

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

D36178
T/kmb

_____AD3d_____

ANITA R. FLORIO, J.P.
ARIEL E. BELEN
LEONARD B. AUSTIN
ROBERT J. MILLER, JJ.

2009-00568

DECISION & ORDER

The People, etc., respondent,
v Christopher Simpkins, appellant.

(Ind. No. 7912/07)

Christopher Simpkins, Comstock, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Rhea A. Grob 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 February 15, 2011 (*People v Simpkins*, 81 AD3d 860), affirming a judgment of the Supreme Court, Kings County, rendered January 8, 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).

FLORIO, J.P., BELEN, AUSTIN and MILLER, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

October 17, 2012

PEOPLE v SIMPKINS, CHRISTOPHER