

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

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WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
PETER B. SKELOS
JOHN M. LEVENTHAL, JJ.

1991-02513

DECISION & ORDER

The People, etc., respondent,
v Marcus Frye, appellant.

(Ind. No. 1772/88)

Marcus Frye, Pine City, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Nicoletta J. Caferri, and Rona I. Kugler of counsel), for respondent.

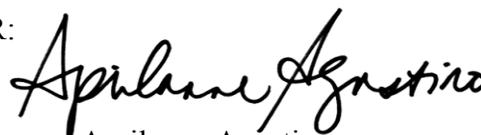
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated March 15, 1993 (*People v Frye*, 191 AD2d 581), affirming a judgment of the Supreme Court, Queens County, rendered June 15, 1989.

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, SKELOS and LEVENTHAL, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

August 29, 2012

PEOPLE v FRYE, MARCUS