

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

D33618  
C/kmb

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

WILLIAM F. MASTRO, A.P.J.  
REINALDO E. RIVERA  
PETER B. SKELOS  
MARK C. DILLON, JJ.

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2004-08031

DECISION & ORDER

The People, etc., respondent,  
v Gabriel Hoyle, appellant.

(Ind. No. 160/03)

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Gabriel Hoyle, Comstock, N.Y., appellant pro se.

Lynn W. L. Fahey, New York, N.Y. (Jonathan M. Kratter 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 September 12,  
2006 (*People v Hoyle*, 32 AD3d 864), affirming a judgment of the Supreme Court, Kings County,  
rendered August 4, 2004.

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, SKELOS and DILLON, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 17, 2012

PEOPLE v HOYLE, GABRIEL