

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

D30372
Y/kmb

_____AD2d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
ANITA R. FLORIO, JJ.

1998-08502

DECISION & ORDER

The People, etc., respondent,
v Frank Vargas, appellant.

(Ind. No. 4585/82)

Frank Vargas, Warwick, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Sholom J. Twersky 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 November 27, 2000 (*People v Vargas*, 277 AD2d 475), affirming a judgment of the Supreme Court, Kings County, rendered October 14, 1998.

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 FLORIO, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

March 15, 2011

PEOPLE v VARGAS, FRANK