

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

D17516
W/hu

_____AD3d_____

A. GAIL PRUDENTI, P.J.
HOWARD MILLER
WILLIAM F. MASTRO
MARK C. DILLON, JJ.

2003-08031

DECISION & ORDER

The People, etc., respondent,
v Kyle Siriani, appellant.

(Ind. No. 5091/02)

Kyle Siriani, Attica, N.Y., appellant pro se.

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

Lynn W. L. Fahey, New York, N.Y. (Joshua M. Levine of counsel), former appellate counsel.

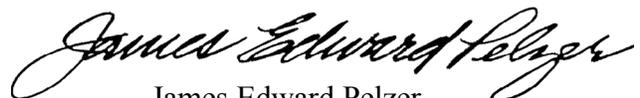
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this court dated March 21, 2006 (*People v Siriani*, 27 AD3d 670), affirming a judgment of the Supreme Court, Kings County, rendered September 4, 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).

PRUDENTI, P.J., MILLER, MASTRO and DILLON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

January 8, 2008

PEOPLE v SIRIANI, KYLE