

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

D17848
O/prt

_____AD3d_____

ROBERT A. SPOLZINO, J.P.
DAVID S. RITTER
HOWARD MILLER
MARK C. DILLON, JJ.

2003-10723

DECISION & ORDER

The People, etc., respondent,
v Alexis Menna, appellant.

(Ind. No. 9064/02)

Alexis Menna, Dannemora, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Morgan J. Dennehy of counsel),
for respondent.

Lynn W.L. Fahey, New York, N.Y. (Barry Stendig 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 April 4, 2006
(*People v Menna*, 28 AD3d 495), affirming a judgment of the Supreme Court, Kings County,
rendered September 19, 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).

SPOLZINO, J.P., RITTER, MILLER and DILLON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

February 5, 2008

PEOPLE v MENNA, ALEXIS