

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

D33740
O/kmb

_____AD3d_____

MARK C. DILLON, J.P.
ANITA R. FLORIO
RUTH C. BALKIN
RANDALL T. ENG, JJ.

1995-07874

DECISION & ORDER

The People, etc., respondent,
v Alden Ferguson, appellant.

(Ind. No. 14574/94)

Alden Ferguson, Attica, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Lori Glachman, and Marie-Claude P. Wrenn-Myers of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Winston McIntosh 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 January 27, 2009 (*People v Ferguson*, 58 AD3d 865), affirming a judgment of the Supreme Court, Kings County, rendered August 17, 1995.

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).

DILLON, J.P., FLORIO, BALKIN and ENG, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 24, 2012

PEOPLE v FERGUSON, ALDEN