

CONNECTICUT LAW JOURNAL



Published in Accordance with
General Statutes Section 51-216a

VOL. LXXXI No. 13 September 24, 2019 233 Pages

Table of Contents

CONNECTICUT REPORTS

Barry A. v. Commissioner of Correction (Order), 333 C 905	67
Bozelko v. Statewide Construction, Inc. (Order), 333 C 901	63
Cohen v. Statewide Grievance Committee (Order), 333 C 901	63
Deutsche Bank National Trust Co. v. Siladi (Order), 333 C 902.	64
Jackson v. Commissioner of Correction (Order), 333 C 904.	66
Jordan v. Commissioner of Correction (Order), 333 C 905	67
Outing v. Commissioner of Correction (Order), 333 C 903	65
Rauser v. Pitney Bowes, Inc. (Order), 333 C 903	65
Roger R. v. Commissioner of Correction (Order), 333 C 904	66
State v. Ayala, 333 C 225	3
<i>Murder; conspiracy to commit murder; claim that trial court improperly admitted evidence of statement made by gang leader under coconspirator hearsay exception; whether defendant demonstrated that trial court's admission of testimony regarding gang leader's statement substantially affected verdict; whether trial court improperly admitted testimony regarding victim's statement about his fear of gang as state of mind evidence.</i>	
State v. Thompson (Order), 333 C 906	68
TPF Development Corp. v. R & R Pool & Home, Inc. (Order), 333 C 906	68
U.S. Bank Trust, N.A. v. Giblen (Order), 333 C 903.	65
Viking Construction, Inc. v. 777 Residential, LLC (Order), 333 C 904	66
Villafane v. Commissioner of Correction (Order), 333 C 902	64
Vitti v. Milford (Order), 333 C 902.	64
Volume 333 Cumulative Table of Cases	69

CONNECTICUT APPELLATE REPORTS

Autumn View, LLC v. Planning & Zoning Commission, 193 CA 18	20A
<i>Zoning; affordable housing statute (§ 8-30g); whether Superior Court erred in concluding that plaintiffs' application for affordable housing development filed following remand was not new application; claim that plaintiffs' remand application was beyond scope of remand order; claim that record supported denial of revised and resubmitted application on ground that application failed to comply with town zoning regulations and was necessary to protect health and safety.</i>	
Echeverria v. Commissioner of Correction, 193 CA 1	3A
<i>Habeas Corpus; claim that habeas court improperly denied petition for writ of habeas corpus; whether petitioner met burden to demonstrate prejudice resulting from trial counsel's allegedly deficient performance in failing to advise petitioner properly regarding immigration consequences of guilty plea.</i>	
King v. Commissioner of Correction, 193 CA 61	63A
<i>Habeas corpus; claim that habeas court improperly concluded that petitioner failed to establish that he had received ineffective assistance from his trial counsel; whether trial counsel provided ineffective assistance by not objecting to trial court's jury instructions or requesting additional jury instruction regarding difference between intent elements of assault charges against petitioner; whether trial counsel provided ineffective assistance by declining to object to admission of police detective's written summary of petitioner's oral account of incident; whether trial counsel's strategic decision to allow written summary into evidence was reasonable; whether there was not reasonable probability that outcome of trial would</i>	

(continued on next page)

<i>have been different if written summary had been excluded; whether habeas court reasonably concluded that petitioner failed to prove that he was prejudiced by trial counsel's failure to request trial court to place its rejection of his plea agreement on record; whether there was reasonable probability that outcome of criminal proceedings would have been different if trial counsel had requested trial court to place its rejection of plea on record; claim that habeas court improperly dismissed claim that trial court violated petitioner's right to due process by not stating on record its reasons for rejecting plea agreement; whether petitioner was harmed by absence of record of rejection of plea agreement.</i>	
Kirby v. Commissioner of Correction, 193 CA 902	144A
Putnam Park Apartments, Inc. v. Planning & Zoning Commission, 193 CA 42	44A
<i>Zoning; whether trial court improperly determined that zoning regulations permitted building to be located less than 100 feet from property line; whether trial court improperly determined that building proposal was consistent with zoning regulations; whether certain zoning regulation applied to special permit application.</i>	
Simms v. Commissioner of Correction, 193 CA 901.	143A
Soto v. Christians Alliance, Inc., 193 CA 901.	143A
State v. Cane, 193 CA 95	97A
<i>Criminal possession of firearm; criminal possession of ammunition; possession of controlled substance with intent to sell; whether trial court erroneously denied motion to suppress evidence police seized from defendant's home and car; claim that trial court improperly found that warrantless search of defendant's home by police after he was arrested and in police custody constituted justifiable, protective sweep of defendant's home; reviewability of unpreserved claims that defendant was constructively seized by police and that they lacked probable cause to search his car; whether information in affidavit of police officer in support of warrant application provided basis for determination that probable cause existed to search defendant's vehicle; unpreserved claim that trial court committed plain error when it granted state's motion for joinder, where defendant, personally and through counsel, expressly stated that he had no objection to joinder; unpreserved claim of judicial bias; whether reversal of judgment was warranted under plain error doctrine where defendant claimed that trial court, in pretrial memorandum of decision on motion to suppress, had found him guilty of kidnapping and assault charges as to certain individuals it referred to as victims and then considered those charges in sentencing him.</i>	
State v. Gomes, 193 CA 79	81A
<i>Assault in second degree; whether trial court deprived defendant of right to present defense of investigative inadequacy when it omitted from its jury instructions certain language in defendant's written request to charge that pertained to alleged inadequacy of police investigation as it might relate to weaknesses in state's case.</i>	
Water Pollution Control Authority v. McKinley, 193 CA 901.	143A
Volume 193 Cumulative Table of Cases	145A

SUPREME COURT PENDING CASES

Summaries	1B
---------------------	----

(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 <https://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.

NOTICES OF CONNECTICUT STATE AGENCIES

DSS—Notices of Proposed Medicaid State Plan Amendment 1C

MISCELLANEOUS

Appointment of Trustee 1D
Notice of Reprimand of Attorney 1D
Notice of Suspension of Attorney 1D
