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ALPHA W. NIMS *v.* COMMISSIONER OF CORRECTION
(AC 26508)

McLachlan, Lavine and Mihalakos, Js.

Argued November 13, 2006—officially released January 16, 2007

(Appeal from Superior Court, judicial district of
Tolland, White, J.)

David B. Rozwaski, special public defender, for the
appellant (petitioner).

Frederick W. Fawcett, supervisory assistant state's
attorney, with whom, on the brief, were *Jonathan C.
Benedict*, state's attorney, and *Gerard P. Eisenman*,
senior assistant state's attorney, for the appellee
(respondent).

Opinion

PER CURIAM. The petitioner, Alpha W. Nims, filed
an amended petition for a writ of habeas corpus on
February 10, 2004. After a hearing, the habeas court
issued a written memorandum of decision dismissing
the amended petition. The petitioner then filed a peti-
tion for certification to appeal from the decision, which
was denied by the court. This appeal followed.

On June 9, 2000, the petitioner was found guilty of
(1) murder in violation of General Statutes § 53a-54a
(a), (2) conspiracy to commit murder in violation of
General Statutes §§ 53a-48 and 53a-54a (a), and (3)
unlawful restraint in the first degree in violation of
General Statutes § 53a-95 (a). He was sentenced to a
total effective term of seventy years incarceration. The
petitioner appealed from his conviction, and this court
affirmed the judgment. See *State v. Nims*, 70 Conn.
App. 378, 797 A.2d 1174, cert. denied, 261 Conn. 920,
806 A.2d 1056 (2002). In this appeal, the petitioner
alleges that his trial counsel was ineffective.

Our examination of the record and briefs and our
consideration of the arguments of counsel persuade us
that the court did not abuse its discretion in denying the
petition for certification to appeal. The issues presented
are not debatable among jurists of reason, a court could
not resolve the issues in a different manner and the
questions are not adequate to deserve encouragement
to proceed further. See *Owens v. Commissioner of*

Correction, 63 Conn. App. 829, 831, 779 A.2d 165, cert. denied, 258 Conn. 905, 782 A.2d 138 (2001).

The appeal is dismissed.