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JAMES STAUROVSKY *v.* MILFORD
POLICE DEPARTMENT ET AL.
(SC 19682)

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

Argued January 25—officially released March 7, 2017

David J. Morrissey, for the appellant (plaintiff).

Michael V. Vocalina, for the appellee (defendants).

Opinion

PER CURIAM. The plaintiff, James Staurovsky, appeals, upon our grant of his petition for certification,¹ from the judgment of the Appellate Court, which reversed the decision of the Compensation Review Board affirming the decision of the Workers' Compensation Commissioner for the Fourth District awarding heart and hypertension benefits pursuant to General Statutes (Rev. to 2011) § 7-433c. *Staurovsky v. Milford Police Dept.*, 164 Conn. App. 182, 209, 134 A.3d 1263 (2016). On appeal, the plaintiff, who is a retired police officer who had been employed by the named defendant, the Milford Police Department,² claims that the Appellate Court improperly concluded that he was not entitled to heart and hypertension benefits after suffering a myocardial infarction shortly after his retirement. *Id.*, 208–209. Specifically, the plaintiff contends that the Appellate Court improperly followed its decision in *Gorman v. Waterbury*, 4 Conn. App. 226, 231–32, 493 A.2d 286 (1985), in determining that General Statutes (Rev. to 2011) § 7-433c required him to prove that his heart disease or hypertension caused him to suffer from death or disability while he was actively employed as a police officer. *Staurovsky v. Milford Police Dept.*, *supra*, 164 Conn. App. 202–203.

After examining the entire record on appeal and considering the briefs and oral arguments of the parties, we have determined that the appeal should be dismissed on the ground that certification was improvidently granted.

The appeal is dismissed.

¹ We granted the plaintiff's petition for certification limited to the following issue: "Did the Appellate Court correctly determine that the Workers' Compensation Review Board decision must be reversed because the plaintiff must prove that he was disabled or die from a condition or impairment of health caused by hypertension while still employed in order to perfect his claim for benefits under General Statutes [Rev. to 2011] § 7-433c?" *Staurovsky v. Milford Police Dept.*, 321 Conn. 915, 916, 136 A.3d 645 (2016).

² We note that the named defendant's workers' compensation administrator, PMA Management Corp. of New England, was also named as a defendant in the present case. See *Staurovsky v. Milford Police Dept.*, *supra*, 164 Conn. App. 184.
