

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

D25868
C/kmg

_____AD3d_____

Argued - December 21, 2009

PETER B. SKELOS, J.P.
RUTH C. BALKIN
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2000-04054

DECISION & ORDER

The People, etc., respondent,
v Theodore Folkes, a/k/a Theodore Blackstock,
appellant.

(Ind. No. 12050/98)

David R. Walton, New York, N.Y., for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Thomas M. Ross of counsel), for respondent.

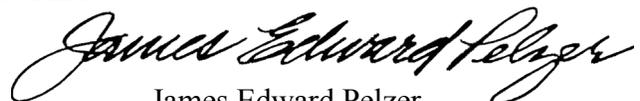
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated September 11, 2007 (*People v Folkes*, 43 AD3d 956), affirming a judgment of the Supreme Court, Kings County, rendered April 4, 2000.

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., BALKIN, LEVENTHAL and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

January 26, 2010

PEOPLE v FOLKES, THEODORE, a/k/a BLACKSTOCK, THEODORE

January 26, 2010

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