

**NOTICE OF APPEAL PROCEDURES
(HABEAS CORPUS)**

JD-CR-84 Rev. 3-05
C.G.S. §§ 52-259, 52-259b, 52-470
Pr. Bk. Sec. 43-30, 63-1, 63-5, 63-8, 63-7, 63-8, 66-1

STATE OF CONNECTICUT
STATE OF CONNECTICUT
SUPERIOR COURT
G.A. 19
www.jud.ct.gov



JUDICIAL DISTRICT OF TOLLAND AT ROCKVILLE	DATE OF DECISION 03/17/2010 MAR 22 A 9:02	DOCKET NO. TSR-CV 05-4000409-S
NAME OF PETITIONER RONALD TAYLOR, #224606	NAME OF RESPONDENT WARDEN, STATE PRISON	

- Before you can appeal to the Connecticut Appellate Court from the decision on your habeas corpus petition, the following requirement must be met:
WITHIN TEN (10) DAYS FROM THE DATE OF DECISION, a request must be filed with either the judge who decided the case, or if said judge is unavailable to the judge of the Superior Court designated by the Chief Court Administrator to certify that a question is involved in the decision which ought to be reviewed by the Appellate Court. If you desire to appeal, you may use the bottom part of this form (*Petition for Certification - Habeas Corpus*) to make your request. (Connecticut General Statutes, Section 52-470)
- WITHIN TWENTY (20) DAYS FROM THE ISSUANCE OF THE NOTICE TO YOU** on the petition for certification, you have a right to file an appeal with the clerk of this court. (Connecticut Practice Book Sections 63-1, 80-1) The court rule concerning extensions of this twenty (20) day appeal period is printed on the back/page 2 of this form.
- Unless the court has granted you the relief described in item 4, you must pay the following fee when you appeal: Entry fee of \$250.00; and the court may order that you give security for costs. (Connecticut Practice Book, Section 63-5; Connecticut General Statutes, Section 52-259).
- If you desire to appeal, but you are indigent and either cannot pay the fees, costs and expenses listed in item 3 or afford to obtain a lawyer, you have a right, **BEFORE THE TWENTY (20) DAY PERIOD FOR APPEAL STATED IN ITEM 2 IS OVER**, to ask the court to (1) appoint a lawyer for you and (2) allow you to appeal without payment of fees, costs and expenses. Your request must be under oath and state the grounds upon which you propose to appeal and the facts concerning your financial status. You may use the attached form, JD-CR-73, to make this request. (Connecticut Practice Book, Sections 63-6 and 63-7, Connecticut General Statutes, Section 52-259b).

If you request the relief referred to in item 4 and your request is denied, but the judge certifies that a question is involved in the decision which ought to be reviewed by the Appellate Court, you or a lawyer acting for you must file your appeal and pay the expenses listed in item 3 within twenty (20) days from the issuance of the notice to you that your request for appointment of an attorney or waiver of fees, costs and expenses was denied. (Connecticut Practice Book, Section 63-1).

**PETITION FOR CERTIFICATION
(HABEAS CORPUS)**

JD-CR-84A Rev. 3-05 C.G.S. 52-470, Pr. Bk. 80-1

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JUDICIAL DISTRICT OF TOLLAND AT ROCKVILLE	DATE OF DECISION 03/17/2010	DOCKET NO. TSR-CV 05-4000409-S
NAME OF PETITIONER RONALD TAYLOR, #224606	NAME OF RESPONDENT WARDEN, STATE PRISON	

TO:
*(fill in the name of
the trial Judge)*

Judge **STANLEY T. FUGER, JR.**, who decided case or if said judge is unavailable to the judge of the Superior Court designated by the Chief Court Administrator to certify this matter.

The petitioner requests a certification that a question is involved in the decision on my habeas corpus petition which ought to be reviewed by the Connecticut Appellate Court. The grounds upon which I request certification are;

- set forth in the Application for Waiver of Fees, Costs and Expenses and Appointment of Counsel on Appeal, which application (Form JD-CR-73) I am submitting with this petition.
- (Specify grounds, attach additional sheets if necessary)* (See attached sheet.)

NOTICE: This petition must be made within ten (10) days from the date of decision and sent to the clerk of the Superior Court for the Judicial District named above.

SIGNED Michael E. O'Hare
(PETITIONER)

(SEE REVERSE/PAGE 2 FOR CERTIFICATION)

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TGB

Sec. 66-1. Extension of Time

- (a) Except as otherwise provided in these rules, the judge who tried the case may, for good cause shown, extend the time limit provided for filing the appeal, except that such extension shall be of no effect if the time within which the appeal must be taken is set by statute and is a time limit that the legislature intended as a limit on the subject matter jurisdiction of the court to which the appeal is taken. In no event shall the trial judge extend the time for filing the appeal to a date which is more than twenty days from the expiration date of the appeal period. Where a motion for extension of the period of time within which to appeal has been filed at least ten days before expiration of the time limit sought to be extended, the party seeking to appeal shall have no less than ten days from issuance of notice of denial of the motion to file the appeal...
- (b) If an appeal has been filed, the time provided for taking any step necessary to prosecute or defend the appeal may be extended by the court in which the appeal is pending.
- (c) (1) Extensions shall be granted only upon a written motion filed with the clerk of the trial court, in the case of a preappeal motion, and with the appellate clerk, in the case of a postappeal motion. The motion, only an original of which need be filed, should set forth the reason for the requested extension, and shall be accompanied by a certification that complies with Section 62-7, but also indicates that a copy of the motion has been mailed to each of the movant's clients. The moving party shall also include a statement as to whether the other parties consent or object to the motion. A motion for extension of time to file a brief must specify the current status of the brief or preparations therefor, indicate the estimated date of completion, and, in criminal cases, state whether the defendant is incarcerated as a result of the proceeding in which the appeal has been taken.
 - (2) The appellate clerk is authorized to grant or deny motions for extension of time promptly upon their filing. Motions for extension of time to complete any step necessary to prosecute or defend the appeal, to move for or oppose a motion for reconsideration, or to petition for or oppose a petition for certification will not be granted except for good cause. Claims of good cause shall be raised promptly after the cause arises.
 - (3) An opposing party who objects to a motion for extension of time filed pursuant to (b) above shall file an objection with reasons in support thereof with the appellate clerk within five days from the filing of the motion.
 - (4) A motion for extension of time shall be filed at least ten days before the expiration of the time limit sought to be extended or, if the cause for such extension arises during the ten day period, as soon as reasonably possible after such cause has arisen. No motion under this rule shall be granted unless it is filed before the time limit sought to be extended by such motion has expired.
 - (5) Any action by the trial court judge pursuant to (a) above or the appellate clerk pursuant to (c) (2) above is reviewable pursuant to Section 66-6.

CERTIFICATION AND NOTICE



- It is hereby certified that a question is involved in the decision on the petition for habeas corpus which ought to be reviewed by the Appellate Court and the foregoing Petition for Certification is GRANTED.
- The foregoing Petition for Certification is hereby DENIED.

BY THE COURT (Print or type name of Judge)	ON (Date)	SIGNED (Judge, Asst. Clerk)	DATE NOTICE ISSUED
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NAME AND ADDRESS OF PETITIONER

TO:

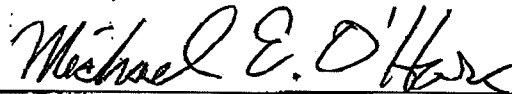
MICHAEL E. O'HARE, Supv. ASA
 OFFICE OF THE CHIEF STATE'S ATTORNEY
 300 CORPORATE PLACE
 ROCKY HILL, CT 06067

Grounds for Appeal

1. Whether the habeas court erred in excluding evidence offered by the respondent pertaining to the circumstances surrounding Doreen Stiles' recantation of her prior sworn statement and her testimony at the petitioners' criminal trial.
2. Whether the habeas court erred in excluding evidence offered to impeach the credibility of Doreen Stiles at the hearing on the petitioner's habeas corpus petition.
3. Whether the habeas court erred in admitting evidence of third party culpability at the hearing on the petitioner's habeas corpus petition.
4. Whether the factual findings on which the habeas court based its decision were clearly erroneous.
5. Whether the habeas court erred in ruling that the petitioner was actually innocent in the absence of "clear and convincing evidence that . . . [the petitioner] is actually innocent of the crime of which he stands convicted." Miller v. Commissioner of Correction, 242 Conn. 745, 747 (1997).
6. Whether the habeas court erred in deciding claims "not raised in the petition"; Cupe v. Commissioner of Correction, 68 Conn. App. 262, 267-68, cert. denied, 260 Conn. 908 (2002); and granting relief based on those claims.
7. Whether the habeas court erred in ordering that the arrest warrant issued for the petitioner be vacated.
8. Whether the habeas court erred in ordering that the finding of probable cause regarding the petitioner be vacated.
9. Such other grounds as become apparent upon further review of the habeas court's decision and the record of this case.

CERTIFICATION

I hereby certify that copies of this document were mailed, first class postage prepaid, to Attorney Peter Tsimbidaros, P.O. 320482, Fairfield, Connecticut 06825; Attorney Joseph Visone, 41 Miscoe Road, Mendon, Massachusetts 01756; Starble & Harris, LLC, Avon Park South, One Darling Drive, Avon, Connecticut 06001; and Senior Assistant State's Attorney John M. Waddock, Office of the State's Attorney, 245 Church Street, New Haven, Connecticut 06510, on March 19, 2010.



MICHAEL E. O'HARE
Supervisory Assistant State's Attorney