

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

D20849  
Y/prt

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

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
ANITA R. FLORIO, JJ.

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2003-05795

DECISION & ORDER

The People, etc., respondent,  
v Indar Pittam, appellant.

(Ind. No. 1063/01)

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Indar Pittam, Stormville, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Gary Fidel and Jill A. Gross-Marks 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 November 7, 2005 (*People v Pittam*, 23 AD3d 412), modifying a judgment of the Supreme Court, Queens County, rendered June 18, 2003.

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, RIVERA and FLORIO, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 28, 2008

PEOPLE v PITTAM, INDAR