

Cumulative Table of Cases
Connecticut Reports
Volume 337

(Replaces Prior Cumulative Table)

Asnat Realty, LLC v. United Illuminating Co. (Order)	906
Bayview Loan Servicing, LLC v. Macrae-Gray (Order)	905
Berka v. Middletown (Order)	910
Blondeau v. Baltierra	127
<i>Dissolution of marriage; arbitration; whether final judgment existed for purposes of appellate jurisdiction when arbitration award included issues related to child support in violation of statutory provision (§ 46b-66 (c)) governing agreements to arbitrate in dissolution proceedings; claim that motion to vacate arbitration award was untimely pursuant to statute (§ 52-420 (b)), and that trial court therefore lacked jurisdiction, because it failed to set forth factual basis for vacating award within limitation period specified in § 52-420 (b); claim that trial court lacked jurisdiction to consider arguments in motion to vacate pertaining to child support because plaintiff was not aggrieved by that portion of award and because issue of child support had been rendered moot by parties' pendente lite stipulations; whether trial court incorrectly concluded that arbitrator's award exceeded scope of parties' submission; whether trial court incorrectly concluded that arbitrator manifestly disregarded law by ignoring choice of law provision in premarital agreement and distributing equity in marital home in accordance with Connecticut law; whether party to dissolution matter can waive statutory (§§ 46b-66 (c) and 52-408) prohibition against arbitration of issues related to child support; whether portion of arbitration award ordering payment of certain expenses related to children was severable from remainder of award.</i>	
Boccanfuso v. Daghoghi	228
<i>Summary process; doctrine of equitable nonforfeiture; certification from Appellate Court; whether Appellate Court properly affirmed judgment of possession in favor of plaintiff landlords; claim that trial court abused its discretion by rejecting defendant tenants' special defense of equitable nonforfeiture; whether defendants' intentional nonpayment of rent was necessarily wilful for purposes of equitable nonforfeiture doctrine, when rent was not withheld because of good faith intent to comply with lease or good faith dispute over terms of lease.</i>	
Brass City Local, CACP v. Waterbury.	576
<i>Collective bargaining; interest arbitration award issued pursuant to statute (§ 7-473c) after mandatory, binding arbitration; dismissal of application to confirm arbitration award filed pursuant to statute (§ 52-417) for lack of subject matter jurisdiction; whether trial court correctly determined that it lacked jurisdiction under § 52-417 to confirm interest arbitration award issued pursuant to § 7-473c.</i>	
Britton v. Commissioner of Correction (Order)	901
Burton v. Dept. of Environmental Protection	781
<i>Action to enjoin intake of water from and discharge of water into Long Island Sound and nearby bodies of water by defendant nuclear power company in connection with operation of nuclear power plant; administrative appeal; administrative appeal from decision of Department of Environmental Protection approving application of defendant to renew its water discharge permit; claim that administrative proceeding was inadequate to protect rights recognized by Connecticut Environmental Protection Act of 1971 (CEPA) (§ 22a-14 et seq.); whether administrative proceeding was inadequate because hearing officer had abused her discretion by precluding certain claims on which plaintiff sought to intervene; whether administrative proceeding was inadequate because hearing officer had excluded certain document containing draft best technology available determination; claim challenging neutrality of administrative proceeding; claim that plaintiff established that unreasonable pollution would result from power plant's operation as permitted; claim that permit's best technology available determination violated Clean Water Act.</i>	
Caires v. JPMorgan Chase Bank, N.A. (Orders)	901, 904

Cole v. New Haven	326
<i>Negligence; governmental immunity; summary judgment; claim that trial court improperly granted defendants' motion for summary judgment on ground that defendant city and its police officer were entitled to governmental immunity; whether trial court correctly concluded that city's police pursuit policy and state-wide police pursuit policy impose discretionary, rather than ministerial, duty on police officers not to execute roadblock while pursuing dirt bikes or all-terrain vehicles on public road.</i>	
Conroy v. Idlibi (Order)	905
Cookish v. Commissioner of Correction	348
<i>Habeas corpus; appeal from habeas court's denial of certification to appeal; claim that habeas court improperly dismissed petition for writ of habeas corpus pursuant to rules of practice (§ 23-29) without first appointing petitioner counsel and providing him with notice and opportunity to be heard; whether habeas court can dismiss petition pursuant to § 23-29 before issuing writ of habeas corpus under rules of practice (§ 23-24); claim that habeas court's judgment should be reversed on basis of plain error; claim that habeas court improperly failed to construe petitioner's habeas petition as petition for writ of error coram nobis.</i>	
Doe v. Rackliffe	627
<i>Medical negligence; intentional sexual assault; negligent infliction of emotional distress; intentional infliction of emotional distress; claim that defendant pediatrician was liable for personal injuries sustained by plaintiffs stemming from sexual abuse that occurred during physical examinations when plaintiffs were minors; whether trial court incorrectly concluded that extended statute of limitations (§ 52-577d) applicable to actions for damages to minors caused by sexual abuse applied to plaintiff's medical negligence claims; whether limitation period set forth in § 52-577d or limitation period set forth in statute (§ 52-584) applicable to negligence or malpractice actions applies to claims for injuries sounding in negligence in absence of originating act of intentional sexual misconduct.</i>	
Donald G. v. Commissioner of Correction (Order)	907
Dougan v. Sikorsky Aircraft Corp.	27
<i>Negligence; workplace asbestos exposure; summary judgment; claim that trial court improperly granted defendants' motion for summary judgment on ground that claim for medical monitoring in absence of manifestation of physical injury was not cognizable under Connecticut law; medical monitoring, discussed; whether plaintiffs had established genuine issue of material fact as to whether medical monitoring was reasonably necessary for each individual plaintiff.</i>	
Fisk v. Redding	361
<i>Public nuisance; motion to set aside verdict; certification from Appellate Court; whether Appellate Court incorrectly concluded that trial court had abused its discretion in denying plaintiff's motion to set aside verdict; whether jury's responses to special interrogatories could be harmonized in light of this court's established public nuisance jurisprudence.</i>	
Gershon v. Back (Order)	901
Harvey v. Dept. of Correction	291
<i>Wrongful death; sovereign immunity; statute of limitations; motion to dismiss for lack of subject matter jurisdiction; whether action was time barred pursuant to statute (§ 4-160 (d)) that requires plaintiff who has been granted authorization to sue state by Claims Commissioner to bring action within one year from date that authorization was granted; claim that action was not untimely because one year time limitation in § 4-160 (d) was inoperative and two year time limitation in wrongful death statute (§ 52-555 (a)) controlled plaintiff's wrongful death claim.</i>	
In re Angela V. (Order)	907
In re Jacob M. (Order)	909
In re Kiara Liz V. (Order)	904
In re Natasha T. (Order)	909
Klein v. Quinnipiac University	574
<i>Negligence; premises liability; certification from Appellate Court; whether Appellate Court incorrectly concluded that trial court did not err in failing to give license instruction to jury and that any error was harmless; appeal dismissed on ground that certification was improvidently granted.</i>	
Lance W. v. Commissioner of Correction (Order)	902

Nash v. Commissioner of Correction (Order)	908
Nash Street, LLC v. Main Street America Assurance Co.	1
<i>Action seeking to recover proceeds allegedly due under commercial general liability insurance policy issued by defendant insurer; summary judgment; whether defendant had duty to defend in action brought by plaintiff against insured and alleging property damage resulting from collapse of house that had been lifted off foundation; whether trial court improperly granted defendant's motion for summary judgment; whether there existed possibility that plaintiff's complaint in action against insured alleged liability for property damage that was not excluded under insurance policy; whether trial court incorrectly determined that certain exclusions in insurance policy relieved defendant of its duty to defend.</i>	
One Elmcroft Stamford, LLC v. Zoning Board of Appeals	806
<i>Zoning; application seeking certificate of approval for location of used car dealership; administrative appeal; claim that zoning board improperly failed to conduct suitability analysis pursuant to statute ((Rev. to 2003) § 14-55) prior to issuing certificate of approval; certification from Appellate Court; claim that Appellate Court incorrectly concluded that § 14-55 was not repealed in 2003; whether Appellate Court improperly applied statute (§ 2-30b (a)) to resolve conflict between two amendments to § 14-55 passed during same legislative session in 2003.</i>	
Ortiz v. Torres-Rodriguez (Order)	910
Property Tax Management, LLC v. Worldwide Properties, LLC (Order)	903
Redding v. Georgetown Land Development Co., LLC.	75
<i>Strict foreclosure; summary judgment; whether trial court correctly concluded that, under 2007 public act (P.A. 07-196, § 4 (b) (3)), liens that defendant company had acquired from special taxing district were subordinate to those of plaintiff town and fire district.</i>	
Rice v. Commissioner of Correction (Order)	906
Robinson v. Commissioner of Correction (Order)	903
Rodriguez v. Kaiaffa, LLC.	248
<i>Class action; motion for class certification; interlocutory appeal pursuant to statute (§ 52-265a) involving matter of substantial public interest; standards that govern trial court's class certification decision, discussed; whether trial court should have inquired into merits of plaintiff's legal theory in determining whether prerequisites to class action set forth in applicable rules of practice (§§ 9-7 and 9-8) were satisfied; whether trial court abused its discretion in concluding that commonality, typicality, and adequacy of representation requirements for class certification had been satisfied; whether trial court abused its discretion in concluding that common issues of law and fact predominated and that class action was superior to other methods of adjudication; claim that trial court improperly defined class.</i>	
Ross v. Commissioner of Correction	718
<i>Habeas corpus; whether Appellate Court incorrectly concluded that petitioner was collaterally estopped from litigating issue of whether he was prejudiced by his trial counsel's failure to object to prosecutor's improper remarks during closing argument; whether issue raised was identical to that presented in petitioner's direct appeal of his conviction; whether petitioner demonstrated that he was prejudiced by his trial counsel's failure to object to prosecutor's improper remarks.</i>	
Solon v. Slater (Order)	908
State v. Angel M.	655
<i>Sexual assault first degree; attempt to commit sexual assault first degree; risk of injury to child; certification from Appellate Court; claim that trial court had violated defendant's right to due process by improperly augmenting his sentence for his refusal to apologize to two victims after he had been found guilty of crimes charged in connection with his sexual assault of one of those victims; whether Appellate Court incorrectly concluded that trial court had not punished defendant for invoking his right against self-incrimination and for refusing to apologize to victims.</i>	
State v. Best	312
<i>Murder; attempt to commit murder; assault first degree; claim that trial court abused its discretion in admitting into evidence certain photographs depicting bloody interior of car used by victims to flee shooting; whether photographs were relevant to crimes with which defendant was charged; whether probative value of photographs outweighed their prejudicial effect.</i>	

State v. Bischoff	739
<i>Possession of narcotics; motion to correct illegal sentence; certification from Appellate Court; whether Appellate Court correctly determined that defendant was properly sentenced in accordance with version of statute that was in effect when he committed crime of which he was convicted; statutory (§§ 54-194 and 1-1 (t)) presumption that changes to criminal statutes prescribing or defining punishment apply prospectively only, unless statute expressly states otherwise, discussed; whether prospective only application of amendment to statute under which defendant was convicted would lead to absurd and unworkable result; claim that this court should overrule State v. Kalil (314 Conn. 529) and adopt amelioration doctrine.</i>	
State v. Carey	463
<i>Murder; self-defense; certification from Appellate Court; whether Appellate Court correctly concluded that any error relating to admission of witness' testimony, which was admitted to demonstrate that victim had been afraid of defendant, was harmless.</i>	
State v. Cicarella (Order)	902
State v. Chester J. (Order)	910
State v. Cody M.	92
<i>Violation of standing criminal protective order; threatening second degree; double jeopardy; certification from Appellate Court; claim that defendant's conviction of two counts of violating standing criminal protective order violated constitutional prohibition against double jeopardy; whether legislature intended to punish individual acts separately or to punish course of action that they constitute under violation of standing criminal protective order statute (§ 53a-223a); whether Appellate Court improperly upheld trial court's jury instruction on charge of criminal violation of standing criminal protective order.</i>	
State v. Coleman (Order)	907
State v. Espino	425
<i>Possession of controlled substance with intent to sell; motion to suppress; conditional plea of nolo contendere; whether trial court improperly denied defendant's motion to suppress; claim that defendant's constitutional right to be free from unreasonable searches and seizures was violated when police detained her, without warrant, in parking lot of apartment building while executing unrelated search warrant on apartment of another individual suspected of drug trafficking; whether defendant was in immediate vicinity of premises being searched while she was detained; decision in companion case, State v. Rolon (337 Conn. 397), dispositive of issue on appeal.</i>	
State v. Foster (Order)	904
State v. Gomes	826
<i>Assault second degree; certification from Appellate Court; mootness; jury instructions; whether defendant's appeal was rendered moot by virtue of defendant's deportation; claim that Appellate Court incorrectly determined that trial court's investigative inadequacy instruction did not mislead jury or otherwise deprive defendant of his right to present investigative inadequacy defense; whether there was reasonable possibility that jury was misled by trial court's investigative inadequacy instruction; State v. Aquino (279 Conn. 293), to extent that it held that deportation of defendant during pendency of appeal renders appeal moot when record does not disclose whether defendant's guilty plea was sole reason for deportation, overruled.</i>	
State v. Graham	857
<i>Murder; death of defendant during pendency of appeal; whether proper disposition in such cases is to vacate judgment of conviction and to remand with instruction to dismiss indictment ab initio; dismissal of appeal as moot.</i>	
State v. Imperiale	694
<i>Revocation of probation; sex offender treatment as condition of probation; motion to dismiss violation of probation charge; claim that defendant's placement at inpatient sex offender treatment facility upon release from prison as condition of probation violated his right to due process on ground that it was functional equivalent of incarceration; whether defendant's placement at facility furthered rehabilitative and public safety purposes of probation; claim that subjecting defendant to highly restrictive conditions at sex offender treatment facility violated his right to equal protection on ground that he was placed there due to his status as homeless person upon his release from prison; claim that requiring</i>	

defendant to attend sex offender treatment program at facility as condition of probation violated his eighth amendment right to be free from cruel and unusual punishment.

State v. Jones 486
Murder; carrying pistol without permit; criminal possession of firearm; certification from Appellate Court; claim that Appellate Court incorrectly concluded that trial court improperly had declined to give jury special credibility instruction regarding jailhouse informants in light of benefits that witness expected to receive from state in exchange for his cooperation; claim that rule in State v. Patterson (276 Conn. 452), requiring special credibility instruction with respect to testimony of jailhouse informants, should apply to any prison inmate who approaches police with information regarding inculpatory statements made by defendant, regardless of whether inculpatory statements were made in prison environment; whether trial court's failure to give special credibility instruction was harmful.

State v. Kerlyn T. 382
Aggravated sexual assault first degree, home invasion, risk of injury to child; assault second degree with firearm; certification from Appellate Court; claim that trial court incorrectly determined that defendant's jury trial waiver was knowing, intelligent and voluntary; adoption of Appellate Court's opinion as proper statement of issues and applicable law concerning those issues.

State v. Luciano (Order) 903

State v. Manuel T. 429
Risk of injury to child; sexual assault first degree; sexual assault second degree; sexual assault fourth degree; certification from Appellate Court; claim that this court should overrule prior Appellate Court precedent and adopt standard under which statements made by minor child abuse victim during forensic interview can be admitted under medical treatment exception to hearsay rule only if victim's primary purpose in making statements was to obtain medical diagnosis or treatment; whether Appellate Court incorrectly determined that trial court had not abused its discretion in excluding, for lack of authentication, screenshots of certain text messages purportedly sent by victim to defendant's niece.

State v. Marsala 55
Criminal trespass first degree; defendant's request that jury be instructed on infraction of simple trespass as lesser included offense; whether Appellate Court correctly concluded that trial court properly declined to instruct jury on simple trespass as lesser included offense; whether prerequisites set forth in State v. Whistnant (179 Conn. 576) for obtaining jury instruction on lesser included offense were satisfied.

State v. Raynor. 527
Murder; certification from Appellate Court; whether Appellate Court properly upheld trial court's denial of defendant's motion for hearing pursuant to State v. Porter (241 Conn. 57) on reliability and accuracy of methodology used by expert witness in connection with his anticipated firearm and toolmark testimony; whether trial court's denial of defendant's motion for Porter hearing was harmless; whether Appellate Court improperly upheld trial court's denial of defendant's motion to limit scope of witness' firearm and toolmark testimony; whether Appellate Court properly upheld trial court's admission of certain uncharged misconduct evidence.

State v. Rodriguez 175
Sexual assault first degree; criminal attempt to commit sexual assault first degree; unpreserved claim that trial court violated defendant's right to confrontation by allowing forensic science examiner to testify about results of DNA identification analysis without requiring testimony from individual who generated DNA profiles; unpreserved claim that defendant's due process right was violated by introduction of DNA identification evidence that was unreliable; claim that evidence of random match probability of 1 in 230,000 in Hispanic population, by itself, was insufficient to establish that defendant was guilty of crimes charged beyond reasonable doubt.

State v. Rolon 397
Possession of controlled substance with intent to sell; motion to suppress; conditional plea of nolo contendere; whether trial court improperly denied defendant's motion to suppress; claim that defendant's constitutional right to be free from unreasonable searches and seizures was violated when police detained him, without warrant, in parking lot of apartment building while executing unrelated search

	<i>warrant on apartment of another individual suspected of drug trafficking; whether defendant was in immediate vicinity of premises being searched while he was detained.</i>	
State v. Ruiz		612
	<i>Violation of probation; motion to suppress identification; claim that one-on-one show up procedure that police used in connection with identification of defendant violated his due process rights; certification from Appellate Court; whether identification of defendant was reliable.</i>	
State v. Stephenson		643
	<i>Burglary third degree; attempt to commit tampering with physical evidence; attempt to commit arson second degree; whether Appellate Court improperly addressed, sua sponte, issue of evidentiary sufficiency distinct from defendant's claim, without calling for supplemental briefing as required by Blumberg Associates Worldwide, Inc. v. Brown & Brown of Connecticut, Inc. (311 Conn. 123).</i>	
Stone v. East Coast Swappers, LLC		589
	<i>Unfair trade practices; alleged violation of Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); attorney's fees; claim that this court should adopt presumption pursuant to which plaintiff prevailing in CUTPA action should ordinarily recover attorney's fees under statute (§ 42-110g (d)) unless special circumstances would render such award unjust; claim that Appellate Court incorrectly determined that trial court had not abused its discretion when it declined to award plaintiff attorney's fees under test applicable to awarding punitive damages under CUTPA.</i>	
Turner v. Commissioner of Correction (Order)		909
Wells Fargo Bank, N.A. v. Robertson (Order)		905