

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

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T/kmb

_____AD3d_____

RANDALL T. ENG, P.J.
WILLIAM F. MASTRO
THOMAS A. DICKERSON
SANDRA L. SGROI, JJ.

2008-02328

DECISION & ORDER

The People, etc., respondent,
v Shakir Hewitt, appellant.

(Ind. No. 06-01245)

Shakir Hewitt, Wallkill, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Raffaelina Gianfrancesco and Steven A. Bender 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 22, 2011 (*People v Hewitt*, 82 AD3d 1119), affirming a judgment of the County Court, Westchester County, rendered February 19, 2008.

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).

ENG, P.J., MASTRO, DICKERSON and SGROI, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

October 3, 2012

PEOPLE v HEWITT, SHAKIR