

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

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PETER B. SKELOS, J.P.
DAVID S. RITTER
JOSEPH COVELLO
RANDALL T. ENG, JJ.

2005-03273

DECISION & ORDER

The People, etc., respondent,
v Manuel Perez, appellant.

(Ind. No. 342/02)

Manuel Perez, Attica, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Nicoletta J. Caferri, and Karen Wigle Weiss of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (De Nice Powell of counsel), former appellate counsel.

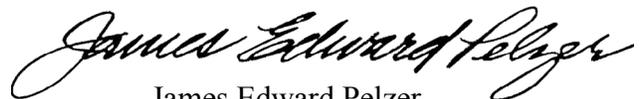
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated December 11, 2007 (*People v Perez*, 46 AD3d 708), affirming a judgment of the Supreme Court, Queens County, rendered March 29, 2005.

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).

SKELOS, J.P., RITTER, COVELLO and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 12, 2008

PEOPLE v PEREZ, MANUEL