

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

D15348
C/hu

_____AD3d_____

ROBERT W. SCHMIDT, J.P.
STEPHEN G. CRANE
ROBERT A. SPOLZINO
FRED T. SANTUCCI, JJ.

2003-11247

DECISION & ORDER

The People, etc., respondent,
v Sean Pritchett, appellant.

(Ind. No. 5609/95)

Sean Pritchett, Wallkill, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Jeanette Lifschitz, and Rona I. Kugler of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (De Nice Powell 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 16, 2006 (*People v Pritchett*, 298 AD2d 411), affirming a judgment of the Supreme Court, Queens County, rendered December 18, 2003.

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).

SCHMIDT, J.P., CRANE, SPOLZINO and SANTUCCI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 29, 2007

PEOPLE v PRITCHETT, SEAN