

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

D32375
Y/prt

____AD3d____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
CHERYL E. CHAMBERS
PLUMMER E. LOTT, JJ.

2003-08551

DECISION & ORDER

The People, etc., respondent,
v Tyrone Johnson, appellant.

(Ind. No. 2002/00)

Robert J. Boyle, New York, N.Y., for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Karen W. Weiss, and Johnette Traill 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 October 6, 2009 (*People v Johnson*, 66 AD3d 703), affirming a judgment of the Supreme Court, Queens County, rendered September 10, 2003.

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, CHAMBERS and LOTT, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

September 27, 2011

PEOPLE v JOHNSON, TYRONE