

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

D35073  
W/hu

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

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
CHERYL E. CHAMBERS  
PLUMMER E. LOTT, JJ.

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2007-06034

DECISION & ORDER

The People, etc., respondent,  
v Michael Duhs, appellant.

(Ind. No. 43/06)

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Michael Duhs, Coxsackie, N.Y., appellant pro se.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Anne Grady of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Erin R. Collins 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 August 25, 2009 (*People v Duhs*, 65 AD3d 699, *aff'd* 16 NY3d 405), affirming a judgment of the Supreme Court, Richmond County, rendered June 13, 2007.

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).

RIVERA, J.P., ANGIOLILLO, CHAMBERS and LOTT, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

May 23, 2012

PEOPLE v DUHS, MICHAEL