
Week of June 30

Welcome to our Supreme and Appellate Court summaries webpage. On this page, I provide abbreviated summaries of decisions from the Connecticut appellate courts which highlight important issues and developments in Connecticut law, and provide practical practice pointers to litigants. I have been summarizing these court decisions internally for our firm for more than 10 years, and providing relevant highlights to my municipal and insurance practice clients for almost as long. It was suggested that a wider audience might appreciate brief summaries of recent rulings that condense often long and confusing decisions down to their basic elements. These summaries are limited to the civil litigation decisions. I may from time to time add commentary, and may even criticize a decision's reasoning. Such commentary is solely my own personal opinion.. Pullman & Comley's Appellate Practice Group of which I am a member includes experienced appellate advocates in almost every area of the law. Should you have a need to consult about a potential appeal, please email me at emccreery@pullcom.com I hope the reader finds these summaries helpful. – Edward P. McCreery

Posted June 30, 2015

Supreme Court Advance Release Opinions:

- SC18919 - [State v. Moreno-Hernandez](#)
- SC19267 - [Radzick v. Connecticut Children's Medical Center](#)

The Supreme Court agreed with the Appellate Court that the defendant hospital could not file an interlocutory appeal in a med mal lawsuit over a discovery order that directed the computer hard drives of the co-defendant doctor, both at his home, and at the hospital, to be mirror-imaged, despite a protest that non-party confidential information would be disclosed. The trial court had ordered that the forensic work be done by a neutral party supervised by a discovery master. The Appellate Court also sought clarification of that order from the trial court before issuing its ruling to confirm that the hospital would have an absolute right to redact information of non-parties before the data was turned over by the discovery master to the plaintiff. Thus there was no real risk of 3rd party rights being compromised. (The clear implication of the decision however is that had the trial court's order allowed the release of confidential HIPAA records of non-parties, there would have been a different result.)

- SC19347 - [Groton v. Commissioner of Revenue Services](#)

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- SC19314 - [State v. Smith](#)
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The facts and holdings of any case may be redacted, paraphrased or condensed for ease of reading. No summary can be an exact rendering of any decision, however, so interested readers are referred to the full decisions. The docket number of each case is a hyperlink to the Connecticut Judicial Department online slip opinion. Copyright 2015 Pullman & Comley, LLC. All Rights Reserved.

The factual summary, or even the legal conclusions, of any case may be summarized, redacted, paraphrased or altered at the author's discretion for ease of reading. Accuracy of the summary cannot be guaranteed and the viewer is referred to the actual case for an exact reading. The Docket number should be a link to the full decision.