

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

D14319
O/gts

_____AD3d_____

HOWARD MILLER, J.P.
STEPHEN G. CRANE
GLORIA GOLDSTEIN
ANITA R. FLORIO, JJ.

1999-08065

DECISION & ORDER

The People, etc., respondent, v Francisco Garcia,
a/k/a Carlos Estrada, appellant.

(Ind. No. 232/97)

Joel K. Dranove, New York, N.Y., for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano and
Ellen C. Abbot 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 March 17, 2003
(*People v Garcia*, 303 AD2d 600), affirming a judgment of the Supreme Court, Queens County,
rendered August 17, 1999.

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., CRANE, GOLDSTEIN and FLORIO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 20, 2007

PEOPLE v GARCIA, FRANCISCO, a/k/a ESTRADA, CARLOS