

CONNECTICUT LAW JOURNAL



Published in Accordance with
General Statutes Section 51-216a

VOL. LXXIX No. 45

May 8, 2018

205 Pages

Table of Contents

CONNECTICUT REPORTS

Artiaco v. Commissioner of Correction (Order), 328 C 931	3
Beale v. Martins (Order) (See Rutter v. Janis), 328 C 930	2
Dinunzio v. Dinunzio (Order), 328 C 930	2
Eastern Savings Bank FSB v. Toor (Order), 328 C 932	4
Ferreira v. Martins (Order) (See Rutter v. Janis), 328 C 930	2
Rutter v. Janis (Order), 328 C 930	2
State v. Angel M. (Order), 328 C 931	3
State v. Dyouos (Order), 328 C 932	4
Szymonik v. Szymonik (Order), 328 C 932	4
Volume 328 Cumulative Table of Cases	5

CONNECTICUT APPELLATE REPORTS

Henderson v. Commissioner of Correction, 181 CA 778	132A
<i>Habeas corpus; whether habeas court abused its discretion in denying petition for certification to appeal; claim that habeas court erroneously determined that by virtue of petitioner's guilty plea, he waived pretrial claims of ineffective assistance of counsel and claims of structural error related to right of self-representation; whether guilty plea was made knowingly and voluntarily; argument that claims related to self-representation and habeas court's refusal to remove trial counsel were not subject to waiver rule.</i>	
In re Athena C., 181 CA 803	157A
<i>Termination of parental rights; claim that trial court improperly determined termination of parental rights was in best interest of child based on comparison of relationship that foster parents had with child and stability of home of foster parents with that of biological parents; whether trial court found by clear and convincing evidence adjudicative ground for termination was met before making dispositional finding; whether trial court was statutorily required in dispositional phase to consider child's bond with foster parents; whether trial court made reference to relative comfort of child's recognized home or comparison of parenting abilities or level of care received by child from respondent father and foster parents; whether trial court improperly made determination as to permanent placement for child; claim that trial court abused its discretion in declining to transfer guardianship of child to maternal grandmother as alternative to terminating respondent father's parental rights; whether trial court ignored child's close relationship with grandmother or certain past deficiencies of foster parents; whether trial court considered all evidence and properly relied on relationship between child and foster parents to decide whether immediately transferring guardianship to child's grandmother would be in child's best interest.</i>	

(continued on next page)

CONNECTICUT PRACTICE BOOK

Notice of Public Hearing on Proposed Practice Book Revisions appears beginning on Page 1PB. The proposed revisions were published in the Law Journal of April 24, 2018, and are posted on the Judicial Branch website at www.jud.ct.gov/pb.htm.

Micalizzi v. Stewart, 181 CA 671. 25A
Negligence; whether trial court abused its discretion in denying motion for additur or to set aside verdict; claim that verdict that awarded economic but no noneconomic damages was inconsistent and inadequate; claim that award of zero noneconomic damages conflicted with jury interrogatories; claim that award of all claimed economic damages, including compensation for medical expenses for treatment of pain, requires award of noneconomic damages; whether jury reasonably could have found that plaintiff failed to prove by preponderance of evidence that accident caused pain; whether trial court abused its discretion in refusing to set aside verdict due to certain alleged procedural irregularities.

Murphy v. Murphy, 181 CA 716 70A
Dissolution of marriage; motion to modify; cohabitation; claim that trial court applied improper legal standard as prerequisite for finding of cohabitation and termination of alimony under applicable statute (§ 46b-86 [b]); whether trial court improperly interpreted § 46b-86 (b) to require proof by preponderance of evidence that defendant's boyfriend made financial contributions to defendant while she lived with him in his residence; whether court interpreted § 46b-86 (b) too narrowly; whether, pursuant to Spencer v. Spencer (177 Conn. App. 504), defendant's alleged reduction in living expenses was sufficient for court to conclude that change in defendant's financial circumstances occurred.

State v. Abraham, 181 CA 703 57A
Sexual assault in second degree; risk of injury to child; whether trial court abused its discretion in admitting video recording of victim's second forensic interview under medical treatment exception to hearsay rule; whether, as matter of law, successive forensic interviews are never reasonably pertinent to medical treatment; whether trial court applied incorrect standard when it determined that primary purpose of second forensic interview of victim was medical; whether correct standard is whether interview had medical purpose from victim's perspective; whether trial court's ruling was sustainable under medical treatment exception even though it was based on erroneous standard; whether any error by trial court was harmless.

State v. Lamantia, 181 CA 648 2A
Interfering with officer; tampering with witness; sufficiency of evidence; whether evidence was sufficient to support conviction of interfering with officer when communications that formed basis of conviction were nonviolent and nonthreatening text messages directed to third party in order to induce that person to lie to police officer and to report to officer version of events concerning altercation that matched defendant's own prior statements to police; claim that state failed to prove that defendant had specific intent to influence witness at official proceeding by sending text messages; whether evidence was sufficient to support conviction of tampering with witness.

State v. Raynor, 181 CA 760 114A
Murder; whether trial court abused its discretion by denying motion in limine to exclude or limit scope of testimony of state's expert witness on firearm and toolmark identification; claim that because recent studies and reports established that

(continued on next page)

CONNECTICUT LAW JOURNAL
 (ISSN 87500973)

Published by the State of Connecticut in accordance with the provisions of General Statutes § 51-216a.

Commission on Official Legal Publications
 Office of Production and Distribution
 111 Phoenix Avenue, Enfield, Connecticut 06082-4453
 Tel. (860) 741-3027, FAX (860) 745-2178
 www.jud.ct.gov

RICHARD J. HEMENWAY, *Publications Director*
 Published Weekly – Available at <http://www.jud.ct.gov/lawjournal>

Syllabuses and Indices of court opinions by
 ERIC M. LEVINE, *Reporter of Judicial Decisions*
 Tel. (860) 757-2250

The deadline for material to be published in the Connecticut Law Journal is Wednesday at noon for publication on the Tuesday six days later. When a holiday falls within the six day period, the deadline will be noon on Tuesday.

methodology underlying firearm and toolmark identification was not sufficiently reliable, trial court improperly denied request for hearing pursuant to State v. Porter (241 Conn. 57), to determine reliability of firearm and toolmark identification; claim that trial court improperly allowed state's expert to opine that various cartridge casings recovered from crime scene were fired from particular firearm; whether trial court abused its discretion by granting motion for admission of uncharged misconduct evidence; whether trial court properly determined that probative value of uncharged misconduct evidence outweighed its prejudicial effect.

Turner v. Commissioner of Correction, 181 CA 743 97A

Habeas corpus; whether habeas court abused its discretion in denying petition for certification to appeal from denial of petition for writ of habeas corpus as to claim that petitioner was denied due process right to fair trial in violation of Brady v. Maryland (373 U.S. 83); whether prosecutor improperly failed to correct witness' false testimony that she did not expect to receive consideration, aside from plane fare she already had received, in exchange for testimony; whether habeas court applied incorrect legal standard when it determined that petitioner had not proven Brady violation because there was no evidence of formal plea agreement between witness and state; whether petitioner must establish existence of formal plea agreement in order to prove Brady violation.

Volume 181 Cumulative Table of Cases 177A

CONNECTICUT PRACTICE BOOK

Notice of Public Hearing on Proposed Practice Book Revisions 1PB

NOTICES OF CONNECTICUT STATE AGENCIES

Connecticut Housing Finance Authority 1B

Green Bank, Connecticut 1B

MISCELLANEOUS

Notice of Placement on Inactive Status of Attorney 1C

Notice of Attorney Resignation 1C

Notice of Certification as Authorized House Counsel 1C