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STATE OF CONNECTICUT *v.* ANTHONY CARTER
(AC 39271)

Alvord, Prescott and Kahn, Js.

Argued June 1—officially released July 18, 2017

(Appeal from Superior Court, judicial district of
Hartford, Dewey, J. [motion to correct illegal
sentence].)

Procedural History

Substitute information charging the defendant with the crimes of assault in the first degree, risk of injury to a child and criminal possession of a firearm, brought to the Superior Court in the judicial district of Hartford and tried to the jury before *Mulcahy, J.*; verdict of guilty; thereafter, the court, *Mulcahy, J.*, denied the defendant's motions for a judgment of acquittal and for a new trial, and rendered judgment in accordance with the verdict, from which the defendant appealed to this court, which affirmed the judgment of the trial court; subsequently, the court, *Dewey, J.*, dismissed the defendant's motion to correct an illegal sentence, and the defendant appealed to this court. *Improper form of judgment; judgment directed.*

Anthony Carter, self-represented, the appellant (defendant).

Timothy F. Costello, assistant state's attorney, with whom, on the brief, were *Gail P. Hardy*, state's attorney, and *Richard J. Rubino*, senior assistant state's attorney, for the appellee (state).

Opinion

PER CURIAM. The defendant, Anthony Carter, appeals from the judgment of the trial court dismissing in its entirety his motion to correct an illegal sentence. Having thoroughly reviewed the defendant's claims on appeal, we conclude that they are wholly without merit. We agree with the state, however, that the trial court should have denied rather than dismissed the defendant's claim that the sentencing court, under the circumstances of this case, was not authorized by statute to impose consecutive sentences with respect to the defendant's convictions. The court properly dismissed the remainder of the defendant's claims.

The form of the judgment is, in part, improper, and the case is remanded with direction to render judgment denying that portion of the defendant's motion to correct an illegal sentence that claims that the court lacked statutory authority to impose consecutive sentences and dismissing the remainder of the motion.
