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The "officially released" date that appears near the beginning of each opinion is the date the opinion will be published in the Connecticut Law Journal or the date it was released as a slip opinion. The operative date for the beginning of all time periods for filing postopinion motions and petitions for certification is the "officially released" date appearing in the opinion.

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STATE OF CONNECTICUT *v.* STERLING D. DECOSTA
(AC 45512)

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

Syllabus

Convicted on a plea of guilty, pursuant to the *Alford* doctrine, of the crime of interfering with an officer, the defendant appealed to this court, claiming that the trial court improperly failed to advise him during its plea canvass that, by pleading guilty, he was waiving his right to a jury trial. In sentencing the defendant, the trial court imposed a fine of $200, which the defendant immediately and voluntarily paid before leaving the courthouse on the date the judgment was rendered. *Held* that the defendant's appeal was dismissed: pursuant to statute (§ 54-96a), the defendant's voluntary payment of the fine imposed by the trial court as his sentence vacated his appeal and restored the judgment.

Argued April 3—officially released May 2, 2023

Procedural History

Information charging the defendant with the crimes of interfering with an officer and reckless driving, brought to the Superior Court in the judicial district of Middlesex, geographical area number nine, where the defendant was presented to the court, *Sanchez-Figueroa*, *J.*, on a plea of guilty to the charge of interfering with an officer; judgment of guilty in accordance with the plea; thereafter, the state entered a nolle prosequi as to the charge of reckless driving, and the defendant appealed to this court. *Appeal dismissed.*

J. Christopher Llinas, assigned counsel, for the appellant (defendant).

Meryl R. Gersz, deputy assistant state's attorney, with whom, on the brief, were *Michael A. Gailor*, state's attorney, and *Steven M. Lesko*, senior assistant state's attorney, for the appellee (state).

Opinion

PER CURIAM. The defendant, Sterling D. DeCosta, appeals from the judgment of conviction rendered after a plea of guilty pursuant to the *Alford* doctrine[1] of interfering with an officer in violation of General Statutes § 53a-167a. In sentencing the defendant, the court imposed only a fine of $200, which the defendant immediately and voluntarily paid before leaving the courthouse on the date the judgment was rendered. On appeal, the defendant claims that the judgment must be reversed because the court improperly did not advise him during its plea canvass that, by pleading guilty, he was waiving his right to a jury trial.

Even in criminal cases, "an appeal is purely a statutory privilege accorded only if the conditions fixed by statute and the rules of court for taking and prosecuting the appeal are met." (Internal quotation marks omitted.) *State* v. *Coleman*, 202 Conn. 86, 88–89, 519 A.2d 1201 (1987); see also *Abney* v. *United States*, 431 U.S. 651, 656, 97 S. Ct. 2034, 52 L. Ed. 2d 651 (1977) ("it is well settled that there is no constitutional right to an appeal"). General Statutes § 54-96a provides in relevant part: "Any person appealing from the judgment of the Superior Court, adjudging him to pay a fine only, may pay the same at any time before the hearing in the Supreme Court or Appellate Court, without further cost, which payment shall vacate the appeal and restore the judgment." See also *State* v. *Eastman*, 92 Conn. App. 261, 264–65, 884 A.2d 442 (2005) (interpreting § 54-96a). Because the defendant voluntarily has paid the fine, the legislature has directed that this appeal shall be vacated and the judgment "restore[d]."

The appeal is dismissed.

[1] See *North Carolina* v. *Alford*, 400 U.S. 25, 37, 91 S. Ct. 160, 27 L. Ed. 2d 162 (1970).