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JAIRON CASTILLO MARTINEZ v. COMMISSIONER
OF CORRECTION
(AC 46675)

Elgo, Moll and Cradle, Js.

Syllabus

The petitioner appealed, following the denial of his petition for certification to appeal, from the judgment of the habeas court denying his amended petition for a writ of habeas corpus. *Held:*

This court dismissed the petitioner’s appeal, as he exclusively challenged the habeas court’s credibility determinations concerning the testimony at trial.

Argued October 23—officially released November 5, 2024

Procedural History

Amended petition for a writ of habeas corpus, brought to the Superior Court in the judicial district of Tolland and tried to the court, *Bhatt, J.*; judgment denying the petition; thereafter, the court, *Bhatt, J.*, denied the petition for certification to appeal, and the petitioner appealed to this court. *Appeal dismissed.*

J. Christopher Llinas, assigned counsel, for the appellant (petitioner).

Danielle Koch, assistant state’s attorney, with whom, on the brief, were *Angela Macchiarulo* and *Michelle Manning*, supervisory assistant state’s attorneys, for the appellee (respondent).

Opinion

PER CURIAM. The petitioner, Jairon Castillo Martinez, appeals, following the denial of his petition for certification to appeal, from the judgment of the habeas court denying his amended petition for a writ of habeas corpus. As acknowledged by the petitioner’s counsel during oral argument before this court, the petitioner’s appeal exclusively challenges the habeas court’s credibility determinations concerning the testimony during the habeas trial given by Attorney Jerome Larracunte

and the petitioner. However, a habeas court’s “pure credibility determination . . . is unassailable.” *Breton v. Commissioner of Correction*, 325 Conn. 640, 694, 159 A.3d 1112 (2017); see also *Sanchez v. Commissioner of Correction*, 314 Conn. 585, 604, 103 A.3d 954 (2014) (“we must defer to the [trier of fact’s] assessment of the credibility of the witnesses based on its firsthand observation of their conduct, demeanor and attitude” (internal quotation marks omitted)). Accordingly, we dismiss the petitioner’s appeal.

The appeal is dismissed.
