

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

D24436
O/kmg

_____AD3d_____

HOWARD MILLER, J.P.
RUTH C. BALKIN
ARIEL E. BELEN
LEONARD B. AUSTIN, JJ.

1997-01443

DECISION & ORDER

The People, etc., respondent,
v Terrance Daum, appellant.

(Ind. No. 148/96)

Terrance Daum, Pine City, N.Y., appellant pro se.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Anne Grady 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 26, 2000 (*People v Daum*, 278 AD2d 505), affirming a judgment of the Supreme Court, Richmond County, rendered February 3, 1997.

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).

MILLER, J.P., BALKIN, BELEN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 29, 2009

PEOPLE v DAUM, TERRANCE