

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

D22525
G/kmg

_____AD3d_____

DAVID S. RITTER, J.P.
HOWARD MILLER
MARK C. DILLON
DANIEL D. ANGIOLILLO, JJ.

2006-03263

DECISION & ORDER

The People, etc., respondent,
v Shawn Brown, appellant.

(Ind. No. 4137/05)

Shawn Brown, Wallkill, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Jodi L. Mandel 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 January 22, 2008 (*People v Brown*, 47 AD3d 826), affirming a judgment of the Supreme Court, Kings County, rendered March 20, 2006, as amended March 22, 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).

RITTER, J.P., MILLER, DILLON and ANGIOLILLO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 31, 2009

PEOPLE v BROWN, SHAWN