

SUPREME COURT OF CONNECTICUT

State v. Lopez

269 Conn. 799 (2004) · Decided June 29, 2004

SUMMARY

The Connecticut Supreme Court affirmed the Appellate Court’s conclusion that Leonardo Lopez’s Alford pleas were knowingly and voluntarily made. The court held that, absent a positive indication that defense counsel failed to explain the elements of the charged offenses, courts may presume that counsel provided that explanation.

CASE DETAILS

COURT	Supreme Court of Connecticut
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Connecticut
DECIDED	June 29, 2004
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed convictions entered after guilty pleas under the Alford doctrine. The Appellate Court rejected his claim that the pleas were involuntary because the trial court did not ascertain whether he understood the elements of the charged offenses. The Supreme Court of Connecticut granted certification limited to whether the pleas were knowingly and voluntarily made.
STANDARD OF REVIEW	Review of the certified legal issue concerning whether the guilty pleas were knowingly and voluntarily made.
PRECEDENTIAL VALUE	Published and precedential Connecticut Supreme Court opinion
PARTIES	Leonardo Lopez v. State of Connecticut

TOPICS

- plea bargaining
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether the defendant's guilty pleas under the Alford doctrine were knowingly and voluntarily made when the trial court did not expressly ascertain whether he understood the elements of the charged offenses.
2. Whether the Appellate Court correctly applied the presumption that defense counsel ordinarily explains the elements of the charged offenses to a defendant entering a guilty plea.

HOLDINGS

1. The defendant's pleas were knowingly and voluntarily made, and the trial court's failure to inform him explicitly of all elements of the charges did not render the pleas unknowing or involuntary.
2. The judgment of the Appellate Court is affirmed.

KEY QUOTATIONS

“Thus, unless a record contains some positive suggestion that the defendant’s attorney had not informed the defendant of the elements of the crimes to which he was pleading guilty, the normal presumption applies.”
(269 Conn. at 802)

FACTUAL BACKGROUND

The defendant entered Alford pleas to various charges involving his ownership of residential properties in Waterbury. He did not seek to withdraw the pleas before sentencing. He later challenged the pleas as involuntary because the trial court had not ascertained whether he understood the elements of the charged offenses.

PROCEDURAL HISTORY

Leonardo Lopez pleaded guilty under the Alford doctrine to charges involving his ownership of residential properties in Waterbury and did not move to withdraw the pleas before sentencing. After sentencing, he appealed to the Appellate Court, which affirmed the convictions and held that the failure to explain every element expressly did not render the pleas unknowing or involuntary. The Supreme Court granted certification and affirmed the Appellate Court's judgment, while correcting its discussion of the presumption that defense counsel explains the elements of charged offenses.

DISPOSITION

affirmed

CASES CITED

- North Carolina v. Alford, 400 U.S. 25, 91 S. Ct. 160, 27 L. Ed. 2d 162 (1970)
- State v. Lopez, 77 Conn. App. 67, 75-77, 822 A.2d 948 (2003)
- State v. Lopez, 265 Conn. 903, 904, 829 A.2d 421 (2003)
- State v. Butler, 255 Conn. 828, 830, 769 A.2d 697 (2001)
- Henderson v. Morgan, 426 U.S. 637, 647, 96 S. Ct. 2253, 49 L. Ed. 2d 108 (1976)

- Marshall v. Lonberger, 459 U.S. 422, 436-37, 103 S. Ct. 843, 74 L. Ed. 2d 646 (1983)
- Oppel v. Meachum, 851 F.2d 34, 38 (2d Cir.), cert. denied, 488 U.S. 911, 109 S. Ct. 266, 102 L. Ed. 2d 254 (1988)

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