

---

## Week of November 16

### December 7, 2015

*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](mailto:emccreery@pullcom.com) I hope the reader finds these summaries helpful. – Edward P. McCreery*

*Posted December 7, 2015*

### Supreme Court Advance Release Opinions:

- SC19229 - [Michael T. v. Commissioner of Correction](#)

Normally I do not summarize criminal matters due to time constraints. Recently Justice McDonald noted that it was a shame because a lot of significant evidentiary rulings come out of the criminal cases which are applicable to civil litigation. I agree, but that still does not create more hours in the day. So I still won't summarize this decision (where a habeas petition grant was reversed because the trial attorney may have made a strategic decision not to call a rebuttal expert) but I did want to pass along this self-evident quote from the case: The petitioner's trial counsel was unavailable to testify at the hearing because he was deceased. Yep - that generally makes one unavailable.

### Appellate Court Advance Release Opinions:

- AC37426 - [Darin v. Cais](#)

---

**[pullcom.com](http://pullcom.com)**  [@pullmancomley](https://twitter.com/pullmancomley)

**BRIDGEPORT**  
203.330.2000

**HARTFORD**  
860.424.4300

**SPRINGFIELD**  
413.314.6160

**WAKEFIELD**  
401-360-1533

**WATERBURY**  
203.573.9700

**WESTPORT**  
203.254.5000

**WHITE PLAINS**  
914.705.5355

## Week of November 16

---

Town building official was properly granted summary judgment for his injunction action to stop violations of the State Building Code against the pro se property owner who failed to clean up his property after a fire destroyed a commercial building.

- AC37646 - [State v. Brown](#)
- 

*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.