

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

D29291
O/kmb

_____AD3d_____

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

1991-05304

DECISION & ORDER

The People, etc., respondent,
v Christopher Kelly, appellant.

(Ind. No. 4301/90)

Christopher Kelly, Dannemora, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (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 February 22, 1994 (*People v Kelly*, 201 AD2d 668), affirming a judgment of the Supreme Court, Queens County, rendered May 31, 1991.

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:


Matthew G. Kiernan
Clerk of the Court

December 7, 2010

PEOPLE v KELLY, CHRISTOPHER