

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

D12559
Y/cb

_____AD3d_____

A. GAIL PRUDENTI, P.J.
ANITA R. FLORIO
HOWARD MILLER
ROBERT W. SCHMIDT, JJ.

1990-04062

DECISION & ORDER

The People, etc., respondent,
v Joseph Fama, appellant.

(Ind. No. 2138/90)

Joseph Fama, Dannemora, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Camille O'Hara Gillespie of counsel), for respondent.

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 February 6, 1995 (*People v Fama*, 212 AD2d 543), affirming a judgment of the Supreme Court, Kings County, rendered June 11, 1990.

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., FLORIO, MILLER and SCHMIDT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 14, 2006

PEOPLE v FAMA, JOSEPH