

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

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_____AD3d_____

PETER B. SKELOS, J.P.
MARK C. DILLON
DANIEL D. ANGIOLILLO
RANDALL T. ENG, JJ.

1999-10421

DECISION & ORDER

The People, etc., respondent,
v Bernard Johnson, appellant.

(Ind. No. 1968/97)

Franzblau Dratch, P.C., New York, N.Y. (Stephen Dratch of counsel), for appellant.

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 3, 2009 (*People v Johnson*, 60 AD3d 695), affirming a judgment of the Supreme Court, Queens County, rendered October 21, 1999.

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., DILLON, ANGIOLILLO and ENG, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

September 12, 2012

PEOPLE v JOHNSON, BERNARD