

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

D32530  
N/kmb

\_\_\_\_\_AD3d\_\_\_\_\_

WILLIAM F. MASTRO, J.P.  
REINALDO E. RIVERA  
PETER B. SKELOS  
RUTH C. BALKIN, JJ.

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2005-10203

DECISION & ORDER

The People, etc., respondent,  
v Nayshawn Perkins, appellant.

(Ind. No. 1082/03)

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Nayshawn Perkins, Elmira, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Victor Barall of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Joshua M. Levine 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 April 14, 2009 (*People v Perkins*, 61 AD3d 780, *aff'd* 15 NY3d 200), affirming a judgment of the Supreme Court, Kings County, rendered June 14, 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., RIVERA, SKELOS and BALKIN, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court

October 11, 2011

PEOPLE v PERKINS, NAYSHAWN