

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

D34977  
O/prt

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

WILLIAM F. MASTRO, A.P.J.  
REINALDO E. RIVERA  
MARK C. DILLON  
ANITA R. FLORIO, JJ.

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1997-02673

DECISION & ORDER

The People, etc., respondent,  
v Daniel Davis, also known as  
Michael Johnson, appellant.

(Ind. No. 14664/95)

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Daniel Davis, Malone, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Solomon Neubort, and Michael L. Brenner of counsel), for respondent.

Richard L. Herzfeld, P.C., New York, N.Y., 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 17, 2000 (*People v Davis*, 271 AD2d 618), affirming a judgment of the Supreme Court, Kings County, rendered March 4, 1997.

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, DILLON and FLORIO, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

May 15, 2012

PEOPLE v DAVIS, DANIEL, also known as JOHNSON, MICHAEL