

CONNECTICUT APPELLATE COURT

Johnson v. Commissioner of Correction

Johnson v. Commissioner of Correction · No. AC 47645 · Decided April 28, 2026

SUMMARY

The Connecticut Appellate Court dismissed Efrain Johnson’s appeal from the denial of his habeas corpus petition and petition for certification to appeal. The court held that the habeas court did not abuse its discretion in rejecting Johnson’s ineffective-assistance claim concerning conveyance of a plea offer or his Brady due-process claim regarding an alleged agreement with a prosecution witness.

CASE DETAILS

COURT	Connecticut Appellate Court
WRITING FOR THE COURT	Elgo, J.; Suarez, J.; Norcott, J.
JURISDICTION	Connecticut Appellate Court
DECIDED	April 28, 2026
DOCKET	AC 47645
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from the denial of a petition for certification to appeal from the Superior Court's judgment denying an amended petition for a writ of habeas corpus.
STANDARD OF REVIEW	A petitioner appealing after denial of habeas certification must first show that denial of certification was an abuse of discretion by demonstrating that the issues are debatable among jurists of reason, could be resolved differently, or deserve encouragement to proceed further. Factual findings concerning plea communications and the existence of an agreement between the state and a witness are reviewed for clear error, with deference to credibility determinations. Legal conclusions concerning Brady are reviewed plenarily.
PRECEDENTIAL VALUE	Published
PARTIES	Efrain Johnson v. Commissioner of Correction

TOPICS

- state post-conviction relief
- ineffective assistance
- plea bargaining
- due process
- appellate procedure

PRACTICE AREAS

criminal post-conviction

habeas corpus

criminal procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the habeas court abused its discretion in denying certification to appeal concerning Johnson's ineffective-assistance claim based on counsel's communication of the state's plea offer.
2. Whether trial counsel rendered ineffective assistance by failing to meaningfully convey and advise Johnson regarding the state's plea offer.
3. Whether the habeas court abused its discretion in denying certification to appeal concerning Johnson's Brady and due process claim based on an alleged undisclosed agreement or understanding between the state and prosecution witness Taylor.

HOLDINGS

1. The habeas court did not abuse its discretion in denying Johnson's petition for certification to appeal because he failed to show that the issues were debatable among jurists of reason, could be resolved differently, or deserved encouragement to proceed further.
2. Johnson failed to establish that trial counsel performed deficiently in communicating the state's plea offer.
3. The habeas court did not err in rejecting Johnson's Brady claim because he failed to prove the existence of an explicit or implicit agreement or understanding between the state and Taylor in exchange for Taylor's testimony.

KEY QUOTATIONS

“A petitioner may establish an abuse of discretion by demonstrating that the issues are debatable among jurists of reason . . . [a] court could resolve the issues [in a different manner] . . . or . . . the questions are adequate to deserve encouragement to proceed further.”

“The prerequisite of any claim under . . . Brady . . . is the existence of an undisclosed agreement or understanding between the cooperating witness and the state.”

FACTUAL BACKGROUND

Johnson was charged with three counts of felony murder and three counts of first-degree kidnapping arising from the deaths of three residents of an apartment in Bridgeport. Before trial, the state offered a disposition involving guilty pleas to three kidnapping counts, a twenty-year sentence followed by five years of special parole, and nolle prosequis of the felony-murder counts; Johnson rejected the offer and proceeded to trial. At the habeas trial, his former counsel testified that he conveyed and explained the offer and recommended acceptance, while Johnson alleged that counsel failed to meaningfully communicate it. Johnson also claimed that the state failed to disclose an agreement or understanding not to prosecute prosecution witness Rodney Taylor, but he presented no evidence of such an agreement.

PROCEDURAL HISTORY

Johnson was convicted after a jury trial of felony murder and kidnapping and received a total effective sentence of fifty years. He later filed an amended state habeas petition alleging ineffective assistance of criminal trial counsel concerning a plea offer and due process violations under Brady based on alleged undisclosed benefits to a prosecution witness. The habeas court denied the petition and denied certification to appeal; the Connecticut Appellate Court dismissed the appeal.

DISPOSITION

dismissed

CASES CITED

- State v. Johnson, 165 Conn. App. 255, 258-67, 304, 138 A.3d 1108, cert. denied, 322 Conn. 904, 138 A.3d 933 (2016)
- Simms v. Warden, 230 Conn. 608, 612, 646 A.2d 126 (1994)
- Dixon v. Commissioner of Correction, 233 Conn. App. 851, 856-58, 861, 342 A.3d 260, cert. denied, 353 Conn. 918, 345 A.3d 808 (2025)
- Barlow v. Commissioner of Correction, 343 Conn. 347, 357-58, 273 A.3d 680 (2022)
- Williams v. Commissioner of Correction, 223 Conn. App. 745, 762, 310 A.3d 381, cert. denied, 349 Conn. 901, 312 A.3d 586 (2024)
- Jan G. v. Commissioner of Correction, 237 Conn. App. 115, 143 n.25, 350 A.3d 1156, cert. granted, 354 Conn. 930 (2026)
- Brady v. Maryland, 373 U.S. 83, 87, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963)
- Napue v. Illinois, 360 U.S. 264, 79 S. Ct. 1173, 3 L. Ed. 2d 1217 (1959)
- Giglio v. United States, 405 U.S. 150, 92 S. Ct. 763, 31 L. Ed. 2d 104 (1972)
- State v. Ouellette, 295 Conn. 173, 185-86, 989 A.2d 1048 (2010)
- Marquez v. Commissioner of Correction, 330 Conn. 575, 603-604, 198 A.3d 562 (2019)
- Brown v. Commissioner of Correction, 230 Conn. App. 384, 398, 399, 412, 330 A.3d 134, cert. denied, 351 Conn. 921, 333 A.3d 103 (2025)
- Diaz v. Commissioner of Correction, 174 Conn. App. 776, 798, 166 A.3d 815, cert. denied, 327 Conn. 957, 172 A.3d 204 (2017)
- Owen v. Commissioner of Correction, 234 Conn. App. 481, 498, 344 A.3d 158, cert. denied, 353 Conn. 923, 345 A.3d 812 (2025)
- Santana v. Commissioner of Correction, 208 Conn. App. 460, 469-70, 264 A.3d 1056, cert. denied, 340 Conn. 920, 267 A.3d 857 (2022)