

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

D36057
G/kmb

_____AD3d_____

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
PETER B. SKELOS
SANDRA L. SGROI, JJ.

1990-02660
1990-02682

DECISION & ORDER

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

(Ind. Nos. 2940/88, 2941/88)

Johnathan Johnson, Malone, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Sharon Y. Brodt, 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 October 7, 1991 (*People v Johnson*, 176 AD2d 756), modifying two judgments of the Supreme Court, Queens County, both rendered May 4, 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, J.P., RIVERA, SKELOS and SGROI, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

October 3, 2012

PEOPLE v JOHNSON, JOHNATHAN