

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

D24902
W/kmg

_____AD3d_____

PETER B. SKELOS, J.P.
JOSEPH COVELLO
RUTH C. BALKIN
THOMAS A. DICKERSON, JJ.

2006-03262

DECISION & ORDER

The People, etc., respondent,
v Damien Adams, appellant.

(Ind. No. 5662/05)

Damien Adams, Dannemora, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Sholom J. Twersky of counsel),
for respondent.

Lynn W. L. Fahey, New York, N.Y. (Sarah J. Berger 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 October 7, 2008 (*People v Adams*, 55 AD3d 616), affirming a judgment of the Supreme Court, Kings County, rendered March 15, 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).

SKELOS, J.P., COVELLO, BALKIN and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 4, 2009

PEOPLE v ADAMS, DAMIEN

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