

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

D30419
O/prt

_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON, JJ.

2004-03922

DECISION & ORDER

The People, etc., respondent,
v Markell Myrick, appellant.

(Ind. No. 3182/03)

Markell Myrick, Alden, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Jodi Mandel 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 July 18, 2006 (*People v Myrick*, 31 AD3d 668), affirming a judgment of the Supreme Court, Kings County, rendered April 26, 2004.

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 DILLON, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

March 15, 2011

PEOPLE v MYRICK, MARKELL