

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

D33294  
Y/prt

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

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
THOMAS A. DICKERSON  
CHERYL E. CHAMBERS, JJ.

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2007-08468

DECISION & ORDER

The People, etc., respondent,  
v James Clark Brown, appellant.

(Ind. No. 2491/06)

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James Clark Brown, Comstock, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Ayelet Sela 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 May 11, 2010  
(*People v Brown*, 73 AD3d 940), affirming a judgment of the Supreme Court, Queens County,  
rendered August 9, 2007.

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).

RIVERA, J.P., DILLON, DICKERSON and CHAMBERS, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

December 20, 2011

PEOPLE v BROWN, JAMES CLARK