Cumulative Table of Cases Connecticut Reports Volume 331

(Replaces Prior Cumulative Table)

Anderson v. Dike (Order) Bank of America, National Assn. v. Liebskind (Order) Becue v. Becue (Order). Boria v. Commissioner of Correction (Order). Boucher v. Saint Francis GI Endoscopy, LLC (Order) Bruno v. Whipple (Order) Bruno v. Commissioner of Correction (Order) Cannatelli v. Statewide Grievance Committee (Order) Citibank, N.A., Trustee v. Stein (Order) CitiMortgage, Inc. v. Pritchard (Order) Connecticut Community Bank, N.A. v. Kiernan (Order) Costello v. Goldstein & Peck, P.C. (Order) Day v. Seblatnigg (Order) Deutsche Bank AG v. Sebastian Holdings, Inc.	910 907 902 902 905 911 905 903 906 911 908 913 379
Enforcement of foreign judgment; summary judgment; res judicata; collateral estoppel; certification from Appellate Court; whether Appellate Court correctly concluded that plaintiff's corporate veil piercing claim was not barred by res judicata; whether Appellate Court correctly concluded that individual defendant was not collaterally estopped from denying liability for foreign judgment rendered against defendant corporation.	
Dubinsky v. Reich (Order)	918 916 493
Federal National Mortgage Assn. v. Buhl (Order)	906 436
Fingelly v. Fairfield (Order)	904 918 903 289

property reasoned that, because limited liability company of which plaintiff was only member allegedly did not maintain appropriate corporate formalities, its status as limited liability company had to be disregarded; whether chairman of Workers' Compensation Commission had authority to adopt conclusive presumption that members of single-member limited liability companies are not their employees for purposes of act; whether board incorrectly concluded that plaintiff was not employee of limited liability company and, therefore, was not entitled to concurrent employment benefits pursuant to § 31-310.	
Ham v. Commissioner of Correction (Order) Hodges v. Commissioner of Correction (Order) Hynes v. Jones	904 912 385
Probate appeal; whether trial court properly dismissed plaintiff's appeal from Probate Court's denial of motion to dismiss guardianship proceedings; whether Probate Court had jurisdiction to monitor or approve use of money from September 11th Victim Compensation Fund previously paid to plaintiff as representative payee for benefit of minor child; history and purpose of September 11th Victim Compensation	
sation Fund, discussed.	
In re Tresin J. (Order)	909
Jacobson v. Commissioner of Correction (Order)	901
Jones v. Commissioner of Correction (Order)	917
Karagozian v. USV Optical, Inc. (Order)	904
Mangiafico v. Farmington	404
Action seeking, inter alia, damages and injunctive relief pursuant to federal statute (42 U.S.C. § 1983); alleged taking of property in violation of federal and state constitutions; motion to dismiss; motion for summary judgment; certification	
from Appellate Court; whether Appellate Court improperly upheld trial court's dismissal of plaintiff's § 1983 claims for lack of subject matter jurisdiction on	
ground that plaintiff was required but failed to exhaust state administrative	
remedies prior to bringing § 1983 claims in state court; reviewability of alterna-	
tive ground for affirming Appellate Court's judgment that plaintiff's takings	
claims were not ripe for judicial review because there purportedly had not been	
final administrative decision; Laurel Park, Inc. v. Pac (194 Conn. 677) and Pet	
v. Dept. of Health Services (207 Conn. 346), to extent they held that exhaustion	
of state administrative remedies is jurisdictional prerequisite to filing of § 1983	
action for injunctive relief, overruled; this court's conclusion in Port Clinton Associ-	
ates v. Board of Selectmen (217 Conn. 588) that lack of final administrative decision	
in § 1983 action alleging unlawful taking is jurisdictional defect that may be raised	
for first time on appeal, abandoned.	000
Margarita O. v. Irazu (Order)	908 914
Mosby v. Board of Education (Order)	917
Raspberry Junction Holding, LLC v. Southeastern Connecticut Water Authority	364
Negligence; summary judgment; claim that defendant water authority, as municipal corporation engaged in proprietary function, was not immune from liability	504
and had no authority, express or implied, to promulgate rules limiting its liability	
for negligence; claim that, if defendant had such authority, rule limiting liability	
would not be reasonable exercise of authority because defendant was not subject	
to regulations that might otherwise circumscribe its ability to set rates to cover liability costs.	
Rivera v. Commissioner of Correction (Order)	901
Ross v. Commissioner of Correction (Order)	915
Smith v . Commissioner of Correction (Order)	912
Soto v. Bushmaster Firearms International, LLC	53
Wrongful death action pursuant to statute (§ 52-555) against defendant manufactur- ers, distributors, and sellers of semiautomatic rifle used in school shooting; claim	
that defendants negligently entrusted to civilian consumers assault rifle that is	
suitable for use only by military and law enforcement personnel; claim that	
defendants violated Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a	
et seq.) through sale or wrongful marketing of rifle; motion to strike plaintiffs'	
complaint; claim that all of plaintiffs' claims were barred by Protection of Lawful	
Commerce in Arms Act (PLCAA) (15 U.S.C. §§ 7901 through 7903 [2012]);	
whether trial court correctly concluded that plaintiffs did not plead legally suffi-	
cient cause of action based on negligent entrustment under state common law;	
whether trial court improperly struck plaintiffs' claims under CUTPA on ground	
that plaintiffs lacked standing because they were third-party victims who did not	

State a Brown

917

have consumer or commercial relationship with defendants; claim that prudential concerns supported restriction of CUTPA standing to persons who have direct business relationship with alleged wrongdoer; whether statute of limitations applicable to wrongful death claims or whether statute of limitations applicable to CUTPA claims applied to cause of action for wrongful death predicated on CUTPA violation; whether plaintiffs' wrongful death claims predicated on theory that any sale of military style assault weapons, such as rifle in question, represented unfair trade practice were time barred; whether plaintiffs' wrongful death claims predicated on theory that defendants violated CUTPA by advertising and marketing rifle in unethical, oppressive, immoral, and unscrupulous manner were time barred; claim, as alternative ground for affirming trial court's judgment, that exclusivity provision of Connecticut Product Liability Act (§ 52-572n [a]) barred plaintiffs' CUTPA claims that were predicated on defendants' allegedly wrongful advertising and marketing of rifle; whether personal injuries resulting in death that are alleged to have resulted directly from wrongful advertising and marketing practices are cognizable under CUTPA; whether PLCAA barred plaintiffs' wrongful death claims predicated on theory that defendants violated CUTPA by marketing rifle in question to civilians for criminal purposes; whether trial court correctly concluded that CUTPA, as applied to plaintiffs' allegations, fell within PLCAA's "predicate" exception to immunity for civil actions alleging that firearms manufacturer or seller knowingly violated state or federal statute "applicable" to "sale or marketing" of firearms, and violation was proximate cause of harm for which relief was sought; review of text of predicate exception and legislative history of PLCAA to determine whether Congress intended to preclude actions alleging that firearms manufacturer or seller violated state consumer protection laws by promoting its firearms for illegal, criminal purposes; whether CUTPA qualified as predicate statute under PLCAA insofar as it applied to wrongful advertising and marketing claims; whether congressional statement of findings and purposes set forth in PLCAA lent support for this court's conclusion that Congress did not intend PLCAA to preclude plaintiffs' wrongful advertising and marketing claims brought pursuant to CUTPA; whether construing statute of general applicability such as CUTPA to be predicate statute would lead to absurd results; whether extrinsic indicia of congressional intent supported conclusion that CUTPA, as applied to plaintiffs' claims, qualified as predicate statute under PLCAA.

State 6. Diowit	200
Burglary; larceny; conspiracy; attempt; criminal mischief; criminal trover; posses-	
sion of burglar tools; motions to suppress; motion to dismiss; whether trial court	
properly granted motion to dismiss on basis of its conclusion that state obtained	
defendant's prospective and historical cell phone data from his telecommunica-	
tions carrier in violation of statute ([Rev. to 2009] § 54-47aa); application of	
fourth amendment principles relating to disclosure of certain cell phone data set	
forth in United States Supreme Court's decision in Carpenter v. United States (138	
S. Ct. 2206), discussed; whether suppression of cell phone data was appropriate	
remedy when records were obtained in violation of defendant's fourth amendment	
rights and in violation of § 54-47aa; whether good faith exception to exclusionary	
rule was applicable to unconstitutional disclosure of historical cell phone data;	
whether trial court correctly determined that state failed to meet its burden of	
proving that inevitable discovery doctrine was applicable, under facts of case,	
to witness' statement to police and potential trial testimony implicating defendant	
in charged crimes.	
<u>o</u>	910
State v. Bumgarner-Ramos (Order)	913
State v. Carey (Order)	916
State v. Daniel B	_
Attempt to commit murder; certification from Appellate Court; sufficiency of evi-	
dence; whether Appellate Court properly construed substantial step subdivision	
of attempt statute (§ 53a-49 [a] [2]) to require inquiry to focus on what already	
has been done rather than on what remains to be done to complete the substantive	
crime in determining whether defendant's conduct constituted substantial step	
in course of conduct planned to culminate in his commission of murder.	
State v . Davis	239
Criminal possession of pistol; carrying pistol without permit; conditional plea of	
note contendere: claim that trial court immonerly denied defendant's motion to	

suppress handgun that gave rise to charges against defendant; whether anony-

mous 911 call in which caller claimed to have seen young man with handgun was sufficient to give rise to reasonable suspicion that defendant had been engaged	
in criminal activity; factors for determining whether anonymous tip has suffi- cient indicia of reliability under Navarette v. California (572 U.S. 393), discussed.	
State v. Fernando V	201
Sexual assault second degree; risk of injury to child; certification from Appellate	201
Court; claim that Appellate Court improperly determined that trial court had	
abused its discretion in precluding testimony of complainant's boyfriend regard-	
ing complainant's behavior on ground that such testimony was cumulative of	
other evidence presented at trial; reviewability of state's unpreserved claim that	
testimony of complainant's boyfriend was properly excluded; whether improper	
exclusion of witness' testimony was harmless error when case turned solely on	
credibility of complainant's testimony.	
State v. Jerrell R. (Order)	918
State v. Jones (Order)	909
State v. Joseph B. (Order)	908
State v. Juarez (Order)	910
State v. Patel (Order)	906
State v. Purcell	318
Risk of injury to child; motion to suppress; certification from Appellate Court;	
whether Appellate Court correctly determined that defendant's statements made during custodial interrogation did not constitute clear and unequivocal invoca-	
tion of his right to counsel under standard set forth in Davis v. United States	
(512 U.S. 452); ambiguous or equivocal requests for counsel, discussed; whether	
Appellate Court correctly determined that article first, § 8, of Connecticut consti-	
tution did not require police officers to cease questioning immediately and to	
clarify defendant's ambiguous or equivocal request for counsel during custo-	
dial interrogation.	
State v. Rivera (Order)	911
State v. Ruiz (Order)	915
State v. Santiago (Order)	902
State v. Stephenson (Order)	914
State v. Walker (Order)	914
Trocki v. Borusiewicz (Order)	907
U.S. Bank National Assn. v. Wolf (Order)	901
Wethersfield v. PR Arrow, LLC (Order)	907