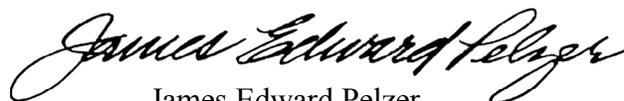
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this court dated May 27, 2003 (*People v Epps*, 305 AD2d 697), affirming a judgment of the Supreme Court, Kings County, rendered November 15, 2000.

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).

MILLER, J.P., SCHMIDT, SANTUCCI and MASTRO, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 17, 2006

PEOPLE v EPPS, DARNELL