

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

D31881
Y/kmb

_____AD3d_____

WILLIAM F. MASTRO, J.P.
ARIEL E. BELEN
L. PRISCILLA HALL
LEONARD B. AUSTIN, JJ.

2005-11056

DECISION & ORDER

The People, etc., respondent,
v Jude Byron, appellant.

(Ind. No. 6836/03)

Jude Byron, Malone, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Keith Dolan, and Marie John-Drigo of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Paul Skip Laisure 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 December 1, 2009 (*People v Byron*, 68 AD3d 778), affirming a judgment of the Supreme Court, Kings County, rendered October 26, 2005.

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).

MASTRO, J.P., BELEN, HALL and AUSTIN, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

June 21, 2011

PEOPLE v BYRON, JUDE