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STATE OF CONNECTICUT *v.* GEORGE
MICHAEL LENIART

The defendant's petition for certification to appeal from the Appellate Court, 198 Conn. App. 591 (AC 36358), is denied.

Lauren M. Weisfeld, chief of legal services, in support of the petition.

Stephen M. Carney, senior assistant state's attorney, in opposition.

Decided November 10, 2020

DANIEL DIAZ *v.* COMMISSIONER
OF CORRECTION

The petitioner Daniel Diaz' petition for certification to appeal from the Appellate Court, 200 Conn. App. 524 (AC 41159), is granted, limited to the following issue:

"Did the Appellate Court properly reject the petitioner's claim that the habeas court had abused its discretion by denying his petition for certification to appeal with respect to the claim that defense counsel at his

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second criminal trial rendered ineffective assistance by failing to disclose his role as an active police officer in the state of Connecticut?”

KELLER, J., did not participate in the consideration of or decision on this petition.

Robert L. O'Brien, assigned counsel, in support of the petition.

Mitchell S. Brody, senior assistant state's attorney, in opposition.

Decided November 10, 2020

JOHN LEPESKA *v.* COMMISSIONER
OF CORRECTION

The petitioner John Lepaska's petition for certification to appeal from the Appellate Court, 200 Conn. App. 903 (AC 42447), is denied.

Peter G. Billings, in support of the petition.

Timothy J. Sugrue, senior assistant state's attorney, in opposition.

Decided November 10, 2020

PHYLLIS LARMEL *v.* METRO NORTH COMMUTER
RAILROAD COMPANY

The plaintiff's petition for certification to appeal from the Appellate Court, 200 Conn. App. 660 (AC 42647), is granted, limited to the following issues:

“1. Did the Appellate Court correctly conclude that a judgment rendered after mandatory arbitration pursuant to General Statutes § 52-549u is a ‘trial on the merits’ that bars a plaintiff from subsequently utilizing the accidental failure of suit statute, General Statutes § 52-592?”

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“2. Was the plaintiff’s failure to request a trial de novo pursuant to General Statutes § 52-549z, following entry of the arbitrator’s decision under § 52-549u, a ‘matter of form,’ as contemplated by § 52-592?”

McDONALD, J., did not participate in the consideration of or decision on this petition.

James P. Brennan, in support of the petition.

Beck S. Fineman, in opposition.

Decided November 10, 2020

ROBERT V. PENTLAND III *v.* COMMISSIONER
OF CORRECTION

The petitioner Robert V. Pentland III’s petition for certification to appeal from the Appellate Court, 200 Conn. App. 296 (AC 42761), is denied.

KELLER, J., did not participate in the consideration of or decision on this petition.

John C. Drapp III, assigned counsel, in support of the petition.

James A. Killen, senior assistant state’s attorney, in opposition.

Decided November 10, 2020

AMY SILVER *v.* TREVOR SILVER

The defendant’s petition for certification to appeal from the Appellate Court, 200 Conn. App. 505 (AC 42777), is denied.

MULLINS, J., did not participate in the consideration of or decision on this petition.

Charles D. Ray, in support of the petition.

Yakov Pyetranker, in opposition.

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MARLON SYMS *v.* COMMISSIONER
OF CORRECTION

The petitioner Marlon Syms' petition for certification to appeal from the Appellate Court, 200 Conn. App. 905 (AC 42784), is denied.

Robert L. O'Brien, assigned counsel, in support of the petition.

Brett R. Aiello, deputy assistant state's attorney, in opposition.

Decided November 10, 2020

STATE OF CONNECTICUT *v.* RICARDO K. WILLIAMS

The defendant's petition for certification to appeal from the Appellate Court, 200 Conn. App. 427 (AC 43226), is denied.

Alice Osedach, assistant public defender, in support of the petition.

Samantha L. Oden, deputy assistant state's attorney, in opposition.

Decided November 10, 2020

DEUTSCHE BANK NATIONAL TRUST COMPANY,
TRUSTEE *v.* THOMAS J. SHIVERS,
JR., ET AL.

The named defendant's petition for certification to appeal from the Appellate Court, 200 Conn. App. 903 (AC 43336), is denied.

Thomas J. Shivers, Jr., self-represented, in support of the petition.

Adam L. Avallone, in opposition.

Decided November 10, 2020

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STATE OF CONNECTICUT *v.* XAVIER RIVERA

The defendant's petition for certification to appeal from the Appellate Court, 200 Conn. App. 487 (AC 43411), is granted, limited to the following issues:

"1. Did the Appellate Court correctly conclude that the trial court did not abuse its discretion in admitting into evidence a compact disc containing an audio recording of a conversation between Alexis Vilar and the defendant?

"2. Did the Appellate Court correctly conclude that the trial court did not abuse its discretion when it directed the jury to disregard the portion of defense counsel's closing argument indicating that the state never had asked an eyewitness, Jesus Rodriguez, to make an in-court identification of the defendant?"

Lisa J. Steele, assigned counsel, in support of the petition.

Kathryn W. Bare, senior assistant state's attorney, in opposition.

Decided November 10, 2020

CITIBANK, N.A., TRUSTEE *v.* LAURA A. STEIN ET AL.

The named defendant's petition for certification to appeal from the Appellate Court (AC 43230) is denied.

McDONALD, J., would grant the petition.

KELLER, J., did not participate in the consideration of or decision on this petition.

Laura A. Stein, self-represented, in support of the petition.

Christopher J. Picard, in opposition.

Decided November 10, 2020
