

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

D25515  
O/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
PETER B. SKELOS, JJ.

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2002-05570

DECISION & ORDER

The People, etc., respondent,  
v Lydell Harris, appellant.

(Ind. No. 4926/96)

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Lydell Harris, Stormville, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Anthea H. Bruffee of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (De Nice Powell of counsel), former appellate counsel.

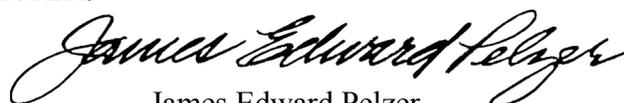
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated June 7, 2004 (*People v Harris*, 8 AD3d 402), affirming a judgment of the Supreme Court, Kings County, rendered May 20, 2002.

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).

PRUDENTI, P.J., MASTRO, RIVERA and SKELOS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 22, 2009

PEOPLE v HARRIS, LYDELL