

Cumulative Table of Cases
Connecticut Reports
Volume 343

(Replaces Prior Cumulative Table)

AGW Sono Partners, LLC v. Downtown Soho, LLC	309
<i>Breach of commercial lease agreement; unjust enrichment; damages; claim that trial court incorrectly concluded that defendants had failed to establish, by preponderance of evidence, that their breach of contract was excused by doctrines of impossibility and frustration of purpose, in light of certain executive orders issued by governor that limited various commercial activities at bar and restaurants throughout the state during public health and civil preparedness emergencies that governor declared in response to COVID-19 pandemic; whether executive orders restricting operations of defendants' restaurant rendered performance of lease agreement impossible as matter of law; whether shutdown and restrictions compelled by executive orders frustrated purpose of lease agreement; claim that trial court improperly assigned plaintiff lessor, as nonbreaching party, burden of proving that it had mitigated its damages in attempting to lease premises to new lessee; whether lessor or lessee bears burden of proving that lessor failed to undertake commercially reasonable efforts to mitigate its damages when lessee breached lease agreement.</i>	
Aurora Loan Services, LLC v. Gabriel (Order)	911
Baker v. Argueta (Order)	901
Bank of America, National Assn. v. Sorrentino (Order)	912
Bank of New York Mellon v. Horsey (Order)	909
Barlow v. Commissioner of Correction	347
<i>Habeas corpus; ineffective assistance of counsel; whether habeas court correctly determined that petitioner had met his burden of establishing prejudice; whether, but for trial counsel's deficient performance during pretrial plea negotiations, there was a reasonable probability that petitioner would have accepted trial court's plea offer; claim that habeas court improperly relied on earlier decision by Appellate Court that trial court's performance was deficient; whether there was sufficient contemporaneous evidence from time of underlying plea negotiations to substantiate petitioner's after-the-fact testimony that he would have accepted plea offer if he had been adequately advised.</i>	
Bernblum v. Grove Collaborative, LLC (Order)	925
Buelher v. Buelher (Order)	917
Centerplan Construction Co., LLC v. Hartford	368
<i>Contract for construction of baseball stadium; breach of contract; counterclaim for breach of contract and breach of covenant of good faith and fair dealing; whether plaintiff developer waived its right to contest errors by defendant city that occurred prior to execution of term sheet; whether city maintained control of and responsibility for stadium design and architectural firm's work from time that city contracted with plaintiffs until time that city assigned to plaintiffs its agreement with architectural firm; whether language in city's assignment of its agreement with architectural firm to plaintiffs plainly and unambiguously provided that plaintiffs had legal control of and responsibility for architectural firm and stadium design upon execution of that assignment until term sheet was executed; whether assignment's plain and unambiguous language established that city retained all obligations as to architectural firm arising out of architectural firm's services before assignment was executed; whether term sheet was unclear as to whether city or plaintiffs had control of architectural firm and stadium design after execution of term sheet until time that city terminated its contractual relationship with plaintiffs; whether term sheet unambiguously divested plaintiff builder of right, in its agreement with developer, to notice and opportunity to cure any default prior to termination.</i>	
Chase v. Commissioner of Correction (Order)	903
C. L. v. J. E. (Order)	905
Cockayne v. Bristol Hospital, Inc. (Order)	906

Cooke v. Williams (Order)	919
Connecticut Judicial Branch v. Gilbert	90
<i>Employment discrimination; claims of employment discrimination in violation of Connecticut Fair Employment Practices Act (§ 46a-60), violation of general antidiscrimination statute (§ 46a-58 (a)), and violation of Title VII of Civil Rights Act of 1964, as amended by Title VII of Civil Rights Act of 1991 (42 U.S.C. § 2000e et seq.), as predicate for claim under § 46a-58 (a); whether trial court properly sustained in part and reversed in part Judicial Branch's administrative appeal from decision of defendant Commission on Human Rights and Opportunities awarding named defendant back pay, interest, and emotional distress damages in connection with named defendant's claim that branch discriminated against her on basis of gender; whether trial court incorrectly concluded that commission was authorized to award emotional distress damages and attorney's fees in employment discrimination action under general antidiscrimination statute (§ 46a-58 (a)) and that statute's civil remedies provision (§ 46a-86 (c)); whether commission exceeded its authority under federal law by adjudicating Title VII claim; claim that state law precludes commission from awarding damages for Title VII violations under §§ 46a-58 (a) and 46a-86 (c); whether trial court incorrectly concluded that state waived its sovereign immunity with respect to recovery of prejudgment and postjudgment interest on awards under § 46a-86; whether trial court incorrectly concluded that commission should have precluded named defendant from recovering emotional distress damages as sanction for purported violations of human rights referee's discovery orders; whether trial court improperly admitted certain testimony that went beyond mere garden-variety emotional distress; whether trial court improperly vacated injunction requiring plaintiff to give named defendant option of returning to original work location, after she was transferred to other locations in retaliation for lodging harassment complaint.</i>	
Conroy v. Idlibi	201
<i>Marital dissolution; motion to open judgment on basis of fraud; certification from Appellate Court; whether Appellate Court correctly concluded that trial court did not abuse its discretion in denying defendant's motion to open dissolution judgment; whether Appellate Court correctly concluded that defendant's allegations, even if true, would not likely have altered ultimate resolution of parties' divorce.</i>	
Crouzet v. First Baptist Church of Stonington.	88
<i>Environmental contamination; certification from Appellate Court; whether Appellate Court properly reversed judgment of trial court rendered in favor of defendants on grounds that trial court committed clear error in finding that secondary source was responsible for contamination of plaintiff's property and that, even if there had been secondary source of contamination, the presence of that secondary source did not mean that plaintiff failed to prove that defendants' oil tank contaminated their property; appeal dismissed on ground that certification was improvidently granted.</i>	
Davis v. Davis (Order)	917
Dept. of Public Health v. Estrada (Order)	921
Deutsche Bank National Trust Co. v. Siladi (Order)	918
Digital 60 & 80 Merritt, LLC v. Board of Assessment Appeals (Order).	926
Dolan v. Dolan (Order)	924
Fenstermaker v. Fenstermaker (Order).	915
Fulcher v. Commissioner of Correction (Order)	918
Gassesse v. University of Connecticut (Order)	914
Gawlik v. Malloy (Order)	919
Gleason v. Durden (Order).	921
Glover v. Bausch & Lomb, Inc.	513
<i>Claims under failure to warn provision of Connecticut Product Liability Act (CPLA) (§ 52-572q) and Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); appeal from judgment of United States District Court for District of Connecticut dismissing plaintiffs' complaint to United States Court of Appeals for Second Circuit; certification of questions of law from Second Circuit; whether cause of action exists under failure to warn provision of CPLA based on manufacturer's alleged failure to report adverse events to federal regulator, such as federal Food and Drug Administration; whether exclusivity provision (§ 52-572n) of</i>	

<i>CPLA bars claim under CUTPA based on allegations that manufacturer deceptively and aggressively marketed and promoted product despite knowing that it presented substantial risk of injury.</i>	
Gonzalez v. Commissioner of Correction (Order)	922
Gottesman v. Kratter (Order)	918
Hospital Media Network, LLC v. Henderson (Order)	916
Housing Authority v. Stevens (Order)	907
Icelo-Hernandez v. Commissioner of Correction (Order)	911
Ill v. Manzo-III (Order)	909
In re Christian C. (Order) (See In re Lucia C.)	912
In re Lucia C. (Order)	912
J. E. v. C. L. (Order)	907
J. K. v. M. G. (Order)	915
Jones v. Law Offices of William S. Palmieri, LLC (Order)	920
Kaufman v. Synnott (Order)	923
Kelsey v. Commissioner of Correction	424
<i>Habeas corpus; certification from Appellate Court; claim that habeas court improperly dismissed successive petition for writ of habeas corpus that was filed more than two years beyond limitation period set forth in statute (§ 52-470 (d) (1)) on ground that petitioner failed to establish good cause to overcome rebuttable presumption of unreasonable delay; whether Appellate Court correctly concluded that habeas court's good cause determination is reviewed on appeal for abuse of discretion; whether Appellate Court correctly concluded that habeas court did not abuse its discretion in finding that petitioner failed to establish good cause; whether lack of personal knowledge of law or change in law is relevant to good cause determination.</i>	
Kling v. Hartford Casualty Ins. Co. (Order)	926
Lewis v. Commissioner of Correction (Order)	924
Lopez v. William Raveis Real Estate, Inc.	31
<i>Housing discrimination; claim that defendant real estate salesperson unlawfully discriminated on basis of plaintiff's lawful source of income, in violation of statute (§ 46a-64c (a) (1) and (3)), by making certain statements regarding plaintiff's participation in Section 8 Housing Choice Voucher Program; whether trial court improperly applied ordinary listener standard in considering context of real estate salesperson's statements in determining if they conveyed any preference, limitation, or discrimination based on lawful source of income; whether real estate broker was vicariously liable for statements of real estate salesperson pursuant to statute (§ 20-312a); whether owners of property were vicariously liable for statements of real estate salesperson.</i>	
Lucky 13 Industries, LLC v. Commissioner of Motor Vehicles (Order)	905
Maldonado v. Flannery	150
<i>Negligence; personal injury; additur; certification from Appellate Court; whether trial court abused its discretion in granting plaintiffs' joint motion for additurs on ground that jury verdict awarding plaintiffs economic damages but zero noneconomic damages was internally inconsistent; claim that Appellate Court incorrectly concluded that trial court failed to sufficiently explain in its memorandum of decision evidentiary and logical basis for its decision; claim that Appellate Court incorrectly concluded that trial court had abused its discretion by granting plaintiffs' joint motion for additurs.</i>	
Mercado v. Castro-Cruz (Order)	913
Mozzochi v. Purtill (Order)	911
MTGLQ Investors, L.P. v. Lakner (Order)	913
Newtown v. Gaydosh (Order)	920
Nutmeg State Crematorium, LLC v. Dept. of Energy & Environmental Protection (Order)	906
O'Brien v. Commissioner of Correction (Order)	907
O'Donnell v. AXA Equitable Life Ins. Co. (Order)	910
O'Reagan v. Commissioner of Correction (Order)	926
Overly v. Overly (Order)	901
Parker v. Zoning Commission (Order)	908
Patterson v. Commissioner of Correction (Order)	925
Purnell v. Inland Wetlands & Watercourses Commission (Order)	908
Quint v. Commissioner of Correction (Order)	922
Rafi v. Yale University School of Medicine (Order)	903
Reyes v. State (Order)	909
Roach v. Transwaste, Inc. (Order)	924

Salce v. Cardello (Order)	902
Saunders v. Commissioner of Correction	1
<i>Habeas corpus; claim that petitioner's due process rights were violated on ground that he was incompetent at time of his criminal trial; certification from Appellate Court; whether Appellate Court correctly concluded that procedural default doctrine applies to competency claims; whether Appellate Court correctly concluded that petitioner failed to allege sufficient cause and prejudice to overcome procedural defaults; whether mental incompetency is internal to habeas petitioner; whether habeas court correctly determined that petitioner had failed to allege sufficient prejudice to survive motion to dismiss.</i>	
Seder v. Errato (Order)	917
State v. Abraham	470
<i>Home invasion; attempt to commit assault first degree; reckless endangerment first degree; risk of injury to child; claim that evidence was insufficient to establish that defendant was perpetrator of crimes of conviction; claim that jury's guilty verdict of attempt to commit assault first degree and reckless endangerment first degree was legally inconsistent; unpreserved claim that convictions of home invasion and attempt to commit assault first degree violated constitutional prohibition against double jeopardy.</i>	
State v. Alexander	495
<i>Felony murder; attempt to commit robbery first degree; conspiracy to commit robbery first degree; carrying pistol without permit; claim that trial court improperly denied motion for new trial with respect to certain offenses of which the defendant had been convicted; whether defendant's statements during police interrogation improperly were admitted into evidence because police continued to question him after he made equivocal statement that arguably could be construed as request for counsel; whether improper admission of statements made during interrogation was harmless beyond reasonable doubt.</i>	
State v. Butler (Order)	904
State v. Cusson (Order)	913
State v. Daniel M. (Order)	906
State v. Goode (Order)	925
State v. Hargett	604
<i>Murder; certification from Appellate Court; whether Appellate Court correctly concluded that trial court had not abused its discretion in excluding certain testimony as irrelevant and inadmissible hearsay and in excluding from evidence certain toxicology report indicating that murder victim had drugs in his system at time of his death; claim that Appellate Court incorrectly concluded that trial court had not violated defendant's right to due process by declining to give jury instruction on self-defense; whether Appellate Court incorrectly concluded that trial court had not abused its discretion in declining to dismiss case or to exclude alleged murder weapon from evidence as sanction for state's late disclosure of that evidence.</i>	
State v. Jones (Order)	901
State v. Marrero	468
<i>Home invasion; burglary first degree; assault second degree; certification from Appellate Court; claim that Appellate Court incorrectly concluded that prosecutor did not engage in prosecutorial impropriety by using leading questions during his direct examination of hostile witness; certification improvidently granted.</i>	
State v. Morel-Vargas	247
<i>Sexual assault first degree; unpreserved claim that defendant's conviction must be reversed on ground that defendant did not personally inform trial court that he was waiving his right to testify; whether trial court was constitutionally required to obtain on-the-record waiver of right to testify from defendant, himself; whether right to testify is personal constitutional right that can be waived only by defendant himself and not by defense counsel acting on behalf of defendant; whether right to testify is among personal constitutional rights that require affirmative waiver on record by criminal defendant, himself; exercise of supervisory authority over administration of justice to require, prospectively, that trial court either canvass defendant or, in certain circumstances, inquire of defense counsel whether counsel adequately advised defendant regarding waiver of right to testify; reviewability of claim that prosecutor committed improprieties during her direct examination of victim by virtue of prosecutor's allegedly excessive use of leading questions, in violation of defendant's right to fair trial.</i>	

State v. Myers	447
<i>Motion to correct illegal sentence; whether trial court properly dismissed in part and denied in part motions to correct illegal sentence filed by defendant, who was serving two distinct total effective sentences of eighteen years and fourteen years imprisonment for offenses he committed when he was under eighteen years of age; whether trial court properly dismissed claims that defendant was entitled to resentencing at which sentencing court would consider hallmark features of adolescence as mitigating factors pursuant to Miller v. Alabama (567 U.S. 460) and its progeny, and statute (§ 54-91g); claim that Board of Pardons and Paroles incorrectly determined defendant's parole eligibility date by basing its calculations on his shorter sentence, which resulted in later eligibility date; claim that board's incorrect parole eligibility calculation violated defendant's rights to due process and equal protection; whether trial court properly denied claim that board's calculation of parole eligibility date violated defendant's right to due process; improper form of judgment.</i>	
State v. Ortiz	566
<i>Murder; prosecutorial impropriety; claim that defendant was deprived of his due process right to fair trial as result of prosecutorial impropriety during prosecutor's rebuttal argument; claim that trial court improperly precluded defense counsel from impeaching state's witnesses with evidence of certain prior felony convictions and improperly required defense counsel to refer to state witness' prior convictions only as unnamed felonies punishable by more than one year of imprisonment; claim that trial court improperly declined to give requested instruction; whether trial court improperly omitted word "conclusively" in its instruction on use of evidence of defendant's uncharged misconduct.</i>	
State v. Police	274
<i>Robbery first degree; assault first degree; conditional plea of nolo contendere; claim that trial court improperly denied defendant's motion to dismiss information; whether John Doe arrest warrant that identified suspect on basis of general physical description and mixed partial DNA profiles violated particularity requirement of fourth amendment to United States constitution; whether John Doe arrest warrant served to toll applicable statute of limitations; whether record was adequate for review of defendant's unpreserved claim that John Doe arrest warrant identifying suspect through mixed partial DNA profiles violated particularity requirement of fourth amendment; whether trial court properly relied on subsequent DNA reports in determining that prior DNA report, which police had relied on to establish probable cause for John Doe arrest warrant, identified suspect with particularity.</i>	
State v. Prudhomme (Order)	902
State v. Schlosser (Order)	923
State v. Siler (Order)	912
State v. Stephanie U. (Orders)	903, 904
State v. Sumler (Order)	916
State v. Tony O. (Order)	921
State v. Torres	208
<i>Murder; carrying pistol without permit; claim that trial court improperly excluded evidence that state's witness was assaulted before defendant's first trial, in violation of defendant's sixth amendment rights to present defense and to confront witnesses against him; whether defendant met his burden of proving that trial court's improper exclusion of evidence relating to assault of state's witness was harmful; claim that trial court violated defendant's sixth amendment right to confrontation and rules of evidence by preventing defendant from impeaching state's witness with evidence of her prior criminal convictions.</i>	
Stratford Police Dept. v. Board of Firearms Permit Examiners	62
<i>Application for issuance of state pistol permit; administrative appeal; appeal from trial court's judgment reversing decision of named defendant, Board of Firearms Permit Examiners, ordering issuance of pistol permit to defendant; denial by plaintiff police department of pistol permit application on basis of applicant's prior conviction of criminal possession of controlled substance in New York; whether trial court incorrectly concluded that statute (§ 29-28 (b) (2) (B)) automatically disqualifies pistol permit applicant with out-of-state conviction that is equivalent to conviction under statute (§ 21a-279) proscribing possession of controlled substance from receiving permit; whether trial court improperly substituted its judgment for that of board following board's determination that applicant was suitable person to obtain pistol permit.</i>	

Tajay H. *v.* Commissioner of Correction (Order) 914
U.S. Bank Trust, N.A. *v.* Black (Order) 905
Vacirca *v.* Zoning Board of Appeals (Order) 919
V. V. *v.* E. V. (Order) 915
Zubrowski *v.* Commissioner of Correction (Order) 908