

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

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FRED T. SANTUCCI, J.P.  
GLORIA GOLDSTEIN  
PETER B. SKELOS  
ROBERT A. LIFSON, JJ.

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2001-02827

DECISION & ORDER

The People, etc., respondent,  
v Calvin Marshall, appellant.

(Ind. No. 6154/99)

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Kalvin Marshall, Pollock, Louisiana, appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Camille O'Hara Gillespie, and Maria Park counsel), for respondent.

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

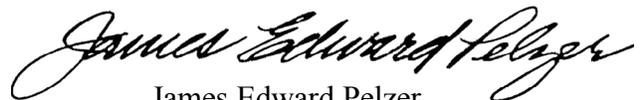
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this court dated December 19, 2006 (*People v Marshall*, 35 AD3d 764), affirming a judgment of the Supreme Court, Kings County, rendered March 8, 2001.

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).

SANTUCCI, J.P., GOLDSTEIN, SKELOS and LIFSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 16, 2007

PEOPLE v MARSHALL, KALVIN