

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

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AD3d

MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
SANDRA L. SGROI
JEFFREY A. COHEN, JJ.

2010-10030

DECISION & ORDER

The People, etc., respondent,
v James Gillespie, appellant.

(Ind. No. 2468/09)

James Gillespie, Malone, NY, appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, NY (John M. Castellano, Johnette Traill, and Jonathan K. Yi of counsel), for respondent.

Paul Skip Laisure, New York, NY (De Nice Powell 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 July 18, 2012 (*People v Gillespie*, 97 AD3d 763), affirming a judgment of the Supreme Court, Queens County, rendered September 23, 2010.

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., LEVENTHAL, SGROI and COHEN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 17, 2018

PEOPLE v GILLESPIE, JAMES