

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

D32584
Y/kmb

_____AD3d_____

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

2006-02844

DECISION & ORDER

The People, etc., respondent,
v Jose Fuentes, appellant.

(Ind. No. 2465/04)

Jose Fuentes, Pine City, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Linda Breen), 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 February 5, 2008 (*People v Fuentes*, 48 AD3d 479, *affd* 12 NY3d 259), affirming a judgment of the Supreme Court, Kings County, rendered February 28, 2006.

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

October 18, 2011

PEOPLE v FUENTES, JOSE