

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

D20828
O/kmg

_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
ROBERT A. SPOLZINO
PETER B. SKELOS, JJ.

1991-03552

DECISION & ORDER

The People, etc., respondent,
v Louis Holmes, appellant.

(Ind. No. 439/88)

Louis Holmes, Auburn, N.Y., appellant pro se.

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

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 21, 1992 (*People v Holmes*, 188 AD2d 618), affirming a judgment of the Supreme Court, Kings County, rendered March 9, 1989.

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., MASTRO, SPOLZINO and SKELOS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 28, 2008

PEOPLE v HOLMES, LOUIS