

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

D33954
H/kmb

_____AD3d_____

DANIEL D. ANGIOLILLO, J.P.
JOHN M. LEVENTHAL
LEONARD B. AUSTIN
SHERI S. ROMAN, JJ.

1995-08881

DECISION & ORDER

The People, etc., respondent,
v Howard Brown, appellant.

(Ind. No. 7792/94)

Howard Brown, Dannemora, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Catherine Dagonese of counsel),
for respondent.

Lynn W. L. Fahey, New York, N.Y. (Steven R. Bernhard 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 April 27, 1998
(*People v Brown*, 249 AD2d 556), affirming a judgment of the Supreme Court, Kings County,
rendered September 5, 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).

ANGIOLILLO, J.P., LEVENTHAL, AUSTIN and ROMAN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 14, 2012

PEOPLE v BROWN, HOWARD