
Week of October 9

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 based on my own particular field of practice, so you will not find distillations of the many criminal and matrimonial law decisions on this page. I may from time to time add commentary, and may even criticize a decision's reasoning. Such commentary is solely my opinion . . . and when mistakes of trial counsel are highlighted because they triggered a particular outcome, I will try to be mindful of the adage . . . "There but for the grace of God . . ." I hope the reader finds these summaries helpful. – Edward P. McCreery

Posted October 13, 2014

- SC18876 - State v. Eleck
- SC19035 - State v. Artis
- AC34796 - Michael G.v. Commissioner of Correction
- AC35641 - Kim v. Emt

State Marshalls are NOT State employees but rather are independent contractors and thus the “holiday rule” does not apply to them. The holiday rule is premised upon the legal impossibility of performance due to the unavailability of a state official due to a legal holiday. Thus when prospective plaintiff’s counsel waited until the day after Memorial Day to deliver a complaint to the Marshall, they were not enjoying a one day’s grace period for the Statute of Limitation that fell exactly on Memorial Day. Thus even though the Marshall served the papers one day after receipt, the plaintiff was deemed to have missed the Statute of Limitation by one day and their case was dismissed. Nothing legally prevented the attorney from delivering the papers to the Marshall on the Memorial Day holiday. Had they delivered the papers on Memorial Day, the subsequent service after the limitations period expired would have been adequate under the savings statute. [Moral of the story: don’t wait till the last minute.]

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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. ©2014 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.