

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

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G/kmb

_____AD3d_____

WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
MARK C. DILLON
DANIEL D. ANGIOLILLO, JJ.

2003-01948

DECISION & ORDER

The People, etc., respondent,
v Andrew James, appellant.

(Ind. No. 2311/01)

Andrew James, Wallkill, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Solomon Neubort 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 June 20, 2005 (*People v James*, 19 AD3d 616), affirming a judgment of the Supreme Court, Kings County, rendered February 25, 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).

MASTRO, A.P.J., RIVERA, DILLON and ANGIOLILLO, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

December 13, 2011

PEOPLE v JAMES, ANDREW