

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

D36142  
N/kmb

\_\_\_\_\_AD3d\_\_\_\_\_

MARK C. DILLON, J.P.  
RUTH C. BALKIN  
CHERYL E. CHAMBERS  
SANDRA L. SGROI, JJ.

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2009-09958

DECISION & ORDER

The People, etc., respondent,  
v Brunel Maxineau, appellant.

(Ind. No. 1213/08)

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Brunel Maxineau, Malone, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Jeanette Lifschitz, and Gretchen Robinson of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Barry Stendig 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 November 3, 2010 (*People v Maxineau*, 78 AD3d 732), affirming a judgment of the Supreme Court, Queens County, rendered October 5, 2009.

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).

DILLON, J.P., BALKIN, CHAMBERS and SGROI, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

October 10, 2012

PEOPLE v MAXINEAU, BRUNEL