

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

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

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1991-02513

DECISION & ORDER

The People, etc., respondent,  
v Marcus Frye, appellant.

(Ind. No. 1772/88)

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Marcus Frye, Pine City, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Sharon Y. Brodt, and Ushir Pandit of counsel), for respondent.

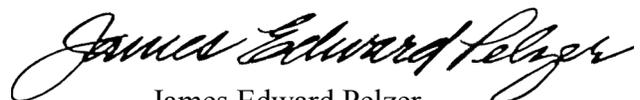
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated March 15, 1993 (*People v Frye*, 191 AD2d 851), modifying a judgment of the Supreme Court, Queens County, rendered June 15, 1989.

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

June 1, 2010

PEOPLE v FRYE, MARCUS