

A.C. 47877

STATE OF CONNECTICUT

v.

MICHELLE TROCONIS

APPELLATE COURT

STATE OF CONNECTICUT

AUGUST 12, 2024

PRELIMINARY STATEMENT OF THE ISSUES

Pursuant to Practice Book § 63-4 (a) (1); the defendant-appellant states she presently intends to pursue the following issues on appeal:

1. The prosecutors' closing arguments in toto caused the trial to be so infected with unfairness as to constitute due process violations.
2. The trial court erred and denied the defendant her right to effective cross-examination and to present a defense, by precluding any testimony and evidence pertaining to the contents of the completed child custody report or testimony in May 2019 concerning same.
3. The trial court erred by allowing the state to present prejudicial hearsay testimony of the Dulos children's babysitter about her May 24, 2019 call to the New Canaan Police, that included reference to Dulos' ownership of a firearm.
4. The trial court erred by stating in the presence of the jury that defense counsel's cross-examination about certain matters was a "waste of time."
5. The trial court erred by permitting the state to present hours of testimony regarding the lack of evidence collected while permitting multiple law enforcement officers to testify to irrelevant and immaterial hearsay about what they learned from fellow officers and third parties, in violation of the state and federal constitutional rights to confront and cross-examine witnesses.

6. The trial court erred by denying and/or refusing to entertain the majority of the defendant's motions in limine outside the presence of the jury concerning prejudicial and inadmissible evidence.
7. The trial court erred by applying a different standard under the Code of Evidence for similar objections by the defense than by the prosecution, thereby violating due process of law.
8. The trial court erred by denying defendant's motion in limine and for a Porter hearing about the scientific reliability and admissibility of "likelihood ratios" for DNA population frequency calculated by a private company's proprietary algorithm software.
9. The trial court erred by allowing the state to present prejudicial evidence of so-called "screening" or "presumptive" tests for the existence of human blood, and by denying the defendant's request to give a limiting instruction concerning such evidence.
10. The trial court erred by expanding the allegation in the sixth count to include an uncharged and unrelated alternative subsection of the crime of hindering prosecution in the first degree without requiring a unanimity instruction.
11. The trial court denied the defendant her constitutional and statutory rights to a speedy trial.
12. The trial court erred by limiting defense counsel's cross-examination of certain witnesses to impeachment and prior inconsistent statements, despite questions that were otherwise within the scope of direct examination.
13. The trial court erred by requiring the defendant to produce written reports by experts within a few hours of the court's order or be precluded from presenting those experts as witnesses.

14. The trial court erred by permitting law enforcement witnesses to narrate, interpret and give opinions about certain video recorded exhibits that they, themselves, neither prepared nor witnessed at the time of their creation.
15. The trial court erred by refusing to instruct the jury on issues proposed by the defendant in her written requests to charge.
16. The trial court erred by overruling defense counsel's objections to certain instructions given to the jury.
17. The trial court erred by allowing the state to introduce the defendant's AT&T cell location data from an overbroad and defective search warrant issued after a previous warrant was determined to be invalid.
18. The trial court erred by precluding the defendant during the first several days of voir dire from inquiring of individual venire persons whether they held preconceived ideas as to whether or not Fotis Dulos murdered his wife.
19. Defendant's convictions violate her due process rights because the state failed to prove all the elements of the crimes charged.
20. The trial court erred with respect to other evidentiary, constitutional, and procedural claims that will become apparent upon further review of the record and exhibits.

Respectfully submitted,

DEFENDANT-APPELLANT
MICHELLE TROCONIS

BY: 

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CERTIFICATION

Pursuant to P.B. §§ 62-7 and 66-3 it is hereby certified that a copy of the foregoing was sent electronically this 12th day of August, 2024, to: Timothy F. Costello, Juris No. 401795, Office of the Chief State's Attorney, 300 Corporate Place, Rocky Hill, CT 06067, tel. (860) 258-5807, DCJ.OCSA.Appellate@ct.gov; and was sent by mail to the defendant, Michelle Troconis . It is also certified that this document has been redacted or does not contain any names or other personal identifying information that is prohibited from disclosure by rule, statute, court order or case law. It is also certified that this document complies with all applicable rules of appellate procedure.



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