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STATE OF CONNECTICUT *v.* ANTHONY DYOUS
(SC 19410)

Rogers, C. J., and Palmer, Zarella, Eveleigh, McDonald, Espinosa and
Robinson, Js.

Argued December 10, 2015—officially released January 12, 2016

Robert E. Byron, assigned counsel, for the appellant (defendant).

Michele C. Lukban, senior assistant state's attorney, with whom, on the brief, were *Patricia M. Froehlich*, state's attorney, and *Roger Caridad*, senior assistant state's attorney, for the appellee (state).

Opinion

PER CURIAM. The defendant, Anthony Dyous, appealed to the Appellate Court from the judgment of the trial court granting the state's second petition for an order of continued commitment filed pursuant to General Statutes § 17a-593 (c). In his appeal to the Appellate Court, the defendant claimed that: "(1) the order of continued commitment to the Psychiatric Security Review Board (board) violate[d] his right to equal protection as against mentally disordered prison inmates, and (2) his April 8, 2011 criminal conviction constitute[d] a finding by the trial court that he is sane and, therefore, 'the state no longer has a rationale for his commitment.'" (Footnote omitted.) *State v. Dyous*, 153 Conn. App. 266, 267–68, 100 A.3d 1004 (2014). The Appellate Court affirmed the judgment of the trial court. *Id.*, 268. We then, after modification, granted the defendant's petition for certification to appeal limited to the following issues: (1) "Did the Appellate Court properly determine that the [defendant's] claim that his continued commitment violated his right to equal protection failed the first prong of *State v. Golding*, 213 Conn. 233, 239–40, 567 A.2d 823 (1989), because there was an inadequate record for appellate review?"; and (2) "If the answer to the first question is no, did the Appellate Court properly determine that the trial court correctly found that the [defendant] failed to present any evidence in support of his equal protection claim?" (Internal quotation marks omitted.) *State v. Dyous*, 315 Conn. 909, 105 A.3d 901 (2014); see also *State v. Dyous*, 314 Conn. 945, 102 A.3d 1116 (2014).

After examining the entire record on appeal, including the detailed and well reasoned opinion of the Appellate Court, and considering the briefs and oral arguments of the parties, we have determined that the appeal in this case should be dismissed on the ground that certification was improvidently granted.

The appeal is dismissed.
