

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

D36140
G/kmb

_____AD3d_____

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
CHERYL E. CHAMBERS
L. PRISCILLA HALL, JJ.

2000-08829

DECISION & ORDER

The People, etc., respondent,
v Kevin Thurmond, appellant.

(Ind. No. 8090/99)

Kevin Thurmond, Alden, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Linda Breen of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Joshua M. Levine of counsel), 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 May 28, 2002 (*People v Thurmond*, 294 AD2d 608), affirming a judgment of the Supreme Court, Kings County, rendered September 13, 2000.

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).

RIVERA, J.P., FLORIO, CHAMBERS and HALL, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

October 10, 2012

PEOPLE v THURMOND, KEVIN