

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

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A. GAIL PRUDENTI, P.J.  
REINALDO E. RIVERA  
DANIEL D. ANGIOLILLO  
CHERYL E. CHAMBERS, JJ.

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2006-05448

DECISION & ORDER

The People, etc., respondent,  
v Damion Henry, appellant.

(Ind. No. 4651/05)

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Damion Henry, Comstock, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Diane R. Eisner of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Jonathan Garvin 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 March 31, 2009 (*People v Henry*, 60 AD3d 1083), affirming a judgment of the Supreme Court, Kings County, rendered May 25, 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., RIVERA, ANGIOLILLO and CHAMBERS, JJ., concur.

ENTER:



Matthew G. Kiernan  
Clerk of the Court

February 22, 2011

PEOPLE v HENRY, DAMION