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STEVEN K. STANLEY *v.* ANGEL QUIROS ET AL.
(AC 45825)

Prescott, Clark and Lavine, Js.*

Syllabus

The incarcerated plaintiff appealed to this court from the judgment of the trial court dismissing his complaint against the defendants, in which he alleged that they had improperly removed funds from his inmate account to pay court filing fees. The trial court found that one of the defendants, an assistant attorney general, was entitled to absolute immunity and that the remaining defendants, the Commissioner of Correction and two employees of the Department of Correction, were entitled to qualified immunity. *Held* that this court declined to address the plaintiff's claims on appeal because they were inadequately briefed: although the plaintiff's appellate brief made cursory statements that the defendants violated a federal statute (28 U.S.C. § 1915) by taking certain funds out of his inmate trust account, his brief was confusing and disorganized, and it failed to provide any meaningful analysis; moreover, the plaintiff's appellate brief failed entirely to identify any claim of error he believed the trial court made and failed to detail, discuss, or analyze the doctrines of absolute and qualified immunity; furthermore, the plaintiff's entire appellate brief comprised less than four pages, and, although the number of pages devoted to an argument in a brief is not necessarily determinative, relative sparsity weighs in favor of concluding that the argument has been inadequately briefed.

Argued October 4—officially released November 14, 2023

Procedural History

Action to recover damages for, *inter alia*, the alleged violation of the plaintiff's federal constitutional rights, brought to the Superior Court in the judicial district of Tolland, where the court, *Gordon, J.*, granted the defendants' motion to dismiss and rendered judgment thereon, from which the plaintiff appealed to this court. *Affirmed.*

Steven K. Stanley, self-represented, the appellant (plaintiff).

James M. Belforti, assistant attorney general, with whom, on the brief, was *William Tong*, attorney general, for the appellees (defendants).

Opinion

PER CURIAM. The incarcerated and self-represented plaintiff, Steven K. Stanley, appeals from the judgment of the trial court dismissing his action brought pursuant to 42 U.S.C. § 1983 against the defendants, Angel Quiros, James W. Donohue, Joyce Gosselin, and Anthony Corria.¹ On appeal, it appears that the plaintiff is claiming that the defendants violated 28 U.S.C. § 1915 by taking certain funds out of his prisoner trust account to pay for filing fees related to his in forma pauperis filings.² Because the plaintiff has failed to adequately brief any cognizable claim of error in relation to the court's dismissal of his action, we affirm the judgment of the trial court.

The following procedural history is relevant to our disposition of the plaintiff's appeal. On December 12, 2012, the plaintiff was convicted, after a jury trial, of 100 counts of criminal violation of a protective order in violation of General Statutes § 53a-223; one count of stalking in the first degree in violation of General Statutes § 53a-181c; and one count of threatening in the second degree in violation of General Statutes § 53a-62. See *State v. Stanley*, 161 Conn. App. 10, 12, 125 A.3d 1078 (2015), cert. denied, 320 Conn. 918, 131 A.3d 1154 (2016). The plaintiff's conviction stemmed from evidence that approximately 1750 phone calls were made from the plaintiff's cell phone to the victim's cell phone between February 14 and March 24, 2012. *Id.*, 14. The plaintiff was sentenced to eighteen years of imprisonment followed by twelve years of special parole. *Id.*

The plaintiff appealed his conviction to this court, but his appeal was ultimately unsuccessful. *Id.*, 33. Thereafter, our Supreme Court denied the plaintiff's petition for certification to appeal. See *State v. Stanley*, 320 Conn. 918, 131 A.3d 1154 (2016).

In addition to his direct appeal, the plaintiff has filed dozens of civil actions and appeals in connection with his conviction and incarceration.³ See, e.g., *Stanley v. Barone*, 210 Conn. App. 239, 269 A.3d 946 (2022); *Stanley v. East Hartford*, Superior Court, judicial district of Tolland, Docket No. CV-17-5007494-S (May 26, 2021), *aff'd*, 218 Conn. App. 903, 290 A.3d 928, cert. denied, 346 Conn. 1020, 292 A.3d 1254 (2023); *Stanley v. Macchiarulo*, Superior Court, judicial district of Tolland, Docket No. CV-21-5014889-S (December 15, 2021), *aff'd*, 218 Conn. App. 905, 291 A.3d 649, cert. denied, 346 Conn. 1024, 294 A.3d 1026 (2023).

The plaintiff commenced the present action on June 17, 2021. He alleged that the defendants improperly withdrew money from his inmate trust account to recover in forma pauperis filing fees, reducing the amount in his account to less than \$10 in violation of 28 U.S.C. § 1915 (b) (2). On August 17, 2021, the defendants filed a motion to dismiss all claims against

all defendants. The defendants argued that the claims against Donohue were barred by absolute immunity and that the claims against Quiros, Gosselin, and Corria were barred by qualified immunity.

On August 19, 2022, the court, *Gordon, J.*, issued a memorandum of decision dismissing the plaintiff's action. It agreed with the defendants that Donohue was entitled to absolute immunity and that the remaining defendants were entitled to qualified immunity. The plaintiff timely appealed.

Having thoroughly examined the record and the plaintiff's brief, we conclude that we cannot properly review the plaintiff's claims on appeal because they are inadequately briefed. Although the plaintiff's appellate brief makes a few cursory statements that the defendants violated 28 U.S.C. § 1915 by taking certain funds out of his inmate trust account, the brief is confusing and disorganized, and it fails to provide any meaningful analysis. See, e.g., *MacDermid, Inc. v. Leonetti*, 328 Conn. 726, 748, 183 A.3d 611 (2018) (“[a]nalysis, rather than mere abstract assertion, is required in order to avoid abandoning an issue by failure to brief the issue properly” (internal quotation marks omitted)); *State v. Buhl*, 321 Conn. 688, 726, 138 A.3d 868 (2016) (concluding that Appellate Court properly declined to review claim where briefing was “not only short, but confusing, repetitive, and disorganized”).

Perhaps more problematic, the plaintiff's appellate brief fails entirely to identify any claim of error he believes the trial court made, leaving the defendants and this court guessing as to the precise nature of his claims. See *Traylor v. State*, 332 Conn. 789, 805, 213 A.3d 467 (2019) (“the plaintiff's complete failure to challenge what the trial court actually decided in its memoranda of decision operates as an abandonment of his claims”). As previously explained, the trial court determined that dismissal of the plaintiff's action was appropriate on the basis of absolute and qualified immunity. The plaintiff's appellate brief, however, fails to detail, discuss, or analyze either of those doctrines. See *Paoletta v. Anchor Reef Club at Branford, LLC*, 123 Conn. App. 402, 406, 1 A.3d 1238 (“[f]or this court judiciously and efficiently to consider claims of error raised on appeal . . . the parties must clearly and fully set forth their arguments in their briefs” (internal quotation marks omitted)), cert. denied, 298 Conn. 931, 5 A.3d 491 (2010). Last, the plaintiff's entire appellate brief comprises less than four pages. “Although the number of pages devoted to an argument in a brief is not necessarily determinative, relative sparsity weighs in favor of concluding that the argument has been inadequately briefed.” *State v. Buhl*, supra, 321 Conn. 726. For the foregoing reasons, we conclude that the plaintiff's claims are inadequately briefed and decline to address them.

The judgment is affirmed.

* The listing of judges reflects their seniority status on this court as of the date of oral argument.

¹ Angel Quiros is the Commissioner of Correction, James W. Donohue is an assistant attorney general, and Joyce Gosselin and Anthony Corria are employees of the Department of Correction.

² Title 28 of the United States Code, § 1915, establishes certain requirements that a prisoner must meet to proceed in forma pauperis. The statute provides in relevant part: “[A]ny court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor.” 28 U.S.C. § 1915 (a) (1) (2018).

Although a prisoner may be granted in forma pauperis status to proceed with his action, he is still required to pay the full amount of the filing fee associated with that action. 28 U.S.C. § 1915 (b) (1) (2018). The statute includes a payment scheme, including a monthly installment provision, setting forth how funds should be taken from the prisoner’s inmate trust account to satisfy the filing fee. 28 U.S.C. § 1915 (b) (2018).

³ Connecticut state court dockets are publicly available at State of Connecticut Judicial Branch, Superior Court Case Look-up, available at <https://civilinquiry.jud.ct.gov/PartySearch.aspx> (last visited November 6, 2023). The Appellate Court, like the trial court, “may take judicial notice of files of the Superior Court in the same or other cases.” *McCarthy v. Commissioner of Correction*, 217 Conn. 568, 580 n.15, 587 A.2d 116 (1991).
