

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

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_____AD3d_____

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
MARK C. DILLON
ANITA R. FLORIO, JJ.

2002-02839

DECISION & ORDER

The People, etc., respondent,
v Marcel Vachet, appellant.

(Ind. No. 6322/00)

Marcel Vachet, Stormville, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Shulamit Rosenblum Nemecek 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 March 22, 2004 (*People v Vachet*, 5 AD3d 700), affirming a judgment of the Supreme Court, Kings County, rendered March 26, 2002.

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).

MASTRO, J.P., RIVERA, DILLON and FLORIO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 13, 2009

PEOPLE v VACHET, MARCEL