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ALPHA W. NIMS *v.* COMMISSIONER OF CORRECTION  
(AC 26508)

McLachlan, Lavine and Mihalakos, Js.

Argued November 13, 2006—officially released January 16, 2007

(Appeal from Superior Court, judicial district of  
Tolland, White, J.)

*David B. Rozwaski*, special public defender, for the  
appellant (petitioner).

*Frederick W. Fawcett*, supervisory assistant state's  
attorney, with whom, on the brief, were *Jonathan C.  
Benedict*, state's attorney, and *Gerard P. Eisenman*,  
senior assistant state's attorney, for the appellee  
(respondent).

*Opinion*

PER CURIAM. The petitioner, Alpha W. Nims, filed  
an amended petition for a writ of habeas corpus on  
February 10, 2004. After a hearing, the habeas court  
issued a written memorandum of decision dismissing  
the amended petition. The petitioner then filed a peti-  
tion for certification to appeal from the decision, which  
was denied by the court. This appeal followed.

On June 9, 2000, the petitioner was found guilty of  
(1) murder in violation of General Statutes § 53a-54a  
(a), (2) conspiracy to commit murder in violation of  
General Statutes §§ 53a-48 and 53a-54a (a), and (3)  
unlawful restraint in the first degree in violation of  
General Statutes § 53a-95 (a). He was sentenced to a  
total effective term of seventy years incarceration. The  
petitioner appealed from his conviction, and this court  
affirmed the judgment. See *State v. Nims*, 70 Conn.  
App. 378, 797 A.2d 1174, cert. denied, 261 Conn. 920,  
806 A.2d 1056 (2002). In this appeal, the petitioner  
alleges that his trial counsel was ineffective.

Our examination of the record and briefs and our  
consideration of the arguments of counsel persuade us  
that the court did not abuse its discretion in denying the  
petition for certification to appeal. The issues presented  
are not debatable among jurists of reason, a court could  
not resolve the issues in a different manner and the  
questions are not adequate to deserve encouragement  
to proceed further. See *Owens v. Commissioner of*

*Correction*, 63 Conn. App. 829, 831, 779 A.2d 165, cert. denied, 258 Conn. 905, 782 A.2d 138 (2001).

The appeal is dismissed.