

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

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_____AD3d_____

A. GAIL PRUDENTI, P.J.
FRED T. SANTUCCI
JOSEPH COVELLO
EDWARD D. CARNI, JJ.

2004-06292

DECISION & ORDER

The People, etc., respondent,
v Cleveland Hawkins, appellant.

(Ind. No. 652/03)

Cleveland Hawkins, Coxsackie, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Rhea A. Grob 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 June 19, 2007 (*People v Hawkins*, 41 AD3d 732), affirming a judgment of the Supreme Court, Kings County, rendered June 17, 2004.

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., SANTUCCI, COVELLO and CARNI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 23, 2008

PEOPLE v HAWKINS, CLEVELAND