

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

D20856  
C/kmg

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

A. GAIL PRUDENTI, P.J.  
ROBERT A. SPOLZINO  
STEVEN W. FISHER  
DANIEL D. ANGIOLILLO, JJ.

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2005-01728

DECISION & ORDER

The People, etc., respondent,  
v Luis Torres, appellant.

(Ind. No. 507/04)

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Luis Torres, Malone, N.Y., appellant pro se.

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

Lynn W. L. Fahey, New York, N.Y. (Joshua M. Levine of counsel), former appellate counsel.

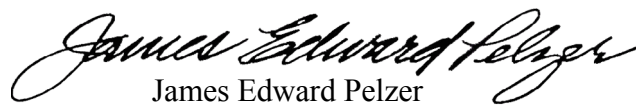
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated December 26, 2007 (*People v Torres*, 46 AD3d 925), affirming a judgment of the Supreme Court, Kings County, rendered February 17, 2005.

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).

PRUDENTI, P.J., SPOLZINO, FISHER and ANGIOLILLO, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 28, 2008

PEOPLE v TORRES, LUIS

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