

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

D34230  
N/prt

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

PETER B. SKELOS, J.P.  
RUTH C. BALKIN  
THOMAS A. DICKERSON  
JOHN M. LEVENTHAL, JJ.

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2008-10090

DECISION & ORDER

The People, etc., respondent,  
v John Love McGhee, appellant.

(Ind. No. 2017/06)

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John Love McGhee, Malone, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Gary Fidel and Ayelet Sela of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Barry Stendig 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 29, 2011 (*People v McGhee*, 82 AD3d 1264), affirming a judgment of the Supreme Court, Queens County, rendered October 17, 2008.

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).

SKELOS, J.P., BALKIN, DICKERSON and LEVENTHAL, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

March 13, 2012

PEOPLE v MCGHEE, JOHN LOVE