role was to "make sure that nothing happened." H then parked on a street near the victim's parked car. Sometime after their arrival, the defendant, who never saw any money in H's car, twice asked H if he had brought any money with him. Thereafter, the victim entered the front passenger seat of H's car, discussed the details of the transaction, which involved a substantial amount of marijuana, and returned to his own car. H then drove around the block a few times before returning and parking his car a second time. H exited his car to retrieve the marijuana from the victim's car, after which the victim got into the front passenger seat of H's car. The defendant, who was sitting behind the victim at that point, used the gun on the car floor to exchange gunfire with the victim, who was shot five times. The defendant was shot once. H then returned to his car with the marijuana, pushed the victim out of the car, and drove the defendant to a hospital. The next morning, the police interviewed the defendant at the hospital. The police told the defendant that they had viewed surveillance footage of the scene of the shooting, but the defendant denied knowing anything about the shooting or the victim's death. Later that day, the police interviewed the defendant a second time at his home. At that point, the defendant admitted that he had participated in the drug transaction and had shot the victim, but he claimed that the victim had shot him first, after the defendant made a noise that startled the victim. When asked if "the intent was to rob" the victim of the marijuana, the defendant said "I guess so." At trial, the defendant testified and claimed that he had acted in self-defense, reiterating that he shot the victim only because the victim, who had been startled by a noise he made, shot at him first. The defendant further testified that he did not intentionally kill the victim and that he took nothing from the victim. Although the defendant had been charged with murder, among other crimes, the jury found the defendant not guilty of murder but guilty of the lesser included offense of intentional manslaughter in the first degree with a firearm, as well as felony murder, with robbery in the third degree as the predicate felony, and carrying a pistol or revolver without a permit. The trial court ultimately vacated the conviction of intentional manslaughter in the first degree with a firearm on the ground that the defendant could not be convicted of multiple homicide charges for the same act. On appeal, the defendant claimed that there was insufficient evidence to support his conviction of felony murder, that the vacated manslaughter conviction could not be reinstated in the event that this court agreed that there was insufficient evidence to support his felony murder conviction because the state failed to prove beyond a reasonable doubt that he did not act in self-defense, and that the prosecutor engaged in certain improprieties during closing argument. *Held*:

1. The evidence was sufficient to support the defendant's conviction of felony murder, based on the predicate felony of robbery in the third degree, and, because this court rejected the defendant's insufficiency

claim, it declined to address his claim related to the vacated manslaughter conviction:

a. The jury reasonably could have concluded, beyond a reasonable doubt and on the basis of all of the evidence, that the defendant intended to commit a larceny, insofar as he intended to deprive the victim of the marijuana:

The circumstantial evidence was sufficient to support the jury's conclusion that the defendant had the requisite intent to deprive the victim of the marijuana, as the defendant knew at the time of the shooting that H did not have the means to or intend to pay for the marijuana and that the defendant's role was to participate in the robbery by using a gun to make sure "nothing happened," the defendant shot the victim and then left the scene with H and the marijuana, the defendant responded, "I guess so," when asked by the police if the plan had been to rob the victim, and, applying common sense, the jury reasonably could have inferred that the defendant had intended to use the gun to ensure that the victim, upon getting into H's car and discovering that there was no money, would not leave the car to get the marijuana back from H and that there would have been no reason for the victim to shoot the defendant while H was retrieving the marijuana from the victim's car unless the victim believed that H and the defendant had intended to take the marijuana without paying for it.

Because the jury was entitled to discredit the defendant's exculpatory testimony while crediting his testimony that was corroborated by other evidence admitted at trial, the jury reasonably could have rejected the defendant's testimony that he had shot at the victim only after the startled victim shot at him and reasonably could have concluded that the victim had shot the defendant because the defendant was attempting to hold him at bay with the gun, was about to shoot him, or already had shot him to prevent him from interfering with H's taking of the marijuana.

Moreover, in light of the fact that the defendant was aware, after his first interview with the police, that the police had surveillance footage of the scene of the shooting, that the police suspected that the car in that footage was the same car in which the defendant arrived at the hospital, and that the police knew that the defendant had been shot, the jury reasonably could have found that the defendant must have realized, after the initial police interview, that his continued insistence that he had not shot the victim and knew nothing about the incident would simply not be believable, and that the statements the defendant made during his second interview with the police, in which he generally tended to inculpate himself in the victim's murder, were true, and the jury reasonably could have rejected the defendant's claim that he was promised a large sum of money and provided access to a gun to do nothing more than sit in H's car.

b. There was no merit to the defendant's claim that the evidence was insufficient to support the conclusion that he had committed a larceny insofar as there was no evidence that the defendant himself, rather than H, physically took the victim's marijuana, as the jury reasonably have concluded that the defendant wrongfully withheld the marijuana from the victim:

Pursuant to § 53a-119, a person commits larceny when he "takes, obtains or withholds . . . property from [its] owner," the state did not limit its theory of the defendant's commission of larceny to any one of those three statutory terms, the trial court included all three terms in its jury instruction, and, accordingly, the jury could find that the defendant had committed larceny if it found that he obtained or withheld the marijuana, even if he did not physically take it.

Because § 53a-119 did not define the term "withholds," this court considered dictionary definitions of that term, including "[t]o refrain from giving, granting, or permitting," and concluded that there was sufficient evidence that the defendant had committed larceny in light of the meaning of that term, as the defendant sat behind the victim in H's car and was armed with a gun, the purpose of the defendant's involvement in the drug transaction was to make sure "nothing happened" while H retrieved the marijuana from the victim's car, and the jury reasonably could have inferred that the defendant was in the back seat of H's car with access to the gun for the purpose of "refrain[ing] from giving, granting, or permitting" the victim access to the marijuana.

Moreover, the jury also could have reasonably inferred that the defendant had shot the victim as part of an effort to refrain from permitting or allowing the victim access to the marijuana once H had effectuated the plan to deprive the victim of the marijuana without paying for it.

c. The evidence was sufficient to establish, under §§ 53a-133 and 53a-136a, that the defendant used or threatened the immediate use of force for the purpose of preventing or overcoming the victim's resistance to the taking of the marijuana or compelling the victim to deliver up the marijuana:

The jury reasonably could have found that H would not have gone to retrieve the marijuana from the victim's car unless he and the defendant had come to an understanding that the defendant would prevent the victim from interfering with H's taking of the marijuana and that the victim would have had no apparent reason to shoot the defendant unless the defendant was using or threatening to use force to prevent the victim from interfering with H.

2. The defendant could not prevail on his claim that the prosecutor committed certain improprieties during closing argument by arguing facts that were not in evidence and making inferences that were unsupported by

the evidence, in violation of the defendant's due process right to a fair trial:

The prosecutor's remarks that H had brought no money with which to purchase the marijuana and that the victim was startled by the lack of money the second time he entered H's car were supported by the evidence, insofar as the defendant twice asked H whether he had money, never saw any money in H's car, and responded that he "guess[ed]" that it was their intent to rob the victim, and that evidence supported the inference that H did not have any money to pay the victim for the marijuana.

Insofar as the other alleged instances of impropriety related exclusively to the defendant's claim on appeal in connection with his vacated manslaughter conviction, and because that claim was not before this court in light of its conclusion that the evidence was sufficient to support the defendant's felony murder conviction, this court declined to address those prosecutorial impropriety claims.

Argued January 12—officially released December 6, 2022

Procedural History

Substitute information charging the defendant with the crimes of murder, felony murder, robbery in the first degree, conspiracy to commit robbery in the first degree, and carrying a pistol or revolver without a permit, brought to the Superior Court in the judicial district of Fairfield and tried to the jury before *Russo*, *J.*; thereafter, the court granted the defendant's motion for a judgment of acquittal as to the charges of robbery in the first degree and conspiracy to commit robbery in the first degree; subsequently, verdict of guilty of the lesser included offense of intentional manslaughter in the first degree with a firearm, and of felony murder and carrying a pistol or revolver without a permit; thereafter, the court, *Russo*, *J.*, vacated the conviction as to intentional manslaughter in the first degree with a firearm and rendered judgment of guilty of felony murder and carrying a pistol or revolver without a permit, from which the defendant appealed to this court. *Affirmed.*

Jennifer B. Smith, for the appellant (defendant).

Melissa L. Streeto, senior assistant state's attorney, with whom, on the brief, were *Joseph T. Corradino*, state's attorney, and *C. Robert Satti, Jr.*, former supervisory assistant state's attorney, for the appellee (state).

Opinion

MULLINS, J. The defendant, Jovanne Brown, was convicted, following a jury trial, of felony murder in violation of General Statutes § 53a-54c, with robbery in the third degree in violation of General Statutes § 53a-136 (a) as the predicate felony; intentional manslaughter in the first degree with a firearm in violation of General Statutes § 53a-55a (a);[1] and carrying a pistol or revolver without a permit in violation of General Statutes § 29-35 (a).[2] The trial court vacated the manslaughter conviction on the ground that the defendant could not be convicted of multiple homicide charges for the same act but otherwise rendered judgment in accordance with the verdict.

On appeal, the defendant claims that the evidence was insufficient to support his conviction of felony murder. Specifically, he contends that there was no evi-

[1] We note that the parties indicated in their original briefs that the defendant had been convicted of manslaughter in the first degree in violation of General Statutes § 53a-55 (a) (1). We further note that, when the jury returned its verdict, the court clerk asked only whether it had found the defendant guilty of manslaughter in the first degree in violation of § 53a-55 (a) (1). The judgment file also indicated that the defendant had been convicted of manslaughter in the first degree, but it referred to § 53a-55a. At sentencing, the prosecutor clarified that the defendant had been convicted of manslaughter in the first degree with a firearm in violation of § 53a-55a, and defense counsel agreed. Notwithstanding the confusion in the parties' representations and the record, given this clarification at sentencing, it is clear that the defendant was convicted of manslaughter in the first degree with a firearm in violation of § 53a-55a (a).

[2] Initially, the state had also charged the defendant with, inter alia, robbery in the first degree in violation of General Statutes § 53a-134 (a) (2) and conspiracy to commit robbery in the first degree in violation of General Statutes § 53a-48 and § 53a-134 (a) (2). After the prosecutor rested the state's case-in-chief, the trial court granted defense counsel's motion for a judgment of acquittal on those charges.

dence that he intended to commit a larceny, that he committed a larceny, or that he used or threatened the immediate use of physical force to effectuate a taking, as required to establish that he committed robbery in the third degree. The defendant also contends that, if this court agrees with his claim of insufficient evidence of felony murder, it cannot reinstate his vacated conviction of the intentional manslaughter in the first degree with a firearm charge because the state failed to prove beyond a reasonable doubt that he did not shoot the victim in self-defense. Finally, the defendant claims that his conviction must be reversed because the prosecutor engaged in prosecutorial improprieties during closing argument. We reject the defendant's insufficiency claim and, therefore, need not address his claim related to the manslaughter conviction. We also reject the defendant's claims of prosecutorial impropriety and, therefore, affirm the judgment of the trial court.

The jury reasonably could have found the following facts. On the evening of February 24, 2017, the defendant received a phone call from a person known to him as "Marley," who asked the defendant whether he would be willing to assist in a deal involving the purchase and sale of three pounds of marijuana. Marley offered to pay the defendant $2000 to do so. The defendant agreed to participate in the drug deal so that he could get the money he needed to fix his car's transmission.

Shortly after speaking with Marley, the defendant went to the parking lot of the Duchess restaurant in Bridgeport, where Willard Hargrove, an individual unknown to the defendant, drove up in a white Hyundai Sonata. Hargrove told the defendant to sit in the back seat, so that the person who they were going to meet could sit in the front passenger seat and discuss the drug deal. When the defendant got into the car, Hargrove told him that there was a gun on the floor[3] and that the

[3] Some of the evidence presented at trial suggested that Marley may have told the defendant about the gun. Although the defendant testified that

defendant's role was to "make sure the deal went right" or to "make sure that nothing happened." He also told the defendant that he should "wipe [the gun] down."

Hargrove drove to Berkshire Avenue in Bridgeport and parked on the street. The victim, Michael Watkins, got out of a car that was parked nearby, approached Hargrove's car, and got into the front passenger seat. The defendant was sitting behind him. After discussing the drug deal with Hargrove, the victim left the car and returned to his own car. Hargrove then left the scene and drove around the block a few times.

Meanwhile, Dave Depass, the person who had provided the victim with the three pounds of marijuana to sell, was watching the transaction from the window of his third floor apartment at the corner of Berkshire Avenue and Orchard Street.[4] When Depass saw Hargrove leave the scene and drive around the block, he suspected that something was amiss and called the victim by cell phone and warned him two or three times not to get back into Hargrove's car when he returned.

After driving around for several minutes, Hargrove parked his car on Berkshire Avenue again, at which point he exited the car and went to the victim's car to get the marijuana. Shortly thereafter, the victim got into the front passenger seat of Hargrove's car. The defendant was still sitting in the back seat. Using the gun that was on the floor of the car, the defendant shot the victim five times in his back. At some point during

Hargrove had told him that there was a gun on the floor in the back seat, Brian Fitzgerald, a captain with the Bridgeport Police Department, testified that, when he interviewed the defendant on the day after the shooting, the defendant had told him that "[h]e was supposed to pick up the gun that was [going to] be inside a car that he was picked up in . . . ." Fitzgerald also testified that the defendant had indicated that, "when he was picked up in [Hargrove's white Hyundai Sonata] . . . there would be a gun in the car." Thus, Fitzgerald's testimony arguably suggests that the defendant indicated that Marley had told him, before Hargrove picked the defendant up at the Duchess restaurant, that there would be a gun in the car.

[4] Earlier in the evening, Depass explained to the victim that he had made a deal to sell the marijuana for $9600. Depass had also given the victim a bag containing the marijuana and watched him place it in his car. At some point in the evening, the victim told Depass that he was carrying a gun.

this shooting, the defendant received a gunshot wound to his right upper chest. The victim died from his wounds.

After shooting the victim, the defendant crawled over him and exited the car through the front driver side door because the childproof safety locks on the back doors of the Hyundai Sonata were activated. At that point, Hargrove returned to the car carrying a bag of marijuana,[5] and the defendant told him that he had been shot. Hargrove got into the driver's seat, put the bag in the back seat and pushed the victim out of the car. The defendant then stepped over the victim and got into the front passenger seat. Hargrove drove the defendant to St. Vincent's Medical Center, a hospital in Bridgeport, helped him inside and immediately drove away.

The gun that the defendant used to shoot the victim, a .32 caliber Smith & Wesson revolver, was later found in an abandoned car in Bridgeport. When the police searched the crime scene after the removal of the victim's body, the only items of evidence they found were a blood-like substance on the ground and the victim's cell phone. During a subsequent investigation, the police were able to determine that Hargrove possessed a white Hyundai Sonata, but they never found the car.

At about 12:50 a.m. on the morning after the shooting, February 25, 2017, Christopher Lamaine, a lieutenant with the Bridgeport Police Department, went to St. Vincent's Medical Center to interview the defendant. Brian Fitzgerald, a captain with the police department, and Vincent Larrichia, a detective, were there when Lamaine arrived. Before interviewing the defendant, Lamaine viewed a surveillance video recording taken from a house on Brooks Street, adjacent to the scene of the shooting. The video recording, which was of poor quality and repeatedly skipped, showed a white car turning

[5] Depass testified that he saw Hargrove enter the victim's car and remove the container of marijuana.

onto Berkshire Avenue and parking at approximately 9:34 p.m. on February 24, 2017. Several minutes later, an individual exited the driver's door and walked in the direction of the victim's car. A few seconds after that, the victim approached the back of the white car and attempted unsuccessfully to open the back door on the passenger side.

After that unsuccessful attempt to enter the rear of the car, the victim, at approximately 9:38 p.m., opened the door to the front passenger seat and got in. Shortly thereafter, the driver's door opened, and an individual, later identified as the defendant, got out. The video then skipped several seconds, after which the defendant could be seen following the car as it moved slowly down the street.[6] As the defendant approached the front driver side door, the car stopped, and the door opened. The defendant then ran around the front of the car. At that point, the front passenger side door was opened from the inside, and a body emerged from the door and fell to the ground. The defendant stepped over the body, which appeared to be moving, and got into the front passenger seat. The car then left the scene.

During the interview with Lamaine, the defendant stated that, earlier in the evening, he had left his home on Glenwood Avenue in Bridgeport, on the city's east side, to walk several miles to the west side of the city to buy $10 worth of marijuana from an acquaintance. While he was walking, a car pulled up beside him, and a passenger in the car shot him. After he was shot, a white car pulled up beside him, and an individual whom he did not know asked him if he was alright. The defendant said that he was not and got into the car, at which point the individual drove him to the hospital. Lamaine,

[6] The quality of the video recording was not sufficient to allow the identification of facial features. Other evidence, including the defendant's own testimony that he had shot the victim, established, however, that the defendant was the person who got out of the car and then followed the car as it moved down the street.

who suspected that the white car in which the defendant had been driven to the hospital[7] was the same white car that was shown on the surveillance video of the crime scene, told the defendant that he had viewed the surveillance video.

Lamaine also told the defendant that the victim was dead and asked the defendant if he knew what happened to the victim. The defendant denied knowing anything about the victim's death. Lamaine also asked the defendant whether, if the police found the white car in which the defendant had arrived at the hospital, they would find his blood in the back seat. The defendant stated that he had initially gotten into the back seat of the car that picked him up and then climbed into the front seat.

In the afternoon of February 25, 2017, Fitzgerald and Larrichia went to the defendant's home on Glenwood Avenue in Bridgeport to interview him again. At that interview, the defendant's parents, his sister and a cousin who identified himself as a correction officer were present. The defendant admitted, at that point, that he had shot the victim with a revolver. The defendant also told Fitzgerald and Larrichia that the victim shot him after he made a noise that startled the victim. The defendant stated that he had agreed to be paid $2000 to "make sure that nothing happened" during the drug deal because he wanted the money to fix his car. When Fitzgerald asked the defendant if "the intent was to rob" the victim of the marijuana, the defendant said, "I guess so."

Shortly after the interview, the police arrested the defendant. The police subsequently charged the defen-

[7] Surveillance video taken at the entrance to the hospital showed a white car pulling up to the entrance and two men exiting from the car. The video also showed Hargrove and another person, later identified as a bystander, supporting the defendant as he entered the hospital. Depass testified that, after the victim was shot, he went to the Bridgeport police station, where he viewed the surveillance video. He recognized one of the persons who

dant with murder, felony murder with the predicate felony of robbery in the third degree, robbery in the first degree, conspiracy to commit robbery in the first degree, and carrying a pistol or revolver without a permit. After the prosecutor presented the prosecution's case at trial, defense counsel moved for a judgment of acquittal on the charges of robbery in the first degree and conspiracy to commit robbery in the first degree. The trial court granted the motion. The court stated in its ruling that "the elements of robbery in the third degree [which is a lesser included offense of robbery in the first degree] are: a person is guilty of robbery in the third degree when he, in the course of committing a larceny, uses or threatens the immediate use of physical force [on] another person for the purpose of either preventing or overcoming resistance to the taking of the property, or compelling the owner of such property or another person to deliver up the property. Here, the court simply is constrained to find any evidence in the record . . . that would support a finding, at this juncture, that there was a prevention or overcoming resistance to the taking of . . . the marijuana out of the car or that [the victim] was compelled to deliver up the property."

With respect to the charge of conspiracy to commit robbery in the first degree, the trial court concluded that, considered in context, the evidence that the defendant had said "I guess so" when asked whether "the intent was to rob" and that Hargrove had told the defendant to wipe down the gun was not sufficient to support the charge. Thus, the jury was left to determine the defendant's guilt with respect to the remaining charges, namely, murder, felony murder with the predicate felony of robbery in the third degree, and carrying a pistol or revolver without a permit.[8]

was supporting the defendant as the person he saw removing the marijuana from the car on Berkshire Avenue.

[8] At oral argument before this court, counsel for the defendant suggested that the trial court may have violated the defendant's double jeopardy rights

Thereafter, the defendant testified in his own defense. He testified that, when he got into a white Hyundai at the Duchess restaurant on the evening of February 24, 2017, he had never seen Hargrove before. The defendant did not know where Hargrove was going when they left the restaurant. He explained that, when they arrived at Berkshire Avenue and parked, the victim got into Hargrove's car. The victim then told Hargrove that he should go to the victim's car to get the marijuana while the victim retrieved the money from Hargrove's car. The defendant did not know the victim.

The defendant further testified that, when the victim got into Hargrove's car the second time, after Hargrove and the defendant had returned from driving around the block, the victim was startled by the rustling of the defendant's "puffer jacket" and turned toward the defendant. The defendant then tried "to grab for whatever [the victim was] reaching for," but, before he could do so, the victim shot him. When the defendant tried to leave the car, the victim would not let him and said that he was going to kill him. The defendant then grabbed the gun that was on the floor of the car and shot the victim. The defendant had never seen the gun before he got into the car. The defendant testified that he did not intentionally kill the victim and that he took nothing from the victim.

On cross-examination, the defendant testified that he had no money when he got into Hargrove's car and never saw any money in the car, but he did not know that there was no money in the car. Hargrove told the

when it submitted the felony murder charge to the jury after it had ruled that there was insufficient evidence to support the predicate felony of robbery in the third degree. There was also some discussion at oral argument about the possibility that the guilty verdict on the felony murder charge was legally inconsistent with the trial court's ruling. Because the defendant did not raise either of these claims in his brief, we do not address them. See, e.g., *J.E. Robert Co.* v. *Signature Properties, LLC*, 309 Conn. 307, 328 n.20, 71 A.3d 492 (2013) ("it is well settled that arguments cannot be raised for the first time at oral argument").

defendant to sit in the back seat of the car when he got into the car at the Duchess restaurant, but the defendant was not "hiding" there. The defendant asked Hargrove twice, after "he pulled up," whether he had any money. When the victim got into Hargrove's car the second time and pulled out his gun, the defendant grabbed the gun with his left hand and wrestled with the victim, even though the defendant, who was five feet, six inches tall and weighed approximately 120 pounds at the time of the shooting, was much smaller than the victim, who was a "big" man, more than six feet tall.

The defendant further testified that, when Hargrove returned to his car after the defendant shot the victim, the defendant asked Hargrove if he could call an ambulance for the victim, but Hargrove said that the victim was already "gone . . . ." The defendant admitted that he never told the police, after the shooting, that he had asked Hargrove to call an ambulance. With respect to the police interview at the hospital, the defendant acknowledged that the police told him that, when they found the white car that was at the scene of the shooting, they would do a DNA analysis of any blood that they found inside the car. The defendant denied that "the plan . . . all along . . . was to rob [the victim] of his property . . . ."

After the conclusion of evidence, the trial court instructed the jury that the defendant was claiming self-defense with respect to the murder charge and the lesser included offenses of that charge, and on the elements of that claim. The court further instructed the jury that, if the jury found that the state had established the elements of murder or the lesser included offenses of manslaughter, it must find that the state had disproved one of the elements of self-defense beyond a reasonable doubt before it could find the defendant guilty.

The jury found the defendant not guilty of murder but guilty of intentional manslaughter in the first degree

with a firearm, felony murder, and carrying a pistol or revolver without a permit. The jury found, in special interrogatories, that the defendant had used a firearm to commit intentional manslaughter in the first degree with a firearm and felony murder.

At sentencing, the trial court vacated the conviction of intentional manslaughter in the first degree with a firearm on the ground that the defendant could not be convicted of multiple homicide charges for the same act. See, e.g., *State* v. *John*, 210 Conn. 652, 695–97, 557 A.2d 93, cert. denied, 493 U.S. 824, 110 S. Ct. 84, 107 L. Ed. 2d 50 (1989), and cert. denied sub nom. *Seebeck* v. *Connecticut*, 493 U.S. 824, 110 S. Ct. 84, 107 L. Ed. 2d 50 (1989). The trial court sentenced the defendant to an effective sentence of forty-two years of imprisonment, execution suspended after forty years, and five years of probation on the remaining convictions.

This direct appeal followed. The defendant claims that (1) there was insufficient evidence to support the conviction of felony murder with the predicate felony of robbery in the third degree because there was no evidence that the defendant intended to or did commit a larceny or that he used or threatened the immediate use of physical force to effectuate the taking of the marijuana, and (2) the prosecutor engaged in improprieties during closing argument that deprived the defendant of his right to a fair trial. We reject both claims.

I

We first address the defendant's claim that there was insufficient evidence to support his conviction of felony murder.[9] We disagree.

[9] Although this claim was not raised at trial, "it is entitled to review under *State* v. *Golding*, 213 Conn. 233, 239–40, 567 A.2d 823 (1989) [as modified by *In re Yasiel R.*, 317 Conn. 773, 781, 120 A.3d 1188 (2015)], because any defendant found guilty on the basis of insufficient evidence has been deprived of a constitutional right, and would therefore necessarily meet the four prongs of *Golding*." (Footnote omitted; internal quotation marks omitted.) *State* v. *Rodriguez-Roman*, 297 Conn. 66, 73, 3 A.3d 783 (2010).