

Cumulative Table of Cases
Connecticut Reports
Volume 331

(Replaces Prior Cumulative Table)

Anderson v. Dike (Order)	910
Andrade v. Lego Systems, Inc. (Order)	921
Annulli v. Commissioner of Correction (Order)	923
Bank of America, National Assn. v. Liebskind (Order)	907
Becue v. Becue (Order)	902
Betts v. Commissioner of Correction (Order)	919
Board of Education v. New Milford Education Assn.	524
<i>Arbitration; application to vacate arbitration award; application to confirm arbitration award; claim that plaintiff board of education violated terms of parties' collective bargaining agreement; whether trial court correctly concluded that arbitrator did not manifestly disregard law in finding that claims raised in grievance were not barred under doctrines of res judicata and collateral estoppel in light of prior interest arbitration; claim that trial court incorrectly concluded that grievance was arbitrable.</i>	
Boria v. Commissioner of Correction (Order)	902
Boucher v. Saint Francis GI Endoscopy, LLC (Order)	905
Brennan v. Waterbury	672
<i>Workers' compensation; claim by city fire chief for statutory (§ 7-433c) heart and hypertension benefits; whether appeal should be dismissed on jurisdictional grounds because party identified on appeal form lacked standing to appeal from board's decision; whether claimant's estate could be proper recipient of heart and hypertension benefits if such benefits matured prior to claimant's death; whether record established that claimant's unpaid heart and hypertension benefits matured prior to his death.</i>	
Bruno v. Whipple (Order)	911
Buie v. Commissioner of Correction (Order)	905
Cannatelli v. Statewide Grievance Committee (Order)	903
Caron v. Connecticut Pathology Group, P.C. (Order)	922
Carson v. Allianz Life Ins. Co. of North America (Order)	924
Citibank, N.A., Trustee v. Stein (Order)	903
CitiMortgage, Inc. v. Pritchard (Order)	906
Connecticut Community Bank, N.A. v. Kiernan (Order)	911
Costello v. Goldstein & Peck, P.C. (Order)	908
Day v. Seblatnigg (Order)	913
Deutsche Bank AG v. Sebastian Holdings, Inc.	379
<i>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.</i>	
Dubinsky v. Reich (Order)	918
Eastern Savings Bank, FSB v. Toor (Order)	916
Essex Ins. Co. v. William Kramer & Associates, LLC	493
<i>Negligence; statute of limitations (§ 52-577); continuing course of conduct doctrine; appeal from decision of United States District Court for District of Connecticut setting aside jury's verdict in favor of plaintiff on ground that there was insufficient evidence to support jury's finding that continuing course of conduct tolled statute of limitations; certification of question of law from United States Court of Appeals for Second Circuit; whether evidence presented at trial was legally sufficient to support plaintiff's claim that defendant engaged in continuing course of conduct that tolled limitation period under theory of special relationship between parties or under theory of later wrongful conduct by defendant; principles of agency and fiduciary law, discussed.</i>	

Federal National Mortgage Assn. v. Buhl (Order)	906
Feehan v. Marcone	436
<i>Elections; whether trial court properly granted motion to dismiss plaintiff political candidate's claims for declaratory and mandatory injunctive relief; claim that elections clause of Connecticut constitution vests state legislature with exclusive jurisdiction over contested legislative elections; whether statute (§ 9-328) conferring jurisdiction on state courts in cases involving contested municipal elections applied to assembly district falling within single municipality; claim that trial court had jurisdiction to entertain plaintiff's claims regarding alleged violations of certain federal constitutional rights; whether trial court had jurisdiction to temporarily enjoin defendant state officers from canvassing votes and declaring winner in election; whether appeals from trial court's temporary injunction were rendered moot by passage of statutory (§ 9-319) deadline for canvass of votes.</i>	
Fingelly v. Fairfield (Order)	904
Francis v. State (Order)	918
Gabriel v. Mount Vernon Fire Ins. Co. (Order)	903
Garcia v. Cohen (Order)	921
Gould v. Stamford	289
<i>Workers' compensation; single-member limited liability companies; denial and dismissal of claim for concurrent employment benefits pursuant to provision (§ 31-310) of Workers' Compensation Act (§ 31-275 et seq.) by Workers' Compensation Commissioner; appeal to Compensation Review Board; board's affirmance of commissioner's decision; whether board, in upholding commissioner's decision, properly 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.</i>	
Griswold v. Camputaro	701
<i>Zoning; consolidation of zoning appeal and zoning enforcement action; motion to open and modify stipulated judgment; motions to intervene pursuant to statute (§ 22a-19 [a] [1]); certification from Appellate Court; whether Appellate Court correctly concluded that trial court improperly had denied motions to intervene; whether Appellate Court correctly concluded that trial court's expedited consideration of joint motion to open and modify denied proposed intervenors their statutory right to intervene pursuant to § 22a-19 (a) (1) and their right to participate in hearing under statute (§ 8-8 [n]) requiring hearing before zoning appeal is withdrawn or before settlement becomes effective; whether Appellate Court correctly concluded that trial court violated rule of practice (§ 11-15) by holding short calendar on motion to open and modify judgment less than five days after motion was filed.</i>	
Ham v. Commissioner of Correction (Order)	904
Hodges v. Commissioner of Correction (Order)	912
Hynes v. Jones	385
<i>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 Fund, discussed.</i>	
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
<i>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-</i>	

tive ground for affirming Appellate Court's judgment that plaintiffs 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 Associates 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.

Manzo-III v. Schoonmaker (Order) 925

Margarita O. v. Irazu (Order) 908

Maurice v. Chester Housing Associates Ltd. Partnership (Order) 923

McClain v. Commissioner of Correction (Order) 914

Mitchell v. State (Order) 920

Mosby v. Board of Education (Order) 917

Newland v. Commissioner of Correction 546

Habeas corpus; whether petitioner's claims regarding violation of constitutional right to counsel were barred by procedural default; whether, for purpose of standard set forth in Wainwright v. Sykes (433 U.S. 72), prejudice may be presumed from complete denial of counsel; importance of right to counsel in criminal proceedings, discussed.

Patty v. Planning & Zoning Commission (Order) 925

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 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.

Redding Life Care, LLC v. Redding 711

Writ of error; whether this court had subject matter jurisdiction to grant petition for certification to appeal from Appellate Court's judgment on writ of error; whether judgment on writ of error that had been transferred from this court to Appellate Court was tantamount to appeal for purposes of statute (§ 51-197f) governing petitions for certification to appeal; whether Appellate Court lacked subject matter jurisdiction over writ of error filed by plaintiff in error; whether trial court's interlocutory discovery order constituted appealable final judgment under this court's decision in State v. Curcio (191 Conn. 27).

Rivera v. Commissioner of Correction (Order) 901

Ross v. Commissioner of Correction (Order) 915

Seaport Capital Partners, LLC v. Speer (Order) 923

Smalls v. Commissioner of Correction (Order) 920

Smith v. Commissioner of Correction (Order) 912

Soto v. Bushmaster Firearms International, LLC 53

Wrongful death action pursuant to statute (§ 52-555) against defendant manufacturers, 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 sufficient 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 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 v. Anderson (Order)	922
State v. Bennett (Order)	924
State v. Berrios (Order)	917
State v. Bischoff (Order)	926
State v. Brown	258
<i>Burglary; larceny; conspiracy; attempt; criminal mischief; criminal trover; possession 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 telecommunications 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.</i>	
State v. Bumgarner-Ramos (Order)	910
State v. Carey (Order)	913
State v. Daniel B.	1
<i>Attempt to commit murder; certification from Appellate Court; sufficiency of evidence; 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.</i>	
State v. Davis.	239
<i>Criminal possession of pistol; carrying pistol without permit; conditional plea of nolo contendere; claim that trial court improperly denied defendant's motion to suppress handgun that gave rise to charges against defendant; whether anonymous 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 sufficient indicia of reliability under Navarette v. California (572 U.S. 393), discussed.</i>	

State v. Dunbar (Order)	926
State v. Fernando V.	201
<i>Sexual assault second degree; risk of injury to child; certification from Appellate Court; claim that Appellate Court improperly determined that trial court had abused its discretion in precluding testimony of complainant's boyfriend regarding 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.</i>	
State v. Gray-Brown (Order)	922
State v. Guerrero	628
<i>Assault first degree; conspiracy to commit assault first degree; tampering with physical evidence; certification from Appellate Court; whether Appellate Court correctly concluded that trial court had properly granted in part motions to quash defendant's subpoena seeking certain audio recordings of his codefendants' conversations made by Department of Correction; whether trial court correctly concluded that department was not required to provide defendant with unreviewed recordings that department's monitor preserved pursuant to defendant's subpoena because they were not part of state's investigatory file and defendant failed to provide evidence to suggest that any review of them would result in exculpatory information.</i>	
State v. Jerrell R. (Order)	918
State v. Jones (Order)	909
State v. Joseph B. (Order)	908
State v. Juarez (Order)	910
State v. McCoy	561
<i>Murder; certification from Appellate Court; whether Appellate Court correctly concluded that defendant was not deprived of due process right to fair trial by certain alleged prosecutorial improprieties; claim that trial court retained jurisdiction to hear timely filed motion for new trial following execution of defendant's sentence; whether trial court committed reversible error by imposing sentence while defendant's motion for new trial was pending; whether defendant's sentence should be vacated pursuant to plain error doctrine; jurisdiction of trial courts in criminal proceedings, discussed.</i>	
State v. Owen	658
<i>Nolle prosequi; strangulation second degree; assault second degree; unlawful restraint second degree; threatening second degree; interfering with emergency call; motion to dismiss; whether trial court properly determined that prosecutor was not exercising her discretion in manner clearly contrary to manifest public interest in seeking to enter nolle prosequi as to all charges; prosecutor's basis for claim that material witness had become disabled within meaning of statute (§ 54-56b) governing entry of nolle prosequi, discussed; whether trial court properly relied on prosecutor's representations to find that she was not abusing her discretion; whether court properly allowed prosecutor to enter nolle.</i>	
State v. Patel (Order)	906
State v. Peluso (Order)	924
State v. Purcell	318
<i>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 invocation 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 constitution did not require police officers to cease questioning immediately and to clarify defendant's ambiguous or equivocal request for counsel during custodial interrogation.</i>	
State v. Rivera (Order)	911
State v. Ruiz (Order)	915
State v. Santiago (Order)	902
State v. Stephenson (Order)	914
State v. Tyson (Order)	919
State v. Walker (Order)	914
Thomas v. Commissioner of Correction (Order)	926
Trocki v. Borusiewicz (Order)	907

U.S. Bank National Assn. *v.* Wolf (Order) 901
Wethersfield *v.* PR Arrow, LLC (Order) 907