

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

D35160  
C/kmb

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

WILLIAM F. MASTRO, A.P.J.  
DANIEL D. ANGIOLILLO  
JOHN M. LEVENTHAL  
LEONARD B. AUSTIN, JJ.

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2010-06407

DECISION & ORDER

The People, etc., respondent,  
v Steven Pitts, appellant.

(Ind. No. 2143/09)

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Steven Pitts, Stormville, N.Y., appellant pro se.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Avshalom Yotam of counsel), for respondent.

Lynn W. L. Fahey, 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 June 7, 2011 (*People v Pitts*, 85 AD3d 823), affirming a sentence of the Supreme Court, Kings County, imposed June 2, 2010.

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., ANGIOLILLO, LEVENTHAL and AUSTIN, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

June 6, 2012

PEOPLE v PITTS, STEVEN