

Cumulative Table of Cases
Connecticut Appellate Reports
Volume 203

(Replaces Prior Cumulative Table)

Allan v. Commissioner of Correction (Memorandum Decision)	903
Anderson v. Bloomfield	182
<i>Contracts; third-party beneficiary; motion to dismiss; whether trial court properly determined that plaintiff lacked standing because she was not third-party beneficiary of contract.</i>	
Bank of New York Mellon v. Madison	8
<i>Foreclosure; motion for judgment; motion for summary judgment; claim that trial court improperly granted plaintiff's oral motion for judgment on its reformation of mortgage claim; whether trial court improperly granted plaintiff's motion for summary judgment as to liability on its foreclosure claim; claim that plaintiff failed to establish that default notice that it had mailed to defendants complied with notice requirements of mortgage.</i>	
Batista v. Cortes	365
<i>Child custody; motion for modification of custody; claim that trial court abused its discretion in concluding that it was in child's best interests for child to reside with mother; whether trial court failed to properly consider claim of child support overpayment.</i>	
Bayview Loan Servicing, LLC v. MacCrae-Gray (Memorandum Decision)	903
Berman v. Berman	300
<i>Dissolution of marriage; postjudgment modification of alimony; whether trial court improperly found that defendant had relinquished claims she might have had to certain marital assets in exchange for lifetime alimony; whether trial court abused its discretion in denying motion for modification of alimony on basis of erroneous finding.</i>	
Bouffard v. Lewis	116
<i>Dissolution of marriage; postjudgment modification of alimony and child support; motion for contempt; whether automatic stay pursuant to rule of practice (§ 61-11 (c)) was applicable; whether trial court's imposition of automatic stay on orders to make payments of alimony and child support in connection with judgment finding party in contempt was improper.</i>	
Boutilier v. Commissioner of Correction (Memorandum Decision)	901
Buie v. Commissioner of Correction	232
<i>Habeas corpus; mootness; claim that habeas court improperly determined that it lacked subject matter jurisdiction over habeas petition and denied petition for certification to appeal; whether this court could afford petitioner practical relief.</i>	
C & H Shoreline, LLC v. Rubino	351
<i>Breach of contract; whether trial court properly rendered judgment for defendants on basis that plaintiff's claims were contractually time barred; whether contractual limitation period was ambiguous as to whether term "claiming party" referred only to client or to any party asserting cause of action relating to agreement; application of contra proferentem rule to resolve ambiguity in agreement against drafter.</i>	
Derblom v. Archdiocese of Hartford	197
<i>Motion to dismiss; standing; constructive trust; whether trial court properly granted defendant's motion to dismiss for lack of standing; whether trial court erred in construing bequest as outright gift rather than charitable trust; whether trial court erred in concluding that special interest exception to rule that attorney general has exclusive authority to bring action to enforce charitable gifts is limited to actions involving charitable trusts.</i>	
Disciplinary Counsel v. Cannatelli	236
<i>Attorney misconduct; presentment; appeal from judgment of trial court suspending respondent attorney from practice of law; claim that trial court erred in denying respondent's postjudgment motion to dismiss for lack of subject matter jurisdiction; claim that trial court lacked jurisdiction because hearing on respondent's</i>	

	<i>presentment was not held within sixty days of filing thereof, pursuant to applicable rule of practice (§ 2-47 (a)).</i>	
Donald G. v. Commissioner of Correction		58
	<i>Habeas corpus; whether trial counsel rendered ineffective assistance by failing to question witnesses about petitioner's attendance at event where some of his alleged criminal conduct occurred; whether petitioner was prejudiced by trial counsel's reference to complainant as victim or by trial counsel's failure to object or to request curative instruction when state made same reference; whether trial counsel rendered ineffective assistance by failing to investigate claim of uncharged misconduct.</i>	
Estate of James E. Fry v. Lobbruzzo (Memorandum Decision)		901
Houghtaling v. Commissioner of Correction		246
	<i>Habeas corpus; claim that trial counsel provided ineffective assistance during litigation of motion to suppress evidence at criminal trial; whether trial counsel's failure to call witness at hearing on motion to suppress fell below objective standard of reasonableness; claim that trial counsel rendered deficient performance by relying on Baker v. Carr (369 U.S. 186), rather than Katz v. United States (389 U.S. 347), in memorandum in support of motion to suppress; claim that habeas court deprived petitioner of state and federal constitutional rights to due process of law by analyzing, in its memorandum of decision, exhibit that had been admitted as full exhibit at habeas trial as exhibit admitted only for limited purpose; whether habeas court erroneously excluded certain evidence.</i>	
Johnson v. Johnson		405
	<i>Dissolution of marriage; claim that trial court committed plain error by imposing its own findings and interpretation of parties' separation agreement; claim that trial court acted in manner that gave rise to appearance of lack of impartiality; claim that trial court abused its discretion when it issued contradictory findings without changing its modified orders and issued orders that were beyond statutory time frame that defendant did not identify in brief; claim that trial court abused its discretion in finding defendant in contempt.</i>	
M. S. v. P. S.		377
	<i>Dissolution of marriage; whether trial court abused its discretion in fashioning support orders that totaled approximately 90 percent of defendant's net weekly income; whether trial court abused its discretion in entering relocation order allowing plaintiff to move across state lines within thirty-five miles of her current residence; whether trial court abused its discretion in amount of attorney's fees pendente lite it awarded to plaintiff.</i>	
Osbourne v. Commissioner of Correction (Memorandum Decision)		902
Pascola-Milton v. Millard		172
	<i>Negligence; underinsured motorist benefits; arbitration; motion for summary judgment; whether trial court erred in denying plaintiff's demand for trial de novo following voluntary arbitration; whether plaintiff's claims were barred by two year statute of limitations (§ 52-584).</i>	
Ricketts v. Ricketts		1
	<i>Dissolution of marriage; jurisdiction; whether appeal from postdissolution orders of trial court denying plaintiff's motion to transfer matter to Regional Family Trial Docket and appointing guardian ad litem for parties' minor children was from final judgment.</i>	
St. Pierre v. Commissioner of Correction (Memorandum Decision)		901
Sieranski v. TJC Esq, A Professional Services Corp.		75
	<i>Wrongful termination of employment; motion to strike; whether plaintiff sufficiently pleaded facts that, if proven, would fall under public policy exception to at-will employment doctrine; whether statutes (§§ 3-94h and 53a-157b) relied on by plaintiff outline public policy against knowingly assisting affiant in submitting false statements to court; whether notary's act of notarizing affidavit that she believed to be false would violate § 3-94h, which prohibits notaries from performing any action with intent to deceive or defraud.</i>	
Solek v. Commissioner of Correction.		289
	<i>Habeas corpus; claim that habeas court improperly determined that petitioner had not established good cause for untimely filing sufficient to rebut statutory (§ 52-470) presumption of unwarranted delay; reviewability on appeal of claim raised for first time in petitioner's reply brief; whether petitioner demonstrated that habeas court's conclusion that he had not demonstrated good cause for delay was debatable among jurists of reason, court could resolve issue differently or questions raised deserved encouragement to proceed further; whether record was</i>	

adequate to review claim that petitioner's severe mental health issues provided good cause for delay; whether habeas court failed to provide petitioner with meaningful opportunity to investigate and to present evidence as to good cause for delay in filing petition.

South Windsor v. Lanata 89
Zoning; claim that cease and desist order premised on alleged zoning violation was unconstitutionally vague; whether trial court abused its discretion in ordering fines during period in which defendant was under orders not to disturb property; claim that trial court improperly assessed fines for wilful violation of zoning regulations pursuant to statute (§ 8-12).

State v. Capasso 333
Reckless burning; false reporting of incident in second degree; sufficiency of evidence; whether state was required to prove that building in danger of destruction or damage referenced in reckless burning statute (§ 53a-114) was owned exclusively by someone other than defendant; whether trial court abused its discretion in denying defendant's motion to set aside verdict on ground that conviction for reckless burning was against weight of evidence.

State v. Geanuracos 359
Burglary in third degree; larceny in third degree; sufficiency of evidence; whether evidence adduced at trial was sufficient to find that defendant had entered or remained in victim's home unlawfully.

State v. Hall-George 219
Robbery in second degree; whether evidence was sufficient to prove beyond reasonable doubt that defendant threatened use of what he represented by his words or conduct to be deadly weapon or dangerous instrument pursuant to statute (§ 53a-135 (a) (1) (B)).

State v. Russaw 123
Manlaughter in second degree; evading responsibility; motion to suppress; whether trial court properly denied motion to suppress statements defendant made to police during custodial interrogation after defendant was not readvised of his Miranda rights before starting new line of questioning; whether interrogation of defendant on multiple subject matters comprised one continuous interview; whether Miranda rights are offense specific; whether waiver of Miranda rights was voluntary; whether admission of statements into evidence, if assumed to be improper, would have resulted in harmless error.

Stephenson v. Commissioner of Correction 314
Habeas corpus; subject matter jurisdiction; whether habeas court abused its discretion in denying petition for certification to appeal; whether petitioner sufficiently alleged claim under stigma plus test; whether claim of misapplication of parole eligibility statute (§ 54-125a) gave rise to cognizable liberty interest sufficient to invoke subject matter jurisdiction of habeas court.

U.S. Bank National Assn. v. Doe 218
Summary process; whether appeal was moot following defendants' dispossession of property.

U.S. Bank, N.A. v. Hickey (Memorandum Decision) 902

U.S. Bank, National Assn. v. Moncho 28
Foreclosure; whether trial court erred in determining that defendants were not entitled to implied admissions on special defenses; claim that plaintiff was not proper owner of debt and therefore lacked standing; whether trial court erred in rejecting statute of limitations special defense for lack of ripeness; whether noncompliance with securitization requirements implicated plaintiff's standing; whether defendants received proper notice of default and acceleration prior to foreclosure; whether trial court abused its discretion in rejecting defendants' special defense of unclean hands; whether trial court erred in admitting payment history on note into evidence under business records exception to hearsay rule.

Velez v. Commissioner of Correction 141
Habeas corpus; whether habeas court abused its discretion in dismissing, pursuant to statute (§ 52-470 (e)), successive petition for writ of habeas corpus for failure to show good cause for delay in filing petition beyond deadline for successive petitions set forth in § 52-470 (d) (2); claim that habeas court improperly determined that petitioner failed to prove that his mental deficiencies, as described in 2005 neuropsychological report, contributed to his delay in filing second habeas petition and, thus, failed to rebut presumption of unreasonable delay set forth in § 52-470 (d).

Village Mortgage Co. v. Veneziano 154
Declaratory judgment; mootness; motion to dismiss; jurisdiction; claim that trial court erred in its interpretation of parties' stipulation; whether defendant's appellate claims were moot; whether defendant could be afforded practical relief on appeal; whether outcome of appeal had collateral estoppel and res judicata effects as to when plaintiff acquired defendant's stock; whether defendant's ability to bring action for vexatious litigation or fraud in future against plaintiff was dependent on appeal being heard on its merits.

Vossbrinck v. Accredited Home Lenders, Inc. (Memorandum Decision). 902

Wells Fargo Bank, N.A. v. Robertson (Memorandum Decision). 903