

CONNECTICUT APPELLATE COURT

State v. Sousa

AC 47169 (Conn. App. June 16, 2026) · No. AC 47169 · Decided June 16, 2026

SUMMARY

The Connecticut Appellate Court affirmed Henrique S. Sousa’s convictions for first-degree sexual assault and risk of injury to a child. The court held that the trial court did not abuse its discretion by admitting photographs of the alleged crime scene because the photographs were relevant, the record did not show a danger of misleading the jury, and limiting instructions mitigated any potential prejudice.

CASE DETAILS

COURT	Connecticut Appellate Court
WRITING FOR THE COURT	DiPentima, J.; Alvord, J.; Westbrook, J.
JURISDICTION	Connecticut Appellate Court
DECIDED	June 16, 2026
DOCKET	AC 47169
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed from a judgment of conviction entered after a jury trial, challenging the admission of photographs of the alleged crime scene.
STANDARD OF REVIEW	The admission of photographic evidence and the trial court's balancing of probative value against unfair prejudice are reviewed for abuse of discretion. The trial court's determination that a photograph is sufficiently accurate for admission is also reviewed under that deferential standard.
PRECEDENTIAL VALUE	Published and precedential Connecticut Appellate Court opinion
PARTIES	Henrique S. Sousa v. State of Connecticut

TOPICS

- evidence
- relevance
- standard of review
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by admitting photographs of the alleged crime scene when the photographs were taken years after the incident and did not depict the same removable items or conditions.
2. Whether the photographs' probative value was outweighed by the danger of unfair prejudice or misleading the jury.

HOLDINGS

1. The trial court did not abuse its discretion in admitting photographs of the house, yard, driveway, deck, and garage because the record established that they were relevant to show the general layout of the property, and the evidence did not demonstrate that they were misleading or unfairly prejudicial.

KEY QUOTATIONS

“Held: The trial court did not abuse its discretion in admitting the challenged photographs, as the record did not support the defendant’s claim that the photographs were more prejudicial than probative because they did not fairly and accurately depict the house, the yard and the garage when the incident was alleged to have occurred.” (syllabus)

“Accordingly, we conclude that the court did not abuse its discretion in admitting into evidence the challenged photographs.”

FACTUAL BACKGROUND

The defendant was alleged to have sexually assaulted a child in the garage of a babysitter's home between 2010 and 2013. At trial, the state introduced photographs taken in 2023 depicting the house, backyard, driveway, deck, and garage. The defendant argued that the photographs were not fair and accurate representations of the property during the period of the alleged assault because the trampoline and various garage contents had changed. The trial court admitted the photographs with limiting instructions restricting their use to showing the general layout of the property.

PROCEDURAL HISTORY

The defendant was charged in the Superior Court for the judicial district of Waterbury with first-degree sexual assault and two counts of risk of injury to a child. The trial court denied his motion in limine to exclude photographs, and a jury found him guilty on all counts. Before sentencing, the court granted the defendant's motion for judgment of acquittal as to one risk-of-injury count, vacated that conviction, and rendered judgment on the remaining convictions. The Connecticut Appellate Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Emmanuel C., 233 Conn. App. 156, 177, 338 A.3d 1177 (2025)
- State v. Swinton, 268 Conn. 781, 802, 847 A.2d 921 (2004)
- State v. Best, 337 Conn. 312, 322, 253 A.3d 458 (2020)
- State v. Delacruz-Gomez, 350 Conn. 19, 32–33, 323 A.3d 308 (2024)
- State v. Patterson, 344 Conn. 281, 301, 278 A.3d 1044 (2022)
- State v. Sharpe, 353 Conn. 564, 596–97, 343 A.3d 408 (2025), cert. denied, ___ U.S. ___, ___ S. Ct. ___, 224 L. Ed. 2d 180 (2026)

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