

Cumulative Table of Cases
Connecticut Appellate Reports
Volume 208

(Replaces Prior Cumulative Table)

Bologna v. Bologna	218
<i>Dissolution of marriage; claim that trial court improperly modified dissolution judgment when it denied plaintiff's postjudgment motion for clarification; whether trial court properly construed plaintiff's motion for clarification as impermissible motion for modification; whether trial court had authority to modify terms of parties' separation agreement.</i>	
Bridges v. Commissioner of Correction (Memorandum Decision)	902
Bridges v. Commissioner of Correction (Memorandum Decision)	903
Cinotti v. Divers (Memorandum Decision)	901
Connolly v. State (See Menard v. State)	303
Danner v. Commission on Human Rights & Opportunities	234
<i>Administrative appeal; whether trial court properly considered plaintiff's affidavit as competent evidence in opposition to motion for summary judgment; whether trial court failed to afford deference to human rights referee's decision in conducting plenary review of record; whether trial court erred in considering whether genuine issues of material fact existed.</i>	
Herron v. Daniels	75
<i>Landlord-tenant; action for return of security deposit; claim that trial court erred when it awarded plaintiff double damages pursuant to applicable statute (§ 47a-21 (d)) for defendant's failure to return portion of plaintiff's security deposit; whether trial court's determination that certain of defendant's charges for damages to premises were pretextual was erroneous; claim that trial court erred when it concluded that defendant's handling of security deposit and her failure to return portion of it violated Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); whether defendant was required to place security deposit into escrow account; whether plaintiff suffered ascertainable loss as result of defendant's withholding of portion of security deposit; claim that trial court erred when it awarded punitive damages to plaintiff under CUTPA; claim that trial court erred in holding that plaintiff was not entitled to return of certain rental payments pursuant to applicable statute (§ 47a-11); whether plaintiff abandoned premises prior to end of lease term; claim that trial court erred in denying plaintiff's common-law claim for money had and received.</i>	
HSBC Bank USA, N.A. v. Cardinal (Memorandum Decision)	902
In re Neveah D. (Memorandum Decision)	904
Johnson v. Commissioner of Correction	204
<i>Habeas corpus; claim that habeas court abused its discretion in denying petition for certification to appeal; claim that habeas court abused its discretion in declining to issue writ of habeas corpus; interpretation of rule of practice (§ 23-24); whether petitioner's first and second habeas petitions were identical; whether decision by habeas court to decline to issue writ of habeas corpus was proper due to lack of subject matter jurisdiction; whether retroactive application of 2013 amendment to risk reduction earned credit program for parole eligibility to petitioner violated ex post facto clause of federal constitution; whether case was distinguishable from Whistnant v. Commissioner of Correction (199 Conn. App. 406) in context of habeas court's decision to decline to issue writ for lack of jurisdiction pursuant to § 23-24 (a) (1).</i>	
JPMorgan Chase Bank, National Assn. v. Malick	38
<i>Foreclosure; claim that trial court improperly rendered judgment of strict foreclosure; whether trial court erred as matter of law when it accepted affidavit of debt and relied on it to establish amount of defendant's indebtedness even though defendant had articulated specific objections to amount of mortgage debt; whether trial court properly applied rule of practice (§ 23-18 (a)) in permitting plaintiff to prove amount of debt by submission of affidavit; whether defendant's articulated objections concerning amount of mortgage debt were sufficient to render application of § 23-18 improper.</i>	

Menard v. State	303
<i>Underinsured motorist benefits; whether plaintiffs' original joint appeal was taken from final judgments; whether this court lacked subject matter jurisdiction to entertain original joint appeal; claim that trial court improperly declined to award plaintiffs damages related to claims of post-traumatic stress disorder (PTSD); whether PTSD claims were compensable under underinsured motorist claims statute (§ 38a-336); whether PTSD and accompanying physical manifestations could be construed as "bodily injury" within purview of § 38a-336; claim that trial court improperly reduced plaintiffs' damages by sums of workers' compensation benefits received; whether statutory and regulatory scheme governing underinsured motorist coverage in Connecticut imposed requirement on self-insurers to notify claimants of election of permissive offsets under applicable state regulation (§ 38a-334-6); claim that trial court committed error in declining to reduce one plaintiff's damages by sums recovered pursuant to Dram Shop Act (§ 30-102); whether plaintiff was compensated twice for same injury in violation of common-law rule precluding double recovery; whether, on remand, because plaintiffs were not entitled to recover damages against state, judgments must be rendered for state.</i>	
Ocwen Loan Servicing, LLC v. Sheldon	132
<i>Foreclosure; doctrine of unclean hands; whether trial court's finding that mortgage lender failed to restore defendants' credit following its own error was clearly erroneous; whether trial court abused its discretion in concluding that substitute plaintiff's legal title to property was unenforceable after finding for defendants on their special defense of unclean hands; claim that trial court's finding that certain conduct of mortgage lender was wilful was clearly erroneous; claim that trial court's finding that defendants came to court with clean hands was clearly erroneous; claim that trial court's finding that defendants' economic downfall was caused by mortgage lender was clearly erroneous.</i>	
Orzech v. Giacco Oil Co.	275
<i>Workers' compensation; claim that Compensation Review Board improperly affirmed Workers' Compensation Commissioner's award of survivorship benefits to plaintiff; whether commissioner erred in making several subordinate findings supporting his determination that chain of causation connecting decedent's compensable injuries to his death existed; whether commissioner improperly failed to find that decedent's conduct leading up to his death constituted superseding cause of his death that defeated compensability pursuant to Sapko v. State (305 Conn. 360).</i>	
Robinson v. Tindill	255
<i>Trespass; whether trial court improperly found defendants liable for trespass; claim that privacy fence defendants constructed was divisional fence pursuant to statute (§ 47-43) and within permitted limit of intrusion on plaintiffs' property; unpreserved claim that trial court improperly found defendant property owner liable for trespass because split rail fence was fixture appurtenant to property she owned; claim that trial court improperly found codefendant liable for conversion where plaintiffs never pleaded conversion in complaint or briefed it in motion for summary judgment, and complaint alleged that conduct in dismantling portions of fence constituted trespass.</i>	
S. B-R. v. J. D.	342
<i>Order of civil protection; whether trial court abused its discretion in issuing order of civil protection pursuant to statute (§ 46b-16a); claim that trial court did not apply objective standard in finding that plaintiff's fear was reasonable; claim that trial court failed to make finding that defendant would continue to commit acts of stalking against plaintiff.</i>	
Setzer v. Gugliotti (Memorandum Decision)	903
Sosa v. Commissioner of Correction (Memorandum Decision)	901
State v. Goode	198
<i>Criminal damage to landlord's property in first degree; whether evidence was sufficient to support conviction; claim that state presented insufficient evidence to establish element of specific intent.</i>	
State v. Luna	45
<i>Misconduct with motor vehicle; assault in third degree; whether evidence was sufficient to support conviction; claim that evidence was insufficient for jury to determine that defendant acted with criminal negligence; claim that trial court abused its discretion and violated defendant's constitutional right to present defense when it precluded her from introducing toxicology report into evidence;</i>	

claim that admission into evidence of death certificate violated defendant's sixth amendment right to confrontation because death certificate contained testimonial hearsay; claim that trial court violated defendant's constitutional right to conflict free representation when trial court failed to inquire, sua sponte, into conflict of interest defense counsel created.

State v. Shawn G. 154
*Possession of narcotics with intent to sell by person who is not drug-dependent; criminal possession of revolver; risk of injury to child; whether evidence was sufficient to support conviction; claim that evidence was insufficient to establish that defendant had dominion and control over and constructively possessed revolver and narcotics; claim that defendant was not in exclusive possession of apartment in which police found revolver and narcotics; whether evidence of loaded revolver hidden in storage container was sufficient to support conviction of risk of injury to child; whether trial court violated defendant's sixth amendment right to compulsory process when it declined to issue *capias* for police officer who failed to appear at trial in response to subpoena and denied request for continuance.*

Swain v. Commissioner of Correction (Memorandum Decision) 902
 Talton v. Commissioner of Correction (Memorandum Decision) 901
 Tannenbaum v. Tannenbaum 16
Dissolution of marriage; whether trial court improperly modified parties' custody agreement regarding air travel relating to minor child.

Ulanoff v. Becker Salon, LLC 1
Negligence; personal injury; claim that trial court erred by precluding plaintiff from introducing into evidence photograph of entryway to defendants' business, where her accident occurred, which she had obtained from defendant's website; claim that trial court erred in prohibiting plaintiff from questioning witness about appearance of entryway on date prior to incident; claim that cumulative effect of trial court's allegedly erroneous rulings was harmful.

U.S. Bank Trust, N.A. v. Healey (Memorandum Decision) 903
 Waters Edge 938, LLC v. Mazzarella 361
Summary process; claim that trial court improperly concluded that statutory (§ 47a-23c) prohibition against landlords dispossessing disabled tenants who reside in complex consisting of five or more units without good cause did not apply to action; whether two buildings owned by different entities with common member constituted single complex under § 47a-23c.

Watson Real Estate, LLC v. Woodland Ridge, LLC 115
Contracts; attorney's fees; motion for judgment; claim that trial court improperly denied defendant's request for trial and appellate attorney's fees; whether trial court failed to exercise its discretion with respect to defendant's request for attorney's fees.

Zdrojeski v. State (See Menard v. State) 303