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MCDONALD, C. J., dissenting. After reviewing the record, I agree with Judge Lavery that the defendant failed to establish in the habeas court that he was denied effective assistance of counsel in connection with a petition for certification. *Gipson v. Commissioner of Correction*, 54 Conn. App. 400, 436, 735 A.2d 847 (1999) (Lavery, J., concurring.) I would, therefore, affirm the judgment of the Appellate Court upholding the decision of the habeas court.

Accordingly, I respectfully dissent.
