
The “officially released” date that appears near the beginning of each opinion is the date the opinion will be published in the Connecticut Law Journal or the date it was released as a slip opinion. The operative date for the beginning of all time periods for filing postopinion motions and petitions for certification is the “officially released” date appearing in the opinion.

All opinions are subject to modification and technical correction prior to official publication in the Connecticut Reports and Connecticut Appellate Reports. In the event of discrepancies between the advance release version of an opinion and the latest version appearing in the Connecticut Law Journal and subsequently in the Connecticut Reports or Connecticut Appellate Reports, the latest version is to be considered authoritative.

The syllabus and procedural history accompanying the opinion as it appears in the Connecticut Law Journal and bound volumes of official reports are copyrighted by the Secretary of the State, State of Connecticut, and may not be reproduced and distributed without the express written permission of the Commission on Official Legal Publications, Judicial Branch, State of Connecticut.

J. G. v. JEREMIAH CURTIS-SHANLEY*

(AC 46371)

Moll, Seeley and Harper, Js.

Syllabus

The self-represented defendant appealed to this court from the judgment of the trial court granting the plaintiff's application for a civil protection order filed pursuant to statute (§ 46b-16a). This court granted the defendant's request to appear remotely at oral argument, specifically indicating that he was to appear by video conference. When the defendant appeared at the scheduled argument, he connected by way of audio only. Prior to the start of his argument, while this court was addressing the defendant, he unilaterally terminated his attendance by ending the call. The defendant did not reappear or otherwise contact this court prior to the conclusion of the court's docket. Thereafter, in response to this court's issuance of an order to show cause as to why his appeal should not be dismissed in light of his actions, the defendant filed a response. *Held* that, pursuant to the applicable rules of practice (§§ 85-2 and 85-3), this court concluded that the sanction of dismissal was warranted because the defendant failed to show cause as to why his appeal should not be dismissed, and, accordingly, the appeal was dismissed and the order of protection remained in full effect.

Submitted on briefs October 19—officially released December 26, 2023

Procedural History

Application for a civil protection order, brought to the Superior Court in the judicial district of Fairfield, where the court, *T. Welch, J.*, issued an ex parte civil protection order; thereafter, the court, *Hon. William Holden*, judge trial referee, granted the application and issued an order of protection, from which the defendant appealed to this court. *Appeal dismissed.*

Jeremiah Curtis-Shanley, self-represented, filed a brief as the appellant (defendant).

Opinion

PER CURIAM. The self-represented defendant, Jeremiah Curtis-Shanley, appeals from the judgment of the trial court granting the application for a civil protection order filed by the plaintiff, J. G., pursuant to General Statutes § 46b-16a.¹ Because the defendant failed to show cause as to why his appeal should not be dismissed for his unilaterally terminating his attendance at oral argument, we dismiss the appeal.

The record reflects the following facts and procedural history. On February 27, 2023, pursuant to § 46b-16a, the plaintiff filed an application for a civil protection order.² In her application and the personal affidavit attached thereto, the plaintiff alleged that the defendant was stalking her and causing her to fear for her safety. On that same day, the court, *T. Welch, J.*, issued an ex parte civil protection order. On March 8, 2023, the court, *Hon. William Holden*, judge trial referee, conducted an evidentiary hearing on the application. At the conclusion of the hearing, the court granted the application for protection.³ This appeal followed.

On September 28, 2023, the defendant requested permission to attend oral argument before this court from a remote location. On October 3, 2023, the court granted the defendant permission to appear remotely at oral argument, specifically, by video conference. When the defendant appeared at the scheduled argument on October 19, 2023, however, he connected from a remote location by way of audio only. Following what was the defendant's obvious falsehood to court staff concerning his ability to appear by video, as described in footnote 4 of this opinion, the court then opened the session, confirmed that the defendant was able to hear the court, and provided the defendant with a few preliminary instructions concerning, inter alia, safeguards to protect the identity of the protected party and the defendant's claims regarding his appearing by audio only.⁴ While the court was addressing the defendant, the defendant unilaterally terminated his attendance by ending the call. The defendant neither reappeared nor otherwise contacted the court as of the conclusion of the court's docket. Nor did the defendant submit, prior to the issuance of the order to show cause, any filing providing an explanation for unilaterally terminating his attendance at oral argument.⁵

On November 17, 2023, this court ordered the defendant to show cause as to why his appeal should not be dismissed as a result of his unilaterally terminating his attendance at oral argument. See Practice Book §§ 85-2 and 85-3; see also *In re Shanice P.*, 64 Conn. App. 78, 79, 779 A.2d 151 (2001). In the show cause order, we required that the defendant "submit a response . . . on or before December 8, 2023." (Footnote omitted.) On December 8, 2023, the defendant filed a response,

which we have considered. In light of the foregoing, pursuant to Practice Book §§ 85-2 and 85-3, we conclude that the sanction of dismissal is warranted. Accordingly, we dismiss the appeal; the order of protection remains in full effect.

The appeal is dismissed.

* In accordance with federal law; see 18 U.S.C. § 2265 (d) (3) (2018), as amended by the Violence Against Women Act Reauthorization Act of 2022, Pub. L. No. 117-103, § 106, 136 Stat. 49, 851; we decline to identify any person protected or sought to be protected under a protection order, a protective order, or a restraining order that was issued or applied for, or others through whom that person's identity may be ascertained.

¹ The plaintiff did not file a brief or otherwise participate in the present appeal.

² The plaintiff first filed an application for a civil protection order pursuant to § 46b-16a against the defendant on February 6, 2023. On that same day, the court, *Reed, J.*, issued an ex parte protection order and scheduled an evidentiary hearing on the application for February 15, 2023. The plaintiff did not appear at the hearing. As a result, the court, *Hon. William Holden*, judge trial referee, rendered a judgment of dismissal pursuant to Practice Book § 14-3. The plaintiff subsequently filed the February 27, 2023 application, the granting of which underlies the present appeal.

³ On August 10, 2023, the court issued a memorandum of decision.

⁴ The court stated in relevant part: “Mr. Curtis-Shanley, I understand from [Appellate Court staff] that, when you connected [for argument], you first requested that you wouldn't have to appear by video because you're not feeling well, and, when that request was denied, you indicated . . . that you don't have a video camera connected to your computer. So, assuming that that is true, I want to give you two options. The first is you can waive oral argument today, or, alternatively, we can reschedule your matter to a future term of this court when you would be able to coordinate yourself such that you could appear by video. So, which option would you like to proceed with?” No response was given, and court staff indicated that the defendant had “hung up.”

⁵ The court's staff unsuccessfully attempted to contact the defendant using the telephone number he provided on page one of his appellate brief. The court deemed the defendant's conduct to be a forfeiture of his right to oral argument.
