SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-4205-16T2

STATE OF NEW JERSEY,

Plaintiff-Respondent,

v.

RASHAUN BARKLEY,

Defendant-Appellant.

Submitted February 26, 2018 – Decided March 6, 2018

Before Judges Sabatino and Rose.

On appeal from Superior Court of New Jersey, Law Division, Essex County, Indictment No. 93-04-1390.

Rashaun Barkley, appellant pro se.

Robert D. Laurino, Acting Essex County Prosecutor, attorney for respondent (Frank J. Ducoat, Special Deputy Attorney General/Acting Assistant Prosecutor, of counsel and on the brief).

PER CURIAM

Defendant Rashaun Barkley, who was convicted of felony murder and other offenses at his 1994 trial, appeals from the denial of

his fifth petition for post-conviction relief ("PCR").[1] Defendant maintains he received ineffective assistance from his trial counsel and PCR counsel. His present arguments mainly concern an alleged failure by his counsel to advise him of a plea offer. Judge Martin G. Cronin rendered a comprehensive written decision.

On appeal, defendant argues:

> POINT I
>
> THE ORDER DENYING PCR SHOULD BE REVERSED AND THE MATTER REMANDED TO THE PCR JUDGE FOR AN EVIDENTIARY HEARING BECAUSE THE PETITIONER [HAS] MADE A PRIMA FACIE CASE OF INEFFECTIVE ASSISTANCE OF COUNSEL AT TRIAL UNDER THE STRICKLAND/FRITZ TEST.
>
> POINT II
>
> THE PCR JUDGE['S] RULING DENYING PCR VIOLATED DEFENDANT'S RIGHT TO THE EFFECTIVE ASSISTANCE OF COUNSEL AT TRIAL AS GUARANTEED BY THE SIXTH AMENDMENT OF THE U.S. CONSTITUTION.
>
> POINT III
>
> FIRST [PCR] COUNSEL WAS INEFFECTIVE FOR FAILURE TO LEARN ABOUT ALL PLEAS OFFERED BY THE STATE AND RAISING THE ISSUE ON [PCR]. (Not raised below)

In a reply brief, defendant raises the following point:

> POINT I
>
> ONCE AGAIN THE [STATE IS] ATTEMPTING TO CONFUSE THE FACTS BY SAYING THAT THERE WAS

[1] Although captioned as a "Motion for a New Trial," the trial court correctly treated defendant's application as a PCR claim.

> [NOT] ANY PLEA OFFER MADE THEN SAYING [DEFENDANT] WAS AWARE OF THE PLEA AND THEN REJECTING IT "VERBALLY."

We conclude that defendant's arguments are without sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(2). We affirm for the reasons set forth by Judge Cronin in his thorough and well-reasoned written decision.

Affirmed.