

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

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C/kmg

_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
STEVEN W. FISHER, JJ.

2003-05505

DECISION & ORDER

The People, etc., respondent,
v Christopher Tatum, appellant.

(Ind. No. 3656/02)

Christopher Tatum, Romulus, 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. (Alexis A. Ascher 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 December 5, 2006 (*People v Tatum*, 35 AD3d 511), affirming a judgment of the Supreme Court, Kings County, rendered June 12, 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 FISHER, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 13, 2009

PEOPLE v TATUM, CHRISTOPHER