

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

D32068
W/kmb

_____AD3d_____

MARK C. DILLON, J.P.
RUTH C. BALKIN
PLUMMER E. LOTT
SANDRA L. SGROI, JJ.

2008-02394

DECISION & ORDER

The People, etc., respondent,
v Nakwan Nelson, appellant.

(Ind. No. 9440/06)

Nakwan Nelson, Ossining, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Jodi L. Mandel, and Terry-Ann Llewellyn of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (William Kastin 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 May 4, 2010 (*People v Nelson*, 73 AD3d 811), affirming a judgment of the Supreme Court, Kings County, rendered March 7, 2008.

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).

DILLON, J.P., BALKIN, LOTT and SGROI, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

August 9, 2011

PEOPLE v NELSON, NAKWAN