

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

D34129
C/kmb

_____AD3d_____

WILLIAM F. MASTRO, A.P.J.
PETER B. SKELOS
RANDALL T. ENG
SANDRA L. SGROI, JJ.

2009-04688

DECISION & ORDER

The People, etc., respondent,
v Brett Archer, appellant.

(Ind. No. 2259/07)

Brett Archer, Wallkill, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Rhea A. Grob of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Paul Skip Laisure 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 March 1, 2011 (*People v Archer*, 82 AD3d 781), affirming a judgment of the Supreme Court, Kings County, rendered April 29, 2009.

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., SKELOS, ENG and SGROI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 28, 2012

PEOPLE v ARCHER, BRETT