

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

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_____AD3d_____

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
PETER B. SKELOS
WILLIAM E. McCARTHY, JJ.

2002-08680

DECISION & ORDER

The People, etc., respondent,
v Vincent Moreno, appellant.

(Ind. No. 9131/00)

Vincent Moreno, Alden, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Keith Dolan of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Joshua M. Levine 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 March 7, 2005 (*People v Moreno*, 16 AD3d 438), affirming a judgment of the Supreme Court, Kings County, rendered September 6, 2002.

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).

RIVERA, J.P., FLORIO, SKELOS and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 11, 2007

PEOPLE v MORENO, VINCENT