

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

D20056  
X/prt

\_\_\_\_\_AD3d\_\_\_\_\_

A. GAIL PRUDENTI, P.J.  
REINALDO E. RIVERA  
ROBERT A. SPOLZINO  
HOWARD MILLER, JJ.

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2000-02042

DECISION & ORDER

The People, etc., respondent,  
v Germaine Barnes, appellant.

(Ind. No. 2229/98)

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Jermaine Barnes, named herein as Germaine Barnes, Attica, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Karen Wigle Weiss of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Warren S. Landau 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 3, 2001 (*People v Barnes*, 289 AD2d 251), affirming a judgment of the Supreme Court, Queens County, rendered February 10, 2000.

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., RIVERA, SPOLZINO and MILLER, JJ., concur.

ENTER:

  
James Edward Pelzer

Clerk of the Court

July 22, 2008

PEOPLE v BARNES, GERMAINE