

SUPREME COURT OF CONNECTICUT

State of Connecticut v. Reggie Battle

State v. Battle · No. SC 20396 · Decided October 5, 2021

SUMMARY

The Connecticut Supreme Court affirmed the Appellate Court’s judgment concerning whether General Statutes § 53a-32 authorizes a trial court to impose a sentence including special parole after revocation of probation. The court adopted the Appellate Court’s opinion, which concluded that the sentence was not illegal and that the defendant’s motion to correct should have been denied rather than dismissed.

CASE DETAILS

COURT	Supreme Court of Connecticut
WRITING FOR THE COURT	Robinson, C. J.; McDonald, J.; D’Auria, J.; Mullins, J.; Kahn, J.; Ecker, J.; Keller, J.
JURISDICTION	Connecticut
DECIDED	October 5, 2021
DOCKET	SC 20396
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed, upon certification, from the Appellate Court's judgment remanding the case to the trial court with direction to deny his motion to correct an illegal sentence imposed after probation was revoked.
PRECEDENTIAL VALUE	Published Connecticut Supreme Court opinion; precedential.
PARTIES	Reggie Battle v. State of Connecticut

TOPICS

- probation
- sentencing
- statutory interpretation
- appellate procedure
- criminal procedure

PRACTICE AREAS

- Criminal procedure
- Sentencing
- Probation
- Statutory interpretation
- Appellate procedure

QUESTIONS PRESENTED

1. Whether General Statutes § 53a-32 (d) authorizes a trial court, following a probation violation and revocation, to impose a sentence that includes a period of special parole.
2. Whether the trial court should have denied, rather than dismissed, the defendant's motion to correct an illegal sentence.

HOLDINGS

1. General Statutes § 53a-32 (d) authorizes a trial court, following a violation and revocation of probation, to impose a sentence that includes a period of special parole; the defendant's sentence was therefore not illegal on that ground.
2. The trial court should have denied, rather than dismissed, the defendant's motion to correct an illegal sentence.

KEY QUOTATIONS

“The Appellate Court’s thorough and well reasoned opinion fully addresses the certified question, along with the complete facts and procedural history of this case, and, accordingly, there is no need for us to repeat the discussion contained therein.”

FACTUAL BACKGROUND

The defendant was convicted pursuant to a guilty plea of carrying a pistol without a permit, criminal possession of a pistol, and violation of probation. Following the finding of a probation violation and revocation of probation, the trial court imposed a sentence that included a period of special parole. The defendant challenged that sentence as illegal, arguing that General Statutes § 53a-32 (d) did not expressly authorize special parole after probation revocation.

PROCEDURAL HISTORY

Battle pleaded guilty in the Superior Court to carrying a pistol without a permit, criminal possession of a pistol, and violation of probation. The trial court dismissed his motion to correct an illegal sentence. The Appellate Court concluded that the sentence was not illegal because it could include special parole, but held that the trial court should have denied rather than dismissed the motion, and remanded for entry of judgment denying the motion. The Supreme Court of Connecticut granted certification and affirmed.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The trial court was directed to render judgment denying the defendant's motion to correct an illegal sentence.

CASES CITED

- State v. Battle, 192 Conn. App. 128, 147, 217 A.3d 637 (2019)

- R.T. Vanderbilt Co. v. Hartford Accident & Indemnity Co., 333 Conn. 343, 357, 216 A.3d 629 (2019)
- State v. Henderson, 330 Conn. 793, 799, 201 A.3d 389 (2019)

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