

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

D20357
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_____AD3d_____

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
MARK C. DILLON
RUTH C. BALKIN, JJ.

2006-09470

DECISION & ORDER

The People, etc., respondent,
v Charles Carrasquillo, appellant.

(Ind. No. 7863/04)

Charles Carrasquillo, Fishkill, N.Y., appellant pro se.

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

Lynn W. L. Fahey, New York, N.Y., former appellate counsel.

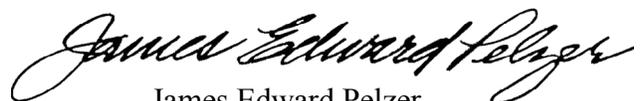
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated March 4, 2008 (*People v Carrasquillo*, 49 AD3d 549, *lv denied* 10 NY3d 860), affirming a judgment of the Supreme Court, Kings County, rendered April 13, 2006.

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., SANTUCCI, DILLON and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 16, 2008

PEOPLE v CARRASQUILLO, CHARLES