

Bond Case Briefs

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Daley v. Kashmanian

Appellate Court of Connecticut - October 1, 2019 - A.3d - 193 Conn.App. 171 - 2019 WL 4750666

Motorcyclist brought action against detective and city, alleging detective had negligently and recklessly caused plaintiff to be ejected from his motorcycle.

Following close of evidence at jury trial, the Superior Court granted detective's motion for directed verdict as to recklessness charge, and subsequently, following jury verdict in motorcyclist's favor on negligence charge, granted detective and city's motions to set aside the jury verdict. Motorcyclist appealed.

The Appellate Court held that:

- Whether detective's conduct while attempting to surveil motorcyclist was reckless presented question for jury;
- Detective's surveillance on motorcyclist constituted discretionary conduct; and
- Statute governing rights and duties of emergency vehicles did not implicitly preclude officers conducting surveillance from being exempt from obeying certain motor vehicle statutes.