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JULIO BURGOS TORRES *v.* STATE OF
CONNECTICUT ET AL.
(AC 45371)

Bright, C. J., and Moll and Suarez, Js.

Syllabus

The petitioner appealed to this court from the judgment of the habeas court dismissing his amended petition for a new trial. *Held* that, in light of this court's decision in *Randolph v. Mambrino* (216 Conn. App. 126), the habeas court improperly dismissed the petition, as the three year limitation period in the statute (§ 52-582) governing a petition for a new trial may be tolled by a showing of fraudulent concealment pursuant to statute (§ 52-595).

Argued April 11—officially released April 18, 2023

Procedural History

Amended petition for a new trial, and for other relief, brought to the Superior Court in the judicial district of Waterbury and transferred to the judicial district of Tolland, where the court, *Bhatt, J.*, granted the respondents' motion to dismiss and rendered judgment thereon, from which the petitioner, on the granting of certification, appealed to this court. *Reversed; further proceedings.*

Shanna P. Hugle, deputy assistant public defender, for the appellant (petitioner).

Melissa E. Patterson, senior assistant state's attorney, with whom, on the brief, were *Angela Macchiarulo*, supervisory assistant state's attorney, and *Michael Proto*, senior assistant state's attorney, for the appellees (respondents).

Opinion

PER CURIAM. In light of this court's decision in *Randolph v. Mambrino*, 216 Conn. App. 126, 284 A.3d 645 (2022), the judgment of the habeas court dismissing the amended petition for a new trial filed by the petitioner, Julio Burgos Torres, is reversed and the case is remanded for further proceedings according to law. See *id.*, 132 (holding that three year limitation period of General Statutes § 52-582 may be tolled by showing of fraudulent concealment pursuant to General Statutes § 52-595).
