

Cumulative Table of Cases
Connecticut Reports
Volume 333

(Replaces Prior Cumulative Table)

Adams v. Commissioner of Correction (Order)	910
Bank of America, N.A. v. Cuseo (Order)	922
Barry A. v. Commissioner of Correction (Order)	905
Bolat v. Bolat (Order)	918
Bowens v. Commissioner of Correction	502
<i>Habeas corpus; certification to appeal; claim of actual innocence; claim that identification procedures used in connection with petitioner's criminal conviction were so unreliable and unnecessarily suggestive, that they violated petitioner's constitutional right to due process; claim of ineffective assistance of habeas counsel; claim that habeas court incorrectly concluded that petitioner's claim of cruel and unusual punishment with respect to petitioner's sentence was barred by doctrine of res judicata; application of holdings in recent cases, State v. McCleese (333 Conn. 378) and State v. Williams-Bey (333 Conn. 468), to resolve petitioner's claim of cruel and unusual punishment.</i>	
Bozelko v. Statewide Construction, Inc. (Order)	901
Casablanca v. Casablanca (Order)	913
Clasby v. Zimmerman (Order)	919
Cohen v. Statewide Grievance Committee (Order)	901
Commissioner of Transportation v. Lagosz (Order)	912
Connecticut Interlocal Risk Management Agency v. Jackson	206
<i>Negligence; summary judgment; proof of causation; application of alternative liability doctrine when conduct of multiple defendants is tortious and plaintiff's injuries have been caused by conduct of only one defendant but it is unclear which one; claim that trial court improperly failed to apply alternative liability doctrine in granting defendants' motions for summary judgment; application of alternative liability rule pursuant to which plaintiff's burden of proving causation shifts to each defendant to show that he or she did not cause plaintiff's injuries; elements required for application of alternative liability doctrine, discussed; whether application of doctrine to defendants in present case was unfair or compromised any legitimate reliance interest that they may have had.</i>	
DeChellis v. DeChellis (Order)	913
DeMaria v. Bridgeport (Order)	916
Deutsche Bank National Trust Co. v. Siladi (Order)	902
Dinham v. Commissioner of Correction (Order)	927
Farmington-Girard, LLC v. Planning & Zoning Commission (Order)	917
Federal National Mortgage Assn. v. Farina (Order)	920
Francis v. Board of Pardon & Paroles (Order)	907
Goodwin Estate Assn., Inc. v. Starke (Order)	912
Griffin v. Commissioner of Correction	480
<i>Habeas corpus; motion for summary judgment; certification from habeas court; claim that contemporary standards of decency regarding acceptable punishment for children who engage in criminal conduct have evolved such that transfer of case of fourteen year old defendant to regular criminal docket from docket for juvenile matters and subsequent sentence of forty years violated prohibition against cruel and unusual punishment in due process provisions (article first, §§ 8 and 9) of state constitution; whether recent statutory (P.A. 15-183 and P.A. 15-84) modifications to state's juvenile justice system reflect changes in contemporary standards of decency; whether petitioner was entitled to be resentenced.</i>	
Gudino v. Commissioner of Correction (Order)	924
Halladay v. Commissioner of Correction (Order)	921
Harris v. Commissioner of Correction (Order)	919
In re Tajjha H.-B.	297
<i>Termination of parental rights; appeal from trial court's granting of appointed appellate counsel's motion to withdraw based on counsel's determination that</i>	

<i>any appeal from termination decision was frivolous; dismissal of appeal by Appellate Court on grounds that procedure set forth in Anders v. California (386 U.S. 738) is not applicable to withdrawal of appellate attorney in child protection proceedings and that appeal was not properly filed due to failure to comply with rules of practice (§ 79a-3 [c]); certification from Appellate Court; whether Appellate Court improperly dismissed indigent respondent's appeal for failure to comply with Practice Book § 79a-3 (c) insofar as counsel filed respondent's appeal before fully reviewing merits of appeal; claim that § 79a-3 violates equal protection clause of fourteenth amendment to United States constitution on ground that rule imposes higher legal burden on appeals brought by indigent litigants who have been assigned counsel than on litigants who have financial means to hire private counsel; differences between standards in determining whether appeal is frivolous or meritless set forth in Rules of Professional Conduct (3.1) and rules of practice (§§ 35a-21 [b] and 79a-3), discussed; whether respondent had right under due process clause of fourteenth amendment to assistance of counsel in connection with her appeal from termination of parental rights; factors to be considered in determining whether indigent parents have federal constitutional right to counsel in termination proceedings and appeals, discussed; whether due process required utilization of some Anders-type procedure before court could allow appointed counsel to withdraw; whether Appellate Court improperly dismissed respondent's appeal on ground that procedure set forth in Anders was not applicable to withdrawal of appellate attorney in child protection proceedings; minimal procedural safeguards that court must follow before allowing appointed counsel to withdraw in connection with appeal from termination decision, discussed; whether trial court failed to observe adequate procedural safeguards before permitting respondent's counsel to withdraw.</i>		
IP Media Products, LLC v. Success, Inc. (Order)		926
Jackson v. Commissioner of Correction (Order)		904
Jordan v. Commissioner of Correction (Order)		905
Kaminski v. Poirot (Order)		916
King v. Volvo Excavators AB		3
<i>Product liability; whether trial court properly granted defendants' motions for summary judgment on ground that plaintiff's claims were barred by applicable statute of repose (§ 52-577a [a]); claim that amendment to § 52-577a (P.A. 17-97) applied retroactively to plaintiff's claims.</i>		
Lewis v. Newtown (Order)		919
Lowry v. Mayers (Order)		922
McGinty v. Stamford Police Dept. (Order)		920
Meriden v. Freedom of Information Commission (Order)		926
Metcalf v. Fitzgerald		1
<i>Vexatious litigation; Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); whether trial court properly dismissed state law claims alleging vexatious litigation and violation of CUTPA for lack of subject matter jurisdiction; whether trial court properly dismissed plaintiff's state law claims; whether plaintiff's state law claims were expressly preempted by federal Bankruptcy Code; whether plaintiff's state law claims were implicitly preempted by federal Bankruptcy Code; claim that Congress did not intend to occupy field of sanctions and remedies for abuse of bankruptcy process; claim that plaintiff's state law claims were not preempted because remedies under Connecticut law and federal law are different.</i>		
Monroe v. Ostrosky (Order)		926
Newtown v. Ostrosky (Order)		925
Nonhuman Rights Project, Inc. v. R.W. Commerford & Sons, Inc. (Order)		920
Outing v. Commissioner of Correction (Order)		903
Pamela Corp. v. Planning & Zoning Commission (Order) (See Farmington-Girard, LLC v. Planning & Zoning Commission)		917
Patrowicz v. Peloquin (Order)		915
Rausser v. Pitney Bowes, Inc. (Order)		903
Riccardo v. Couloute (Order)		921
Riley v. Travelers Home & Marine Ins. Co.		60
<i>Breach of contract; negligent infliction of emotional distress; motion for directed verdict pursuant to applicable rule of practice (§ 16-37); applicability of waiver rule; whether evidence was sufficient to support jury's verdict with respect to plaintiff's claim of negligent infliction of emotional distress; reviewability of claim that waiver rule is inapplicable in civil cases in which trial court reserved</i>		

decision on motion for directed verdict; claim that trial court was limited to considering evidence adduced in plaintiff's case-in-chief when it ruled on defendant's motion for judgment notwithstanding verdict.

R.T. Vanderbilt Co. v. Hartford Accident & Indemnity Co. 343
Insurance; declaratory judgment action to determine, inter alia, rights and obligations under insurance policies issued to plaintiff by defendant insurers in connection with actions against plaintiff alleging personal injuries resulting from exposure to asbestos; certification from Appellate Court; whether Appellate Court properly adopted, as matter of law, continuous trigger theory of coverage for asbestos related disease claims; whether Appellate Court properly upheld trial court's preclusion of expert testimony concerning medical science and timing of bodily injury from asbestos related disease; whether Appellate Court properly adopted unavailability of insurance exception to pro rata, time on risk allocation rule; whether Appellate Court properly interpreted pollution exclusion clauses contained in certain of defendants' secondary insurance policies to bar coverage for claims against plaintiff; claim that occupational disease exclusion clauses in certain of defendants' secondary insurance policies did not preclude coverage of claims by nonemployees of plaintiff who developed occupational disease while using plaintiff's products in course of working for other employers.

Roger R. v. Commissioner of Correction (Order) 904
 St. Denis-Lima v. St. Denis (Order) 910
 Santa Energy Corp. v. Santa (Order) 910
 Sena v. American Medical Response of Connecticut, Inc. 30
Negligence; whether trial court's denial of defendant city's motion for summary judgment claiming immunity pursuant to statute (§ 28-13) governing liability of political subdivisions for actions taken in response to civil preparedness emergencies constituted final judgment for purpose of appeal; nature of immunity provided to political subdivisions under § 28-13, discussed; whether trial court improperly denied city's motion for summary judgment; whether trial court incorrectly concluded that genuine issue of material fact existed as to whether emergency continued to exist at time of alleged negligence.

State v. Abdus-Sabur (Order) 911
 State v. Ayala 225
Murder; conspiracy to commit murder; claim that trial court improperly admitted evidence of statement made by gang leader under coconspirator hearsay exception; whether defendant demonstrated that trial court's admission of testimony regarding gang leader's statement substantially affected verdict; whether trial court improperly admitted testimony regarding victim's statement about his fear of gang as state of mind evidence.

State v. Burton (Order) 927
 State v. Daniels (Orders) 918
 State v. Dawson (Order) 906
 State v. Dojnia (Order) 914
 State v. Elmer G. 176
Sexual assault second degree; risk of injury to child; criminal violation of restraining order; certification from Appellate Court; whether evidence was sufficient to support conviction of criminal violation of restraining order; claim that trial court's explanation of temporary restraining order was unclear such that jury could not reasonably determine that defendant knew he was prohibited from contacting his children outside of weekly, supervised visits; claim that defendant was not adequately informed in his primary language that he was prohibited from contacting children by text or letter; claim that defendant did not violate restraining order when he sent letter to victim because evidence was insufficient to establish that he sent letter while restraining order was in effect; claim that defendant was deprived of fair trial as result of certain alleged improprieties committed by prosecutor; claim that prosecutor improperly bolstered credibility of certain witnesses; claim that prosecutor made golden rule argument when he asked jurors to consider their own perspectives; claim that prosecutor improperly referred to victim's credibility in light of psychological, social and physical barriers she faced in accusing defendant of sexual assault; claim that prosecutor improperly asked jurors whether other individuals in similar circumstances would fabricate sexual assault accusations.

State v. Fernandes (Order) 908
 State v. Francis (Order) 912
 State v. Irizarry (Order) 913

State v. Juan V. (Order)	925
State v. Leniart.	88
<i>Capital felony; murder; certification from Appellate Court; whether unpreserved sufficiency claim under state common-law corpus delicti rule was reviewable on appeal; whether there was sufficient, corroborating evidence, independent of defendant's confessions, to sustain defendant's conviction; purpose, history, and scope of corpus delicti rule, discussed; whether Appellate Court correctly concluded that trial court's improper exclusion of video recording depicting polygraph pretest interview constituted harmful error; definition of categorically inadmissible polygraph evidence under State v. Porter (241 Conn. 57), discussed; claim that Appellate Court incorrectly concluded that trial court had abused its discretion in excluding expert testimony regarding credibility of incarcerated informants.</i>	
State v. Lewis	543
<i>Carrying pistol without permit; criminal possession of pistol or revolver; certification from Appellate Court; whether Appellate Court correctly concluded that trial court had properly determined that seizure and padown of defendant were lawful under federal and state constitutions and, therefore, had properly denied defendant's motion to suppress; claim that defendant was unlawfully seized when police officer stopped patrol vehicle and asked for his name or, alternatively, when officer exited his vehicle and approached defendant while asking him questions; whether officer had reasonable and articulable suspicion to seize defendant when officer commenced padown search; claim that officer did not have reasonable and articulable suspicion that defendant might be armed and dangerous; interplay between domestic violence and reasonable and articulable suspicion that suspect is armed and dangerous, discussed.</i>	
State v. McCleese	378
<i>Murder; conspiracy to commit murder; assault first degree; whether trial court properly dismissed motion to correct illegal sentence for lack of jurisdiction on ground of mootness; claim that, under Connecticut constitution, parole eligibility afforded by recent legislation (P.A. 15-84, § 1) to certain juvenile offenders did not remedy violation of requirement in Miller v. Alabama (567 U.S. 460) and State v. Riley (315 Conn. 637) that juvenile offender's age and hallmarks of adolescence be considered as mitigating factors before juvenile may be sentenced to life imprisonment, or its functional equivalent, without possibility of parole; claim that P.A. 15-84 is unconstitutional under separation of powers doctrine embodied in article two of Connecticut constitution and due process clause of fourteenth amendment to United States constitution; claim that P.A. 15-84 violated separation of powers by impermissibly delegating sentencing power to Board of Pardons and Paroles; claim that P.A. 15-84 violates defendant's right to equal protection under fourteenth amendment to United States constitution on ground that juveniles convicted of capital felony are entitled to resentencing under P.A. 15-84 whereas juveniles, such as defendant, who are convicted of murder, are not.</i>	
State v. Porfil (Order)	923
State v. Pugh (Order)	914
State v. Ramon A. G. (Order)	909
State v. Riley (Order)	923
State v. Robert H.	172
<i>Risk of injury to child; violation of probation; certification from Appellate Court; whether Appellate Court incorrectly concluded that corpus delicti is rule of admissibility; resolution of defendant's claim controlled by this court's decision in State v. Leniart (333 Conn. 88).</i>	
State v. Rodriguez (Order)	908
State v. Sanchez (Order)	907
State v. Scott (Order)	917
State v. Slaughter (Order)	908
State v. Thigpen (Order)	909
State v. Thompson (Order)	906
State v. Turner (Order)	915
State v. Williams-Bey	468
<i>Murder as accessory; certification from Appellate Court; whether Appellate Court correctly upheld trial court's dismissal of motion to correct illegal sentence for lack of subject matter jurisdiction; claim that defendant was entitled to resentencing under Connecticut constitution after passage of P.A. 15-84, which requires sentencing court to consider juvenile offender's age and hallmarks of adolescence</i>	

as mitigating factors in determining sentence when court imposes sentence of life, or its functional equivalent, without possibility of parole; whether resentencing was required, when, following enactment of legislation (P.A. 15-84), defendant became eligible for parole and could no longer claim that he was serving life sentence, or its functional equivalent, without possibility of parole; resolution of defendant's claim controlled by this court's decision in State v. McCleese (333 Conn. 378).

Stone v. East Coast Swappers, LLC (Order) 924

TPF Development Corp. v. R & R Pool & Home, Inc. (Order) 906

Trust v. Bliss (Order) 921

U.S. Bank, National Assn. v. Fitzpatrick (Order) 916

U.S. Bank Trust, N.A. v. Giblen (Order) 903

Vassell v. Commissioner of Correction (Order) 911

Viking Construction, Inc. v. 777 Residential, LLC (Order) 904

Villafane v. Commissioner of Correction (Order) 902

Vitti v. Milford (Order) 902

Wachovia Mortgage, FSB v. Toczek (Order) 914

Wells Fargo Bank, N.A. v. Melahn (Order) 923