

**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  
JOSEPH COVELLO  
RUTH C. BALKIN, JJ.

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2006-11915

DECISION & ORDER

The People, etc., respondent,  
v Sydney Sampson, appellant.

(Ind. No. 333/04)

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Sydney Sampson, Auburn, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Nicoletta J. Caferri, and Karen Wigle Weiss of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Erica Horwitz 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 November 24, 2009 (*People v Sampson*, 67 AD3d 1031), affirming a judgment of the Supreme Court, Queens County, rendered December 5, 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).

PRUDENTI, P.J., MASTRO, COVELLO and BALKIN, JJ., concur.

ENTER:



Matthew G. Kiernan  
Clerk of the Court

February 15, 2011

PEOPLE v SAMPSON, SYDNEY