

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

D28573
W/kmg

____AD3d____

REINALDO E. RIVERA, J.P.
JOSEPH COVELLO
THOMAS A. DICKERSON
CHERYL E. CHAMBERS, JJ.

2006-06160

DECISION & ORDER

The People, etc., respondent,
v Troy McRae, appellant.

(Ind. No. 4468/05)

Troy McRae, Auburn, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Rhea A. Grob of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Alexis A. Ascher of counsel), former appellate counsel.

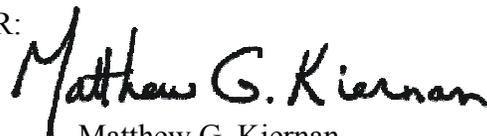
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated May 5, 2009 (*People v McRae*, 62 AD3d 723), affirming a judgment of the Supreme Court, Kings County, rendered May 24, 2006.

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).

RIVERA, J.P., COVELLO, DICKERSON and CHAMBERS, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

October 12, 2010

PEOPLE v McRAE, TROY