

**Cumulative Table of Cases  
Connecticut Appellate Reports  
Volume 205**

*(Replaces Prior Cumulative Table)*

<p>Alcco Renewable Energy Ltd. v. Freedom of Information Commission . . . . .</p> <p style="padding-left: 2em;"><i>Administrative appeal; alleged violation of Freedom of Information Act (§ 1-200 et seq.); claim that trial court erred in concluding that Freedom of Information Commission's determination that answer key used to evaluate bids submitted in response to request for proposals was trade secret within ambit of applicable provision (§ 1-210 (b) (5) (A)) of act; claim that Department of Energy and Environmental Protection was not engaged in trade for purposes of § 1-210 (b) (5) (A); claim that trial court erred in concluding that commission's determination that answer key satisfied secrecy requirements under § 1-210 (b) (5) was supported by substantial evidence; whether department made reasonable efforts to maintain secrecy of information in answer key; whether information in proposals submitted to department was given in confidence.</i></p>	<p>144</p>
<p>Antonio A. v. Commissioner of Correction. . . . .</p> <p style="padding-left: 2em;"><i>Habeas corpus; request for order to show cause pursuant to statute (§ 52-470 (d) and (e)); claim that habeas court erred in failing to afford petitioner's counsel reasonable opportunity to investigate cause of delay in filing second habeas petition; whether habeas court was obligated to delay its consideration of respondent's request for order to show cause because petitioner's counsel represented to court that it was possible that, in future, petitioner could pursue actual innocence claim in amended petition; whether habeas court abused its discretion in refusing to afford petitioner any additional time prior to acting on respondent's request for order to show cause; whether petitioner's counsel was on notice of purpose of hearing on respondent's request; claim that habeas court erred in denying petitioner's motion for reconsideration; whether habeas court abused its discretion in treating motion for reconsideration as motion to open judgment; claim that habeas court erred in denying petition for certification to appeal; claim that habeas court erred in denying motion for permission to file late amended petition for certification to appeal and for reconsideration of denial of petition for certification to appeal; claim that habeas court erred in dismissing petitioner's third habeas petition; whether habeas court's dismissal of third habeas petition under rule of practice (§ 23-29 (3)) during its preliminary consideration of petition and prior to issuing writ of habeas corpus was procedurally improper; whether proper remedy was for habeas court to issue writ and, following appointment of counsel, petitioner be given opportunity to rectify any pleading deficiencies.</i></p>	<p>46</p>
<p>Anderson v. Commissioner of Correction . . . . .</p> <p style="padding-left: 2em;"><i>Habeas corpus; whether habeas court improperly denied petition for writ of habeas corpus; claim that trial counsel rendered ineffective assistance by failing to pursue defense of lack of capacity due to mental disease or defect; adoption of habeas court's memorandum of decision as proper statement of relevant facts, issues and applicable law on issues.</i></p>	<p>173</p>
<p>Bank of New York Mellon v. Gilmore (Memorandum Decision) . . . . .</p>	<p>901</p>
<p>Bank of New York Mellon v. Hatheway (Memorandum Decision) . . . . .</p>	<p>903</p>
<p>Banks v. Commissioner of Correction . . . . .</p> <p style="padding-left: 2em;"><i>Habeas corpus; dismissal of habeas petition as untimely pursuant to applicable statute (§ 52-470 (c) and (e)); whether habeas court abused its discretion in denying petition for certification to appeal; whether petitioner was entitled to review of his claims on appeal under State v. Golding (213 Conn. 233) or for plain error; failure to raise claims as grounds for appeal in petition for certification to appeal.</i></p>	<p>337</p>
<p>Berka v. Middletown . . . . .</p> <p style="padding-left: 2em;"><i>Zoning; municipal blight citation; anti-blight ordinance; whether trial court properly granted defendants' motion to strike plaintiff's request for jury trial; whether plaintiff's claim that citation hearing officer had conflict of interest was properly raised on appeal; whether, even if citation hearing officer had conflict of interest, it was cured by de novo proceeding before trial court; whether plaintiff's constitu-</i></p>	<p>213</p>

<i>tional claims were properly raised on appeal; whether trial court abused its discretion in refusing to permit plaintiff to amend complaint or to argue constitutional issues; whether trial court's factual findings challenged by plaintiff on appeal were clearly erroneous.</i>	
Charles F. v. Commissioner of Correction (Memorandum Decision) . . . . .	903
Collins v. Rogers (Memorandum Decision) . . . . .	902
Conklin v. Teachers Ins. Co. (Memorandum Decision) . . . . .	904
Fair v. Commissioner of Correction. . . . .	282
<i>Habeas corpus; whether habeas court abused its discretion in denying petition for certification to appeal; claim that petitioner was denied constitutional right to effective assistance of counsel; claim that trial counsel failed to produce allegedly exculpatory expert testimony; claim that trial counsel failed to impeach witness for alleged motivation to cooperate with police to avoid criminal liability; claim that trial counsel failed to impeach witness with respect to his inconsistent statements to police regarding identity of shooter.</i>	
Fairfield Shores, LLC v. DeSalvo . . . . .	96
<i>Landlord-tenant; alleged damages to rental property in excess of security deposit; whether appeal was moot on basis that defendants did not challenge all independent bases for trial court's judgment; claim that trial court improperly rendered judgment for plaintiff on basis of statutory (§ 47a-2) exemption for certain housing arrangements incidental to educational services from application of title 47a of General Statutes to security deposit; whether judgment correctly was rendered for plaintiff on defendants' second amended counterclaim when defendants made certain judicial admission in joint stipulation of facts concerning security deposit.</i>	
Goshen Mortgage, LLC v. Androulidakis . . . . .	15
<i>Foreclosure; claim that trial court improperly determined that plaintiff had standing to commence foreclosure action; claim that trial court improperly granted motion to substitute plaintiff; claim that trial court improperly denied motions to dismiss; claim that trial court improperly granted motion for summary judgment as to liability; claim that trial court improperly rendered judgment of strict foreclosure; claim that trial court improperly denied motion to open judgment.</i>	
Gray v. Commissioner of Correction (Memorandum Decision) . . . . .	901
In re Sequoia G. . . . .	222
<i>Termination of parental rights; claim that trial court improperly found that it was in best interests of minor children to terminate respondent mother's parental rights; whether trial court's findings, made pursuant to statute (§ 17a-112 (k)), as to children's best interests were factually supported and legally sound; whether it was inappropriate for trial court to have considered, as to emotional ties factor in § 17a-112 (k) (4), bond between children and foster parents; whether trial court's factual findings supported its conclusion under § 17a-112 (k) (3) that mother had not complied with court orders; whether trial court had obligation, sua sponte, to consider less onerous means of achieving permanency planning in absence of motion specifically seeking alternative permanency plan.</i>	
Jackson v. Pennymac Loan Services, LLC . . . . .	189
<i>Release of mortgage pursuant to statute (§ 49-8); whether trial court improperly dismissed plaintiffs' action for lack of subject matter jurisdiction on basis of plaintiffs' alleged failure to satisfy requirements of § 49-8 (c) regarding statutory demand notice for release of mortgage; claim that trial court deprived plaintiffs of due process by improperly addressing, sua sponte, issue of whether plaintiffs failed to satisfy statutory demand notice requirements without affording them notice or opportunity to be heard; claim that judgment of dismissal could be affirmed on alternative ground that plaintiffs were not aggrieved pursuant to § 49-8 because they did not suffer any harm and, therefore, did not have standing.</i>	
Lowthert v. Freedom of Information Commission (Memorandum Decision) . . . . .	904
Marco v. Starr Indemnity & Liability Co. . . . .	111
<i>Breach of contract; duty to defend; law of case doctrine; claim that trial court erred in ordering court trial on matter of insurer's duty to defend following denial of summary judgment on same issue; claim that trial court improperly deprived plaintiff of right to jury trial on duty to defend issue; claim that trial judge should have recused himself to avoid appearance of impropriety due to his involvement in pretrial settlement negotiations.</i>	

Mirlis v. Yeshiva of New Haven, Inc. . . . .	206
<i>Foreclosure of judgment lien; whether trial court improperly determined fair market value of property as compromise figure between conflicting appraisals from parties.</i>	
Ortiz v. Torres-Rodriguez. . . . .	129
<i>Termination of employment; recklessness; intentional infliction of emotional distress; libel; whether trial court properly granted defendant's motion for summary judgment; adoption of trial court's memorandum of decision as proper statement of relevant facts, issues and applicable law.</i>	
Reserve Realty, LLC v. BLT Reserve, LLC (See Reserve Realty, LLC v. Windemere Reserve, LLC) . . . . .	299
Reserve Realty, LLC v. Windemere Reserve, LLC . . . . .	299
<i>Breach of contract; anticipatory breach; whether listing agreements complied with provision of commercial real estate statute (§ 20-325a) governing duration of broker's authority to act as exclusive listing agent; whether buyer's agreement or listing agreements were ambiguous as to duration intended by parties; whether trial court erred in concluding that it was not inequitable to deny recovery to plaintiffs.</i>	
Schott v. Schott . . . . .	237
<i>Dissolution of marriage; motion to modify alimony; claim that, pursuant to plain language of separation agreement, trial court was obligated to terminate defendant's alimony obligation in light of evidence of plaintiff's cohabitation; whether trial court's application of provision of statute (§ 46b-86 (a)) governing substantial change in circumstances, instead of § 46b-86 (b), governing cohabitation, was error.</i>	
Small v. Commissioner of Correction (Memorandum Decision) . . . . .	902
Smith v. Commissioner of Correction (Memorandum Decision) . . . . .	903
State v. Coltherst . . . . .	1
<i>Motion to correct illegal sentence; whether trial court properly dismissed motion to correct illegal sentence; whether defendant was entitled to resentencing because trial court imposed effective life sentence without having first considered defendant's age and hallmark characteristics of youth; claim that sentencing proceeding was merely academic exercise that contravened intent of legislature in eliminating availability of capital felony for juvenile defendants; claim that State v. Delgado (323 Conn. 801) was inapplicable because it could be presumed that sentencing court knew defendant previously had been sentenced to life imprisonment without possibility of release.</i>	
State v. Sinchak . . . . .	346
<i>Murder; kidnapping in first degree; motion to correct illegal sentence; claim that sentence violated defendant's right to due process guaranteed by fourteenth amendment to United States constitution; whether sentence gave rise to inference of vindictiveness that required explicit statement from judge at time of sentencing that sentence was not being imposed as punishment for defendant's refusal to forgo trial and accept plea deal.</i>	
Tarasco v. Commissioner of Correction (Memorandum Decision) . . . . .	905
Towing & Recovery Professionals of Connecticut, Inc. v. Dept. of Motor Vehicles . . . .	368
<i>Administrative appeal; petition pursuant to statute (§ 14-66) for revision of rates for nonconsensual towing and storage services; claim that final decision of Commissioner of Motor Vehicles was not supported by substantial evidence in record; whether commissioner's balancing of relevant statutory and regulatory factors was within commissioner's discretion; whether commissioner's exercise of that discretion was unreasonable, arbitrary or illegal.</i>	
Turner v. Commissioner of Correction (Memorandum Decision) . . . . .	902
U.S. Bank National Assn. v. Poole (Memorandum Decision) . . . . .	901
Vere C. v. Commissioner of Correction (Memorandum Decision) . . . . .	904
Zachs v. Commissioner of Correction . . . . .	243
<i>Habeas corpus; whether habeas court correctly denied claim of ineffective assistance of counsel; whether petitioner established that there was no tactical justification for counsel's defense strategy; claim that it was unreasonable for counsel to present defense that was inconsistent with petitioner's testimony at trial; whether habeas court erred in concluding that petitioner procedurally defaulted on and waived claim that trial counsel had conflict of interest; whether claim that trial counsel had conflict of interest could not be procedurally defaulted because record was inadequate to raise it on direct appeal; claim that petitioner's waiver of counsel's conflict of interest was premised on cross-examination of rebuttal wit-</i>	

*nesses actually occurring; whether habeas court correctly determined that petitioner procedurally defaulted on conflict of interest claim pursuant to United States v. Cronin (466 U.S. 648); claim that prejudice against petitioner should have been presumed under Cronin because of counsel's conflict of interest; whether habeas court improperly declined to consider aggregate effect of trial court's alleged errors.*

*Zealand v. Balber* . . . . . 376

*Partition of real property; whether trial court abused its discretion in determining parties' respective interests in real property; whether trial court abused its discretion in precluding evidence plaintiff sought to offer regarding nonmonetary contributions to defendant and children; claim that trial court exceeded its authority under statute (§ 52-500 (a)) governing partitions of real property by sale; claim that trial court's conclusion that sale of real property was necessary undermined and was inconsistent with its conclusion that sale would not promote parties' interests; whether trial court abused its equitable discretion in awarding plaintiff \$25,000 as just compensation pursuant to § 52-500 (a).*