

Cumulative Table of Cases
Connecticut Reports
Volume 348

(Replaces Prior Cumulative Table)

AAA Advantage Carting & Demolition Service, LLC v. Capone (Orders)	924
A Better Way Wholesale Autos, Inc. v. Better Business Bureau of Connecticut (Order)	919
A. D. v. L. D. (Order)	901
Ahmed v. Oak Management Corp.	152
<i>Application to vacate arbitration award pursuant to statute (§ 52-418 (a)); motion to confirm arbitration award; judgment confirming award in favor of defendant; claim that trial court should have vacated arbitration award pursuant to § 52-418 (a) (4) on ground that arbitrator had exceeded his authority insofar as he failed to provide plaintiff with full and fair hearing; claim that arbitrator had no authority to apply fugitive disentitlement doctrine; whether arbitration award should have been vacated pursuant to § 52-418 (a) (3) on grounds that arbitrator had declined to hear pertinent and material evidence and had engaged in prejudicial misconduct by preventing plaintiff from defending himself and pursuing counterclaim, and by reviewing evidence against him; claim that arbitration award violated public policy of fundamental fairness in arbitration proceedings; claim that arbitration award should have been vacated pursuant to certain provisions (9 U.S.C. § 10 (a) (3) and (4)) of Federal Arbitration Act; whether case should be remanded to allow trial court to modify arbitration award pursuant to statute (§ 52-419 (a) (1)).</i>	
Alico, LLC v. Somers	350
<i>Tax; appeal from motor vehicle property tax assessments; whether challenged statutory provision (§ 12-71 (f)) contravened dormant commerce clause under United States constitution; whether § 12-71 (f) facially discriminated against interstate commerce; application of test set forth in Complete Auto Transit, Inc. v. Brady (430 U.S. 274); whether property tax authorized by § 12-71 (f) was fairly apportioned; claim that § 12-71 (f) was internally inconsistent.</i>	
Alves v. Giegler	364
<i>Elections; action, brought pursuant to statute (§ 9-328) by mayoral candidate in 2023 Danbury municipal election, challenging decision of named defendant, Danbury town clerk, to submit to secretary of state, pursuant to statute (§ 9-461), certain slate of candidates purporting to be endorsed by Independent Party of Danbury; reservation of questions of law; appeals and cross appeals from trial court's judgment; extent to which town clerks have discretion under § 9-461 to accept or reject minor party's filing of its endorsement of candidates, discussed; whether town clerk exceeded her authority under § 9-461 by failing to file with secretary of state certain slate of candidates; whether trial court correctly determined that certain slate of candidates was invalid because it was product of endorsement meeting that purportedly failed to comply with statutory (§ 9-452a) notice requirements; whether trial court incorrectly concluded that submission of certain slate to secretary of state did not comply with certification requirement of § 9-452.</i>	
Ammar I. v. Dept. of Children & Families (Orders)	906, 907
Arpin v. Commissioner of Correction (Order)	933
Bank of New York Mellon v. Cronin (Order)	949
Bank of New York Mellon v. Fisher (Order)	909
Bank of New York Mellon v. Fisher (Order)	955
Bank of New York Mellon v. Ruttkamp (Order)	904
Bank of New York Mellon Trust Co., N.A. v. Rivoso (Order)	913
Barash v. Lembo	264
<i>Breach of fiduciary duty; trusts; summary judgment; whether plaintiffs were collaterally estopped from litigating issue of whether defendant had breached her fiduciary duty, when appeal of Probate Court decree denying petition to remove executor was pending; whether pending probate appeal that was to be conducted as trial de novo suspended preclusive effect of otherwise final judgment for purposes of collateral estoppel doctrine; whether trial court incorrectly concluded</i>	

<i>that defendant had not owed trust beneficiaries fiduciary duty to collect and protect assets that were not yet part of trust res but that were to be distributed to trust from decedent's residuary estate when estate settled; whether there was genuine issue of material fact as to whether defendant had breached her fiduciary duty; whether trial court's judgment could be affirmed on alternative ground that plaintiffs' complaint had failed to state claim, as matter of law, that defendant had breached her fiduciary duty as trustee; elements of claim for breach of fiduciary duty against trustee, discussed; Rendahl v. Peluso (173 Conn. App. 66), to extent that it required allegation of self-dealing as element of claim of breach of fiduciary duty against trustee, overruled.</i>		
Baun v. Grandison Management, Inc. (Order)		934
Bennett v. Commissioner of Correction (Order)		948
Benvenuto v. Brookman		609
<i>Bill of discovery; request for production of certain information by defendant, who published Internet blog, and search of defendant's electronic devices, which purportedly would enable plaintiff to ascertain identities of anonymous commenters who posted allegedly defamatory comments about plaintiff on defendant's blog; claim that trial court improperly granted plaintiff's bill of discovery; whether trial court's decision to grant plaintiff's bill of discovery was final judgment under second prong of State v. Curcio (191 Conn. 27).</i>		
Bonds v. Commissioner of Correction (Order)		956
Bridgeport v. Freedom of Information Commission (Order)		936
Brown v. Commissioner of Correction (Order)		940
Buchenholz v. Buchenholz (Order)		928
Canales v. Commissioner of Correction (Order)		905
Cazenovia Creek Funding I, LLC v. White Eagle Society of Brotherly Help, Inc., Group 315, Polish National Alliance (Order)		917
Ciara v. Atlantic Motors, LLC (Order)		951
Citigroup Mortgage Loan Trust 2020-RP2 v. Cichy (Orders)		912
Cochran v. Dept. of Transportation (Order)		919
Cody Real Estate, LLC v. G & H Catering, Inc. (Order)		910
Colandrea v. Connecticut State Dental Commission (Order)		933
Colonial Surety Co. v. Phoenix Contracting Group (Order)		924
Commissioner of Public Health v. Colandrea (Order)		932
Companions & Homemakers, Inc. v. A&B Homecare Solutions, LLC.		132
<i>Tortious interference with contractual relations; alleged violation of Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.); claim that trial court improperly found that defendant had tortiously interfered with plaintiff's provider enrollment agreement with Department of Social Services on ground that defendant did not owe plaintiff duty to disclose; claim that trial court improperly found that defendant had tortiously interfered with noncompete agreements between plaintiff and its employees; whether evidence was sufficient to support trial court's finding that defendant's tortious conduct caused plaintiff to sustain damages; claim that trial court improperly found that defendant had violated CUTPA.</i>		
Coney v. Commissioner of Correction (Order)		946
Connecticut Housing Finance Authority v. McCarthy (Order)		911
Crocker v. Commissioner of Correction (Order)		911
Curley v. Phoenix Ins. Co. (Order)		914
Dahle v. Stop & Shop Cos. (Order)		938
Deutsche Bank National Trust Co. v. Amelio (Order)		942
Deutsche Bank National Trust Co. v. Siladi (Order)		950
Drewnowski v. Planning & Zoning Commission (Order)		922
Drumm v. Freedom of Information Commission		565
<i>Freedom of information; administrative appeal; appeal to trial court from decision of defendant, Freedom of Information Commission, ordering disclosure of certain documents from homicide investigation files of town's police department; whether requested documents fell within exception from disclosure of law enforcement records pursuant to provision of Freedom of Information Act (§ 1-210 (b) (3) (D)) that exempts from disclosure records compiled in connection with criminal investigation if disclosure of those records would result in disclosure of information to be used in prospective law enforcement action that would be prejudicial to such action; correct legal standard governing claims of exemption under § 1-</i>		

210 (b) (3) (D), discussed; whether administrative record was sufficient to permit this court to apply newly adopted reasonable possibility standard as matter of law; whether case should be remanded to trial court.

Dusto v. Rogers Corp. (Order) 939

DXR Finance Parent, LLC v. Theraplant, LLC (Order) 957

E & I Investments, LLC v. Hecht (Order) 908

Ebron v. Commissioner of Correction (Order) 935

Elwell v. Kellogg (Order) 927

Felder v. Commissioner of Correction 396

Habeas corpus; certification from Appellate Court; judgment of habeas court dismissing petitioner's habeas petition on grounds that it was untimely filed and there was no good cause to excuse delay; claim that term "prior petition" in statute (§ 52-470 (d)) was not limited to habeas petitions filed in state court and, therefore, that petitioner's second state habeas petition was timely because it was filed within two years of final judgment rendered in connection with petitioner's federal habeas petition; whether Appellate Court correctly concluded that federal habeas petition is not "prior petition," as contemplated by § 52-470 (d); whether habeas court properly exercised its discretion in determining that petitioner had failed to establish good cause for untimely filing of his second state habeas petition and properly dismissed it pursuant to § 52-470 (e).

Foster v. Commissioner of Correction (Order) 917

Fry v. Murray (Order) 930

Gardner v. Dept. of Mental Health & Addiction Services (Order) 954

Gainty v. Infantino (Order) 948

GenConn Energy, LLC v. Public Utilities Regulatory Authority 532

Administrative appeal; appeal to trial court from final decision of defendant, Public Utilities Regulatory Authority (PURA), which reduced plaintiff electric supplier's proposed return on capital with respect to two of plaintiff's peaking generation facilities that were designed to provide additional electric supply to Connecticut consumers at times of increased demand; claim that PURA must use specific rate-making methodology of statute (§ 16-243u) applicable to peaking generation and not general rate-making principles found in statute (§ 16-19e) that is applicable to all energy generators in state; whether trial court correctly determined that PURA had acted within its statutory authority when it lowered plaintiff's debt rate in PURA's decision on plaintiff's 2021 Annual Fixed Revenue Requirements application; whether PURA's action in lowering debt rate was arbitrary and capricious.

Gill v. Center for Nursing & Rehabilitation at Bloomfield HealthCare Center, Inc. (Order) 908

Glen S. v. Commissioner of Correction (Order) 951

GMAT Legal Title Trust 2014-1, U.S. Bank, National Assn. v. Catale (Order) 928

Godfrey-Hill v. Commissioner of Correction (Order) 929

Griffin v. Atlantic Motors, LLC (Order) (See Ciara v. Atlantic Motors, LLC) 951

Hassett v. Secor's Auto Center, Inc. 416

Revocation of acceptance; motion for additur; whether trial court abused its discretion in denying plaintiff's motion for additur; claim that statute (§ 42a-2-711 (1)) required defendant to return to plaintiff full purchase price of used vehicle because jury found in plaintiff's favor as to claim of revocation of acceptance; claim that revocation of acceptance damages was for court to decide postverdict as matter of law.

High Watch Recovery Center, Inc. v. Planning & Zoning Commission (Order) 956

Hughes v. Board of Education (Order) 922

In re Angela S. (Order) 950

In re Aurora H. (Order) 931

In re Caiden B. (Order) 904

In re Christina C. (Order) 907

In re Gabriella M. (Orders) 925

In re Kyreese L. (Order) 901

In re Na-Ki J. (Order) 929

In re Phoenix M. (Order) 920

In re Probate Appeal of Concannon (Order) 942

In re Ryan C. (Order) 901

In re Serenity W. (Order) 902

In re Tarik C. (Order) 920

Jezek v. Drozd (Order) 916

J. G. v. Curtis-Shanley (Order) 954

John Hancock Life Ins. Co. v. Curtin (Order)	921
JPMorgan Chase Bank, National Assn. v. Essaghof (Order)	923
JPMorgan Chase Bank, National Assn. v. Irvine (Order)	949
Lampert v. Graber (Order)	930
LendingHome Marketplace, LLC v. Traditions Oil Group, LLC (Order)	910
Lippman v. Dept. of Social Services (Order)	904
Long Manor Owners' Assn., Inc. v. Alungbe (Order)	909
LVNV Funding, LLC v. Flowers (Order)	941
Lynch v. State	478
<i>Medical malpractice; wrongful life; sovereign immunity; notice of claim; claim that trial court's judgment should be set aside because claims on which plaintiffs prevailed at trial were barred by sovereign immunity; whether certain claims were outside scope of Claims Commissioner's statutory ((Rev. to 2015) § 4-160 (b)) waiver of sovereign immunity; whether claims sounded in informed consent rather than in medical malpractice; whether waiver of sovereign immunity was invalid due to plaintiffs' failure to submit to Claims Commissioner physician's opinion letter addressing certain claims and certificate of good faith in accordance with statute (§ 52-190a); claim that plaintiffs' minor child was not entitled to recover damages based on claims brought by plaintiffs on his behalf because he did not suffer any legally cognizable injuries; whether claims brought by plaintiffs on child's behalf must be construed as wrongful life claims; whether wrongful life claims should be recognized in Connecticut; whether plaintiffs established valid, conventional medical malpractice claim with respect to child's injuries; whether trial court abused its discretion in admitting certain expert testimony under State v. Porter (241 Conn. 57).</i>	
Lynnwood Condominium Assn., Inc. v. Costello (Order)	929
Madera v. Commissioner of Correction (Order)	928
Martinez v. Commissioner of Correction (Order)	939
Martinoli v. Stamford Police Dept. (Order)	918
Matrix Financial Services Corp. v. Onofrio (Order)	905
McDaniel v. McDaniel (Order)	926
Mercer v. Commissioner of Correction (Order)	953
Michael G. v. Commissioner of Correction (Order)	946
Middlebury v. Fraternal Order of Police, Middlebury Lodge No. 34	251
<i>Administrative appeal; labor law; claim that plaintiff town violated Municipal Employee Relations Act (§ 7-467 et seq.) by unilaterally changing way in which it calculates pension benefits for members of named defendant union; certification from Appellate Court; whether Appellate Court improperly upheld trial court's dismissal of plaintiff's administrative appeal from decision of defendant State Board of Labor Relations; whether State Board of Labor Relations acted unreasonably, illegally, arbitrarily, or in abuse of its discretion when it decided to retain long-standing standard pursuant to which union's waiver of its right to bargain collectively must be clear and unmistakable and when it declined to follow National Labor Relations Board's decision in MV Transportation, Inc. (368 N.L.R.B. No. 66), and to adopt federal contract coverage standard; whether Appellate Court improperly deferred to labor board's decision to apply clear and unmistakable waiver standard.</i>	
Miriam v. Summit Saugatuck, LLC (Order)	931
Mirlis v. Yeshiva of New Haven, Inc. (Order)	914
Morales v. Commissioner of Correction (Order)	915
Napolitano v. Ace American Ins. Co. (Order)	916
Nationstar Mortgage, LLC v. Costello (Order)	930
Nationstar Mortgage, LLC v. Saint Hillaire (Order)	937
Oliphant-Macher v. Macher (Order)	953
OneWest Bank, FSB v. Pellechia (Order)	955
Opacum Land Trust, Inc. v. Travinski (Order)	926
Ortiz v. Commissioner of Correction (Order)	953
O'Sullivan v. Haught	625
<i>Tortious interference with expected inheritance; summary judgment; collateral estoppel; certification from Appellate Court; whether Appellate Court properly dismissed for lack of subject matter jurisdiction defendant's appeal from trial court's partial denial of his motion for summary judgment on ground that there was no appealable final judgment; whether trial court correctly concluded that plaintiff was collaterally estopped from litigating issue of whether defendant had exerted undue influence over decedent when decedent created her will, when</i>	

appeal of Probate Court decree admitting will to probate and rejecting undue influence claim was pending; whether pending probate appeal that was to be conducted as trial de novo suspended preclusive effect of otherwise final judgment for purposes of collateral estoppel doctrine.

Padula v. Arborio (Order) 903

Palumbo v. Commissioner of Correction (Order) 934

Patterson v. Travelers Casualty & Surety Co. (Order) 916

Payne v. Commissioner of Correction (Order) 925

People’s United Bank v. 1730 State Street Ltd. Partnership (Order) 955

Perdikis v. Klarsfeld (Order) 903

Raynor v. Commissioner of Correction (Order) 944

Reese v. Commissioner of Correction (Order) 906

Rek v. Pettit (Order) 948

Retained Realty, Inc. v. Selke (Order) 950

Reyes v. State (Order) 944

Roman v. Commissioner of Correction (Order) 952

Rose v. Commissioner of Correction 333

Habeas corpus; certification from Appellate Court; claim that habeas court improperly dismissed untimely filed habeas petition on ground that petitioner had failed to establish good cause to overcome rebuttable presumption of unreasonable delay imposed by statute (§ 52-470 (c) and (e)); whether habeas court’s conclusion that petitioner had failed to establish good cause for late filing was predicated on clearly erroneous factual finding; whether petitioner’s claim that trial counsel rendered ineffective assistance by failing to advise him of filing time constraints imposed by § 52-470 (c) and (e) can serve to establish good cause under that statute.

Sacor Financial, Inc. v. Wright (Order) 922

Salce v. Cardello 90

Probate appeal; appeal to Superior Court from Probate Court’s decision declining plaintiff’s request to enforce against defendant in terrorem clauses contained in will and trust to which plaintiff and defendant were beneficiaries; certification from Appellate Court; whether Appellate Court properly upheld trial court’s judgment dismissing plaintiff’s probate appeal; whether defendant had violated terms of in terrorem clauses; whether enforcement of in terrorem clauses, which provided that beneficiary would forfeit his or her rights as beneficiary if he or she objected in any manner to any act taken in good faith by any fiduciary, violated public policy.

Santander Bank, N.A. v. Clark (Order) 952

Savings Institute Bank & Trust Co. v. Rabon (Order) 911

Scinto v. Fischer (Order) 949

Sease v. Commissioner of Correction (Order) 905

SG Pequot 200, LLC v. Fairfield (Order) 954

Silva v. Commissioner of Correction (Order) 933

Simpson v. Simpson (Order) 942

Smulley v. Dept. of Energy & Environmental Protection (Order) 937

Smulley v. Safeco Ins. Co. of Illinois (Order) 937

Speer v. Tavares (Order) 918

Soyini v. Commissioner of Correction (Order) 940

Stanley v. Quiros (Order) 945

Stanley v. Scott (Order) 945

State v. Bernardo (Order) 937

State v. Butler 51

Trial court’s jurisdiction to decide motion to open judgment dismissing criminal charges following defendant’s purportedly successful completion of statutory (§ 54-56l) supervised diversionary program for persons with psychiatric disabilities; certification from Appellate Court; whether Appellate Court correctly concluded that trial court was divested of jurisdiction to decide motion to open when trial court had dismissed defendant’s pending criminal charges pursuant to § 54-56l (i); whether statutory (§ 52-212a) “four month rule,” which permits trial court to retain jurisdiction over civil judgment for four months after notice of judgment has been sent and to open judgment during that four month period, was applicable in criminal cases; State v. Wilson (199 Conn. 417), to extent that it held that four month rule of § 52-212a applied to criminal judgments, overruled;

	<i>whether civil rule permitting trial court to open judgment obtained by fraud applied in criminal context; whether record supported finding of fraud or intentional misrepresentation.</i>	
State v. Christopher R. (Order)		946
State v. Dayvid J. (Order)		957
State v. James S. (Order)		932
State v. Jeffrey G. (Order)		936
State v. Gamer		331
	<i>Violation of probation; certification from Appellate Court; whether Appellate Court erred in failing to reverse trial court's judgment revoking defendant's probation on ground that evidence was insufficient to establish that defendant's failure to pay restitution was wilful; whether Appellate Court correctly concluded that trial court had not abused its discretion in imposing term of imprisonment for defendant's violation of probation rather than some lesser sanction; appeal dismissed on ground that certification was improvidently granted.</i>	
State v. Henderson		648
	<i>Home invasion; burglary first degree; burglary third degree as lesser included offense of burglary first degree; claim that home invasion conviction should be vacated or that new trial should be granted because jury's verdict of guilty of home invasion and verdict of not guilty of lesser included offense of third degree burglary was legally inconsistent; whether State v. Arroyo (292 Conn. 558), should be overruled or modified insofar as it held that consistency in verdicts is immaterial and that legally inconsistent verdicts are not reviewable on appeal; claim that trial court committed plain error by accepting legally inconsistent verdicts; claim that trial court abused its discretion in denying defense counsel's motion for mistrial when jury deliberations were delayed for twenty-five days because defendant was exposed to and eventually contracted COVID-19.</i>	
State v. Kenneth B. (Order)		952
State v. King (Order)		918
State v. Kyle A.		437
	<i>Burglary first degree; criminal mischief first degree; threatening second degree; certification from Appellate Court; claim that Appellate Court incorrectly concluded that trial court had not committed plain error in instructing jury; whether trial court committed plain error in failing to identify specific elements of crime or crimes that defendant allegedly intended to commit when he unlawfully entered residence for purposes of charge of first degree burglary.</i>	
State v. Martin G. (Order)		944
State v. Mieses (Order)		920
State v. Perez-Lopez (Order)		902
State v. Olivero (Order)		910
State v. Robles		1
	<i>Manslaughter first degree with firearm; criminal possession of firearm; illegal possession of weapon in motor vehicle; claim that trial court violated defendant's constitutional right to confrontation by allowing chief medical examiner to testify about photographs and report from autopsy that former employee of medical examiner's office had performed; whether chief medical examiner's testimony regarding autopsy report was harmless; claim that evidence was insufficient to support defendant's conviction of illegal possession of weapon in motor vehicle insofar as trial court, in finding that defendant could not have had proper permit for weapon for purposes of charge of illegal possession of weapon in motor vehicle, relied on parties' stipulation that defendant had prior felony conviction, when stipulation was admitted only for purposes of another charge and stipulation was only evidence that defendant had previously been convicted of felony.</i>	
State v. Russo (Order)		938
State v. Samuel U.		304
	<i>Sexual assault first degree; risk of injury to child; unpreserved claim that defendant's constitutional right to due process was violated by admission of testimony about his prior sexual misconduct to prove propensity under relevant provision (§ 4-5 (b)) of Connecticut Code of Evidence insofar as state's notice of its intent to offer such evidence was inadequate and did not conform to evidence elicited at trial; claim that trial court had abused its discretion in admitting evidence of defendant's prior sexual misconduct on ground that uncharged sexual misconduct, which occurred fourteen years before conduct giving rise to charged offense, was not proximate in time to charged offense and, therefore, was too remote in time to be relevant.</i>	

State v. Sullivan (Order)	927
State v. Taveras (Order)	903
State v. Thomas S. (Order)	943
State v. Wade (Order)	947
Stiegler v. Meriden	452
<i>Breach of contract; collective bargaining; pension benefits for municipal firefighters; interest arbitration award issued pursuant to statute (§ 7-473c) granting Meriden firefighters 2 percent retroactive wage increase; claim that defendant city and defendant municipal pension board had breached collective bargaining agreement between plaintiffs' union and city by failing to recalculate plaintiff retirees' pension benefits based on retroactive wage increase awarded in binding interest arbitration; unpreserved claim that trial court lacked subject matter jurisdiction on basis that plaintiffs had failed to exhaust their administrative remedies by requesting relief directly from pension board before filing present action; whether plain language of collective bargaining agreement, pension plan, and interest arbitration award required defendants to apply 2 percent wage increase only to active employees and not to former employees who voluntarily retired before issuance of arbitration award.</i>	
Stephenson v. Commissioner of Correction (Order)	940
Stevens v. Khalily (Order)	915
Strauss v. Strauss (Order)	914
TLOA Acquisitions, LLC-Series 2 v. Genevieve, LLC (Order)	935
TLOA of CT, LLC v. Taipe (Order)	923
29-31 Charter Oak Associates, LLC v. McCarrol (Order)	935
U.S. Bank National Assn. v. Booker (Order)	927
U.S. Bank Trust, N.A. v. O'Brien (Order)	909
Valentine v. Commissioner of Correction (Order)	913
Wells Fargo Bank National Assn. v. Murrugarra (Orders)	931
Wells Fargo Bank, N.A. v. Melahn (Order)	951
Williams v. Green Power Ventures, LLC (Order)	938
Wilmington Trust Co. v. Kwakye (Order)	913
Wilmington Trust, National Assn. v. Corpuel (Order)	908
Wolfel v. Wolfel (Order)	902
Zachary F. v. Commissioner of Correction (Order)	941
Zarella v. Copeland (Order)	948