

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

D28047  
Y/kmg

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STEVEN W. FISHER, J.P.  
MARK C. DILLON  
FRED T. SANTUCCI  
RUTH C. BALKIN, JJ.

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1993-04933  
1996-04017

DECISION & ORDER

The People, etc., respondent,  
v Derrick Hamilton, appellant.

(Ind. No. 142/91)

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Derrick Hamilton, Auburn, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Joyce Slevin 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 May 22, 2000 (*People v Hamilton*, 272 AD2d 553), affirming a judgment of the Supreme Court, Kings County, rendered July 12, 1993, and an order of the same court dated April 2, 1996.

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).

FISHER, J.P., DILLON, SANTUCCI and BALKIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 29, 2010

PEOPLE v HAMILTON, DERRICK