

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

D24360
W/nl

_____AD3d_____

MARK C. DILLON, J.P.
FRED T. SANTUCCI
RUTH C. BALKIN
JOHN M. LEVENTHAL, JJ.

2005-11985

DECISION & ORDER

The People, etc., respondent,
v Garnell Thompson, appellant.

(Ind. No. 3289/04)

Garnell Thompson, Dannemora, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Solomon Neubort 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 September 23, 2008 (*People v Thompson*, 54 AD3d 975), affirming a judgment of the Supreme Court, Kings County, rendered November 15, 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).

DILLON, J.P., SANTUCCI, BALKIN and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 22, 2009

PEOPLE v THOMPSON, GARNELL