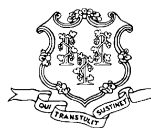


# CONNECTICUT LAW JOURNAL



Published in Accordance with  
General Statutes Section 51-216a

---

VOL. LXXXIII No. 30                      January 25, 2022                      320 Pages

---

## Table of Contents

### CONNECTICUT REPORTS

In re Yassell B. (Order), 340 C 922 . . . . .	2
Lopez v. Commissioner of Correction (Order), 340 C 922 . . . . .	22
State v. Bemer, 340 C 804 . . . . .	2
<i>Patronizing prostitute; trafficking in persons as accessory; claim that evidence was insufficient to convict defendant of felony patronizing prostitute and trafficking in persons as accessory; whether defendant knew or should have known that men with whom he engaged in sexual encounters were victims of conduct of another person that constituted trafficking in persons; claim that length and nature of defendant's relationship with individual who trafficked victims, fact that defendant was wealthier than that individual, as well as victims' compromised mental states and drug usage, provided sufficient basis from which jury could infer that defendant knew or had reason to know that that individual was trafficking men; whether state proved that defendant had specific intent necessary for accessorial liability for crime of trafficking in persons.</i>	
Volume 340 Cumulative Table of Cases . . . . .	23
Scholz v. Epstein, 341 C 1 . . . . .	31
<i>Statutory theft; litigation privilege; certification from Appellate Court; whether litigation privilege afforded defendant attorney absolute immunity from liability for statutory (§ 52-564) theft in connection with prior judicial proceeding in which defendant represented company foreclosing on plaintiff's property; claim that litigation privilege was inapplicable to extent that defendant's recording of certificate of foreclosure on land records and role in sale of property purportedly fell outside scope of foreclosure action.</i>	
South Windsor v. Lanata, 341 C 31 . . . . .	61
<i>Zoning; legal impossibility; certification from Appellate Court; claim that Appellate Court improperly remanded case for new trial as to liability, rather than proceeding limited to damages.</i>	
Volume 341 Cumulative Table of Cases . . . . .	79

### CONNECTICUT APPELLATE REPORTS

Avon v. Freedom of Information Commission, 210 CA 225 . . . . .	97A
<i>Administrative appeal; subject matter jurisdiction; claim that trial court abused its discretion by holding that agency may require requestors to sign acknowledgement form as condition precedent to inspection of original public records; whether defendant was aggrieved by trial court's judgment when only public records sought were copies.</i>	
Baltas v. Commissioner of Correction, 210 CA 167 . . . . .	39A
<i>Habeas corpus; ineffective assistance of counsel; whether habeas court abused its discretion in denying petition for certification to appeal; claim that petitioner's rights to autonomy and effective assistance of counsel were violated when his trial counsel conceded his guilt during closing arguments.</i>	
Karen v. Loftus, 210 CA 289 . . . . .	161A
<i>Dissolution of marriage; motion to open; whether trial court applied correct legal standard with respect to plaintiff's motion to open.</i>	

(continued on next page)

Kiyak v. Dept. of Agriculture, 210 CA 311 . . . . . 183A  
*Appeal of animal control officer's disposal orders pursuant to statute (§ 22-358); claim that § 22-358 (c) was unconstitutionally vague as applied because it permitted animal control officers to issue disposal orders as they deem necessary, thereby authorizing arbitrary enforcement; whether plaintiff's right to procedural due process was violated because hearing officer used inadequate procedures in upholding animal control officer's issuance of disposal orders; whether hearing officer abused his discretion by admitting and considering animal control officer's expert testimony.*

O'Brien v. Commissioner of Correction (Memorandum Decision), 210 CA 901 . . . . . 223A  
R. S. v. E. S., 210 CA 327 . . . . . 199A  
*Dissolution of marriage; mootness; subject matter jurisdiction; whether trial court erred when it entered pendente lite order related to travel restrictions; whether trial court erred when it entered certain orders.*

Rider v. Rider, 210 CA 278 . . . . . 150A  
*Probate appeal; whether Superior Court correctly determined that it lacked subject matter jurisdiction over appeal from Probate Court decree approving final account on basis that appeal was untimely.*

Stanley v. Barone, 210 CA 239 . . . . . 111A  
*Alleged deprivation of plaintiff inmate's federal constitutional rights; motion to dismiss; whether defendants were entitled to statutory (§ 4-165 (a)) immunity; whether trial court properly dismissed plaintiff's claims brought pursuant to federal statute (42 U.S.C. § 1983) on basis of doctrine of qualified immunity.*

State v. Cusson, 210 CA 130 . . . . . 2A  
*Cruelty to persons; disorderly conduct; competency; whether trial court violated defendant's sixth amendment right to present defense by failing to take adequate procedural measures before ruling that victim was incompetent to testify at defendant's trial; whether trial court abused its discretion when it declined to contemporaneously observe victim before ruling on his competency to testify at trial; whether trial court abused its discretion when it denied defendant's motion to have victim examined by independent expert witness before ruling on victim's competency to testify; whether trial court abused its discretion when it denied defendant's motion to sanction prosecution for intimidating potential defense witnesses from testifying at trial; whether defendant's due process right to fair trial was violated as result of prosecutorial impropriety.*

State v. Jones, 210 CA 249 . . . . . 121A  
*Possession of narcotics with intent to sell; criminal possession of pistol; carrying pistol without permit; claim that there was insufficient evidence to support defendant's conviction of criminal possession of pistol and carrying pistol without permit; claim that trial court committed plain error with respect to its jury instructions concerning criminal possession of pistol by omitting from its charge that state was required to prove that defendant intended to exercise control over handgun; claim that trial court erred by allowing impermissible opinion testimony regarding defendant's intent to sell narcotics.*

(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.

State v. Prudhomme, 210 CA 176 . . . . .	48A
<i>Assault in first degree; cruelty to persons; tampering with physical evidence; whether reasonable possibility existed that trial court's instruction on adequacy of police investigation misled jury by failing to inform jury of defendant's right to have it consider inadequacy of police investigation in evaluating whether state proved his guilt beyond reasonable doubt; whether instructional error prejudiced defendant and was harmless beyond reasonable doubt; whether trial court violated defendant's rights to confront witnesses against him when it admitted into evidence police disciplinary report; whether police disciplinary report was admissible under business records exception (§ 52-180) to rule against hearsay.</i>	
Taber v. Taber, 210 CA 331 . . . . .	203A
<i>Dissolution of marriage; child custody and visitation; subject matter jurisdiction; whether appeal from order modifying custody was moot; whether trial court abused its discretion in ordering the defendant to pay arrearage of guardian ad litem fees.</i>	
Taylor v. Pollner, 210 CA 340 . . . . .	212A
<i>Adverse possession; quiet title; motion for order; attorney's fees; whether trial court abused its discretion in awarding monetary sanctions to compensate defendant for attorney's fees; whether award of attorney's fees were excessive, unreasonable, and clearly erroneous.</i>	
Village Mortgage Co. v. Garbus (Memorandum Decision), 210 CA 902. . . . .	224A
Wells Fargo Bank, N.A. v. Uznanska (Memorandum Decision), 210 CA 902. . . . .	224A
Wooden v. Perez, 210 CA 303 . . . . .	175A
<i>Adverse possession; standing; subject matter jurisdiction; motion to dismiss; whether administrator of decedent's estate had standing to pursue adverse possession claim with respect to certain real property owned by decedent at time of his death; whether trial court correctly determined that administrator of estate lacked standing because decedent's will devised property to trust.</i>	
Volume 210 Cumulative Table of Cases . . . . .	225A

---

**SUPREME COURT PENDING CASE**

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

---

**MISCELLANEOUS**

Bar Examining Committee . . . . .	1C
Notice of Suspension of Attorney . . . . .	1C

---