

Cumulative Table of Cases
Connecticut Reports
Volume 339

(Replaces Prior Cumulative Table)

Acorn Developers, LLC v. Pinto (Order)	909
Anderson v. Commissioner of Correction (Order)	916
Anthony A. v. Commissioner of Correction	290
<i>Habeas corpus; claim that habeas court incorrectly determined that Department of Correction did not violate petitioner's constitutional right to procedural due process in classifying him as sex offender; whether petitioner was afforded all of procedural protections required by Wolff v. McDonnell (418 U.S. 539); whether there was sufficient evidence in record to support petitioner's classification as sex offender; claim that habeas court incorrectly concluded that department did not violate petitioner's state constitutional right to substantive due process by classifying him as sex offender; whether department's classification decision could withstand rational basis review; whether habeas court correctly concluded that petitioner's classification as sex offender on basis of nonconviction information did not violate article first, § 9, of Connecticut constitution.</i>	
Antonio A. v. Commissioner of Correction (Order)	909
Bank of New York Mellon v. Gilmore (Order)	913
Bank of New York Mellon v. Tope (Order)	901
Banks v. Commissioner of Correction	1
<i>Habeas corpus; kidnapping first degree; robbery first degree; whether habeas court should have assessed harm of error under State v. Salamon (287 Conn. 509) in accordance with legal standard articulated in Brecht v. Abrahamson (507 U.S. 619) or that articulated in Neder v. United States (527 U.S. 1); whether habeas court correctly determined that trial court's failure to instruct jury in accordance with Salamon was harmless when petitioner, after having taken property from victims, forcibly removed them from scene of robbery and restrained them in order to facilitate his escape.</i>	
Bell v. Commissioner of Correction	79
<i>Habeas corpus; robbery first degree; kidnapping first degree; whether Appellate Court correctly concluded that absence of jury instruction in accordance with State v. Salamon (287 Conn. 509) at petitioner's criminal trial was not harmless error.</i>	
Bellerive v. Grotto, Inc. (Order)	908
Brass City Local, Connecticut Alliance of City Police v. Waterbury (Order)	919
Capone v. Nizzardo (Order)	918
Carrasquillo v. Commissioner of Correction (Order)	907
Charles v. Commissioner of Correction (Order)	919
Clements v. Aramark Corp.	402
<i>Workers' compensation; determination by Workers' Compensation Commissioner that plaintiff's injury did not arise out of her employment; certification from Appellate Court; whether Appellate Court properly reversed decision of Compensation Review Board, which had upheld commissioner's decision; whether injury that plaintiff sustained while working for defendant employer was compensable when plaintiff fell from standing position on level floor as result of her purely personal medical condition that was wholly unrelated to her employment; Savage v. St. Aeden's Church (122 Conn. 343), to extent that it held that idiopathic fall on level surface occurring during course of employment is per se compensable, overruled.</i>	
Cohen v. Statewide Grievance Committee	503
<i>Attorney discipline; challenge to reprimand of plaintiff by defendant Statewide Grievance Committee; whether rule 3.3 (a) (1) of Rules of Professional Conduct did not apply to plaintiff while acting as court-appointed trustee of estate; whether defendant's reviewing committee incorrectly concluded that amended final accounting submitted by plaintiff to Probate Court constituted false statement in violation of rule 3.3 (a) (1); whether evidence supporting conclusion that plaintiff violated rule 3.3 (a) (1) was sufficient to support conclusion that her conduct was dishonest in violation of rule 8.4 (3) of Rules of Professional Conduct.</i>	

Conklin v. Teachers Ins. Co. (Order)	907
Cooke v. Williams (Order)	919
DeMaria v. Bridgeport	477
<i>Personal injury; action pursuant to municipal defective highway statute (§ 13a-149) to recover for injuries plaintiff sustained in fall on sidewalk owned by city defendant; certification from Appellate Court; whether Appellate Court incorrectly concluded that trial court had improperly admitted into evidence, pursuant to statute (§ 52-174 (b)) setting forth medical treatment records exception to hearsay rule, treatment records and final report containing medical opinion on causation and extent of plaintiff's injuries when city was unable to cross-examine author of records and report; claim that medical report was not admissible because it was made in contemplation of litigation; Rhode v. Milla (287 Conn. 731), and Millium v. New Milford (310 Conn. 711), to extent they suggested that opportunity to cross-examine author of medical record prepared for purposes of diagnosis, treatment or care of patient is prerequisite for admission of such record, disavowed.</i>	
Devine v. Fusaro (Order)	904
Fain v. Benak (Order)	906
Farmington-Girard, LLC v. Planning & Zoning Commission	268
<i>Zoning; administrative appeals; subject matter jurisdiction; exhaustion of administrative remedies; certification from Appellate Court; claim that trial court improperly dismissed administrative appeals for lack of subject matter jurisdiction; whether Appellate Court incorrectly determined that city's zoning administrator had authority to determine that plaintiff property owner's application for special permit was void; whether plaintiff's consolidated appeals were moot; whether Appellate Court incorrectly determined that plaintiff was required to appeal from decision of city's zoning administrator purporting to void plaintiff's application for special permit.</i>	
Fenner v. Commissioner of Correction (Order)	908
Finney v. Commissioner of Correction (Order)	915
Frantzen v. Davenport Electric (Order)	914
Gallagher v. Fairfield	801
<i>Breach of contract; collective bargaining; health insurance; whether trial court correctly concluded that defendant town was not precluded from requiring plaintiff to transition from private health insurance to Medicare; reviewability of claim that town illegally transferred plaintiff from private health insurance to Medicare without his consent; whether trial court correctly concluded that town was required to reimburse plaintiff for certain Medicare premium costs.</i>	
Gibson v. Jefferson Woods Community, Inc. (Order)	911
Gonzalez v. Commissioner of Correction (Order)	909
Great Plains Lending, LLC v. Dept. of Banking	112
<i>Administrative appeal; tribal sovereign immunity; whether trial court properly sustained plaintiffs' appeal from decision of Commissioner of Banking ordering plaintiffs to cease and desist and to pay civil penalties for violating Connecticut's banking and usury laws; claim that plaintiff businesses, which were created pursuant to laws of federally recognized Indian tribe, were entitled to tribal sovereign immunity as arms of tribe; claim that plaintiff chairman of Indian tribe shared in tribal sovereign immunity of plaintiff businesses; whether trial court correctly determined that entities claiming tribal sovereign immunity bore burden of proving, by preponderance of evidence, their status as arms of tribe; claim that trial court applied improper test for determining whether entity is entitled to sovereign immunity as arm of tribe; whether tribal sovereign immunity extended to plaintiff chairman with respect to civil penalty imposed on him and with respect to prospective injunctive relief.</i>	
Harris v. Commissioner of Correction (Order)	905
Hasan v. Commissioner of Correction (Order)	910
Holloway v. Carvalho (Order)	911
In re Karter F. (Order)	912
Kissel v. Center for Women's Health, P.C. (Orders)	916, 917
LPP Mortgage Ltd. v. Underwood Towers Ltd. Partnership (Orders)	905, 906
Markley v. State Elections Enforcement Commission	96
<i>Administrative appeal; whether trial court properly dismissed plaintiffs' appeal challenging defendant agency's action on petition for reconsideration of final decision for lack of subject matter jurisdiction; lawfulness of defendant's consideration of plaintiffs' petition for reconsideration after petition had by denied by</i>	

<i>operation of law (§ 4-181a (a) (1)) through inaction by defendant, discussed; defendant's consideration of petition for reconsideration pursuant to § 4-181a (a) (2), discussed; whether plaintiff's appeal was timely filed pursuant to statute (§ 4-183 (c) (3)).</i>	
Noroton Heights Shopping Center, Inc. v. Phil's Grill, LLC (Order)	920
Nussbaum v. Dept. of Energy & Environmental Protection (Order)	915
O'Shea v. Scherban	775
<i>Municipal elections; whether defendants, including various city election officials, were required to seat plaintiff as member of Board of Education of City of Stamford after city determined that vacant position on board had been included on November, 2020 election ballot in error and declined to credit election result; whether city was required to hold election in November, 2020, to fill vacancy on board for balance of vacated term; claim that term "biennial election" in provision (§ C1-80-2) of Stamford charter should be construed to mean "next town election"; claim that requirement of charter's savings provision (§ C1-40-2) that charter must be construed in harmony with state statutory law compelled conclusion that vacant board position was required to be filled at next city election; claim that various provisions in federal and state constitutions required city to hold election for vacant board position at next regularly scheduled city election; claim that city's failure to count and validate votes unconstitutionally disenfranchised plaintiff; claim that doctrine of municipal estoppel required defendants to count votes that were cast in election for vacant board position.</i>	
Reserve Realty, LLC v. BLT Reserve, LLC (Order)	902
Reserve Realty, LLC v. Windemere Reserve, LLC (Orders)	901, 903
Rockstone Capital, LLC v. Caldwell (Order)	914
State v. Alicea	385
<i>Assault first degree; claim that jury's verdict of guilty of intentional assault and reckless assault was legally inconsistent; claim that state could not maintain on appeal that defendant's convictions were consistent on ground that state's theory of case at trial contemplated charges of intentional and reckless assault as alternatives.</i>	
State v. Arnold (Order)	904
State v. Bemer	528
<i>Patronizing prostitute who was victim of human trafficking; conspiracy to commit trafficking in persons; appeal from trial court's order pursuant to statute (§ 54-102a (a) and (b)), in response to motions by state and certain of defendant's victims, requiring defendant to submit to examination for sexually transmitted diseases (STDs) and testing for presence of human immunodeficiency virus (HIV); whether trial court's order was appealable final judgment; whether defendant's conviction of charged crimes during pendency of appeal had bearing, jurisdictional or otherwise, on defendant's appeal; whether trial court abused discretion conferred on it by § 54-102a (b) in ordering defendant to submit to HIV testing; claim that trial court was obligated to adhere to requirement set forth in statute (§ 19a-582 (d) (8)) that it find, before ordering HIV testing, clear and imminent danger to public health or health of person and that person seeking testing of defendant has demonstrated compelling need for test result that cannot be accommodated by other means; whether issuance of order for HIV testing pursuant to § 54-102a (b) based solely on finding that conditions of that statute have been met violates defendant's right to be free from unreasonable searches and seizures under article first, § 7, of Connecticut constitution; claim that trial court must find, before issuing order for examination for STDs or HIV testing pursuant to § 54-102a, that there is probable cause to believe that defendant has STD or HIV.</i>	
State v. Collins (Order)	914
State v. Courtney G.	328
<i>First degree sexual assault; risk of injury to child; prosecutorial impropriety; whether trial court improperly admitted evidence of victim's out-of-court demeanor; whether prosecutor engaged in improprieties during closing and rebuttal arguments; claim that prosecutor's comment that defendant displayed "lack of outrage" at sexual abuse allegations violated his right to confrontation and improperly appealed to jurors' emotions and passions; whether prosecutor's comment that defendant displayed "lack of outrage" referred to defendant's testimonial demeanor or his courtroom demeanor unrelated to his demeanor while testifying; claim that prosecutor improperly diluted presumption of innocence and infringed on defendant's right to testify by referring to his interest in outcome of case;</i>	

	<i>claim that prosecutor improperly expressed her personal opinion with respect to defendant's credibility by questioning inconsistencies in his testimony; claim that prosecutor's comments regarding victim's lack of motive to lie and testimonial demeanor were improper expressions of personal opinion; claim that prosecutor provided improper statement of law when she described reasonable doubt standard; whether prosecutor improperly mischaracterized evidence and risked diluting state's burden of proof by informing jury that victim's testimony was unchallenged and uncontroverted; whether prosecutorial improprieties deprived defendant of due process right to fair trial.</i>	
State v. Felimon C. (Order)		911
State v. Gordon (Order)		913
State v. Griffin		631
	<i>Murder; attempt to commit robbery first degree; conspiracy to commit robbery first degree; criminal possession of firearm; claim that trial court improperly denied motion to suppress rifle found at defendant's residence on ground that it was illegally obtained during warrantless search, in violation of federal and state constitutions; whether trial court properly denied defendant's motion to suppress rifle based on independent source doctrine; claim that search warrant for defendant's residence was not supported by probable cause; claim that trial court improperly denied defendant's motion to suppress statements made during interrogation because they were not voluntary; whether certain coercive interrogation tactics, including questioning defendant while he was sleep-deprived, false evidence ploys, maximizing consequences of not confessing, threatening defendant's family with arrest, and suggesting that defendant's confession would be met with leniency had combined effect of overbearing defendant's will; whether this court should adopt prophylactic rule under state constitution that would require Connecticut trial courts to strongly consider whether coercive interrogation tactics raise questions about voluntariness of confession.</i>	
State v. Haughwout		747
	<i>Interfering with officer; disobeying direction of officer while increasing speed of motor vehicle in attempt to escape or elude; assault of peace officer; motion to suppress; claim that trial court improperly denied motion to suppress evidence; claim that court should have suppressed certain evidence relating to incident between defendant and police because that incident involved unconstitutional investigatory detention by police; claim that evidence was insufficient to support conviction with respect to counts charging defendant with assaulting peace officers; claims of instructional error.</i>	
State v. Mark T.		225
	<i>Risk of injury to child conviction in connection with incident in which defendant dragged his daughter down school hallway; defense of parental justification; whether Appellate Court correctly determined that trial court had not abused its discretion in precluding defendant, who represented himself at trial, from asking daughter's teacher, during cross-examination, whether she had ever seen daughter become physical with another person at school; whether trial court abused its discretion by limiting defendant's direct examination of himself, during which he sought to elicit his own testimony about information crucial to his parental justification defense; whether trial court's error was harmful.</i>	
State v. Marshall (Order)		912
State v. Morlo M. (Order)		910
State v. Quintiliano (Order)		918
State v. Richards		628
	<i>Murder; certification from Appellate Court; claim that evidence was insufficient to support defendant's conviction; whether Appellate Court properly upheld defendant's conviction; adoption of portion of Appellate Court's opinion addressing defendant's evidentiary insufficiency claim as proper statement of applicable law concerning that issue.</i>	
State v. Roy D. L.		820
	<i>Sexual assault first degree; sexual assault fourth degree; risk of injury to child; claim that trial court abused its discretion in admitting video recording of victim's forensic interview into evidence under medical treatment exception to hearsay rule; claim that defendant was deprived of fair trial insofar as prosecutor allegedly referred to facts not in evidence and commented on credibility of witness; whether evidence was sufficient to support defendant's conviction; claim that statutes criminalizing sexual assault in first degree and risk of injury to child were unconstitutionally vague as applied to defendant's conduct.</i>	

State v. Santiago (Order)	918
State v. Silva	598
<i>Murder with special circumstances; unpreserved claim that trial court incorrectly instructed jury that, if it found that there was temporal nexus between murders, it could find that state had proven “in the course of a single transaction” element of murder with special circumstances; whether defendant implicitly waived unpreserved claim of instructional error under State v. Kitchens (299 Conn. 447); whether defendant’s claim of instructional error failed under third prong of State v. Golding (213 Conn. 233); whether trial court committed plain error by failing to provide jury, sua sponte, with special credibility instruction as to testimony of witness who defendant claimed was perpetrator of victims’ murders; unpreserved claim that trial court violated defendant’s constitutional rights to counsel and to present defense by precluding defense counsel from arguing during closing argument that absence of testimony from certain witness created reasonable doubt; whether trial court reasonably determined that defense counsel was making improper missing witness argument.</i>	
State v. Watson	452
<i>Strangulation second degree; assault third degree; unlawful restraint first degree; threatening second degree; certification from Appellate Court; whether Appellate Court correctly concluded that defendant’s constitutional right to jury trial was not violated when trial court, rather than jury, determined that assault and unlawful restraint charges were not “upon the same incident” as strangulation charge for purposes of second degree strangulation statute (§ 53a-64bb (b)); claim that language in § 53a-64bb (b) prohibiting person from being found guilty of strangulation second degree “upon the same incident” as unlawful restraint or assault is element of second degree strangulation under Apprendi v. New Jersey (530 U.S. 466) and its progeny that must be found by jury beyond reasonable doubt.</i>	
State v. Williams (Order)	910
State v. Weathers	187
<i>Murder; criminal possession of pistol or revolver; carrying pistol without permit; affirmative defense of mental disease or defect; whether Appellate Court correctly concluded that trial court had reasonably rejected defendant’s defense of mental disease or defect and opinions of defendant’s experts relating to that defense.</i>	
Thornton v. Jacobs	495
<i>Motion to quash; whether plaintiffs’ withdrawal of subpoena to depose defendant rendered moot defendant’s appeal to this court from judgment of Appellate Court dismissing as frivolous her appeal from trial court’s denial of her motion to quash subpoena; whether vacatur of Appellate Court’s judgment was appropriate when defendant, through no fault of her own, was unable to obtain judicial review of Appellate Court’s judgment.</i>	
U.S. Bank National Assn. v. Booker (Order)	912
U.S. Bank National Assn. v. Rothermel	366
<i>Foreclosure; strict foreclosure; motion to open judgment; dismissal of appeal as moot; certification from Appellate Court; claim that trial court incorrectly concluded that it was precluded by statute (§ 49-15) from opening judgment of strict foreclosure after law day had passed and title had become absolute in plaintiff bank; whether trial court had jurisdiction to open judgment of strict foreclosure when defendant raised equitable grounds involving alleged misrepresentations by plaintiff’s loan servicer; whether Appellate Court properly dismissed defendant’s appeal as moot in light of equitable nature of defendant’s claims; whether trial court abused its discretion in denying defendant’s motion to open judgment.</i>	
Wilton Campus 1691, LLC v. Wilton	157
<i>Tax appeals; imposition of tax penalties pursuant to statute (§ 12-63c (d)) for plaintiffs’ failure to timely submit certain annual income and expense reports required by assessor of defendant town; certification from Appellate Court; whether Appellate Court correctly determined that assessor improperly imposed late filing penalties on plaintiffs pursuant to § 12-63c (d) after taking and subscribing to oath upon grand list; whether penalties imposed under § 12-63c (d) are required by law; whether term “assessment” in statute (§ 12-55 (b)) directing assessor to make any assessment omitted by mistake or required by law prior</i>	

to signing grand list must be read to include penalties imposed under § 12-63c (d); whether assessor lacked authority to impose penalties under statute (§ 12-60) applicable to correction of clerical errors or mistakes. 908
Your Mansion Real Estate, LLC v. RCN Capital Funding, LLC (Order). 908