

SUMMONS - CIVIL
(Except Family Actions)

JD-CV-1 Rev. 1-2000
C.G.S. § 51-346, 51-347, 51-349, 51-350, 52-45a,
52-48, 52-259, P.B. Secs 3-1 thru 3-21, 8-1

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov

INSTRUCTIONS

1. Type or print legibly; sign original summons and conform all copies of the summons.
2. Prepare or photocopy conformed summons for each defendant.
3. Attach the original summons to the original complaint, and attach a copy of the summons to each copy of the complaint. Also, if there are more than 2 plaintiffs or 4 defendants prepare form JD-CV-2 and attach it to the original and all copies of the complaint.
4. After service has been made by a proper officer, file original papers and officer's return with the clerk of court.
5. The party recognized to pay costs must appear personally before the authority taking the recognizance.
6. Do not use this form for actions in which an attachment, garnishment or replevy is being sought. See Practice Book Section 8-1 for other exceptions.

TO: Any proper officer; BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this Summons and attached Complaint.

"X" ONE OF THE FOLLOWING:
Amount, legal interest or property in demand, exclusive of interest and costs is:

less than \$2,500
 \$2,500 through \$14,999.99
 \$15,000 or more

("X" if applicable)
 Claiming other relief in addition to or in lieu of money or damages.

RETURN DATE (Mo., day, yr.)
(Must be a Tuesday) **01/29/08**

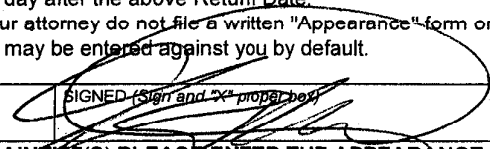
JUDICIAL DISTRICT HOUSING SESSION G.A. NO. _____ AT (Town in which writ is returnable) (C.G.S. 51-346, 51-349) **New Haven** CASE TYPE (See JD-CV-1c) Major **M** Minor **90**

ADDRESS OF COURT CLERK WHERE WRIT AND OTHER PAPERS SHALL BE FILED (No., street, town and zip code) (C.G.S. 51-346, 51-350) **235 Church Street, New Haven, 06510** TELEPHONE NO. (with area code) **(203) 503-6800**

PARTIES	NAME AND ADDRESS OF EACH PARTY (No., street, town and zip code)	NOTE: Individuals' Names: Last, First, Middle Initial	<input type="checkbox"/> Form JD-CV-2 attached	PTY NO.
FIRST NAMED PLAINTIFF	Barnes, Solomon			01
Additional Plaintiff	Enfield CCI, 289 Shaker Road, Enfield, 06082			02
FIRST NAMED DEFENDANT	State of Connecticut, Attorney General's Office, 55 Elm Street, Hartford, 06103 and Office of the Chief State's Attorney, 300 Corporate Place, Rocky Hill, 06067			50
Additional Defendant				51
Additional Defendant				52
Additional Defendant				53

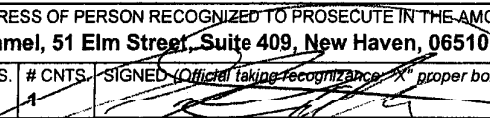
NOTICE TO EACH DEFENDANT

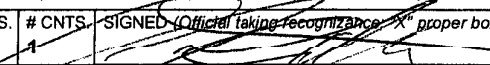
1. YOU ARE BEING SUED.
2. This paper is a Summons in a lawsuit.
3. The Complaint attached to these papers states the claims that each Plaintiff is making against you in this lawsuit.
4. To respond to this Summons, or to be informed of further proceedings, you or your attorney must file a form called an "Appearance" with the Clerk of the above-named Court at the above Court address on or before the second day after the above Return Date.
5. If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default.
6. The "Appearance" form may be obtained at the above Court address.
7. If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately take the Summons and Complaint to your insurance representative.
8. If you have questions about the Summons and Complaint, you should consult an attorney promptly. **The Clerk of Court is not permitted to give advice on legal questions.**

DATE **01/02/08** SIGNED (Sign and "X" proper box)  Comm. of Superior Court Assistant Clerk TYPE IN NAME OF PERSON SIGNING AT LEFT **JOHN R. WILLIAMS**

FOR THE PLAINTIFF(S) PLEASE ENTER THE APPEARANCE OF:

NAME AND ADDRESS OF ATTORNEY, LAW FIRM OR PLAINTIFF IF PRO SE (No., street, town and zip code) **John R. Williams, 51 Elm Street, Suite 409, New Haven, 06510** TELEPHONE NUMBER **(203) 562-9931** JURIS NO. (If atty. or law firm) **67962**

NAME AND ADDRESS OF PERSON RECOGNIZED TO PROSECUTE IN THE AMOUNT OF \$250 (No., street, town and zip code) **Kelly A. Rommel, 51 Elm Street, Suite 409, New Haven, 06510** SIGNATURE OF PLAINTIFF IF PRO SE  Comm. of Superior Court Assistant Clerk

PLFS. **1** # DEFS. **1** # CNTS. **1** SIGNED (Official taking Recognizance "X" proper box)  Comm. of Superior Court Assistant Clerk

- IF THIS SUMMONS IS SIGNED BY A CLERK:
- a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts.
 - b. It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law.
 - c. The Clerk is not permitted to give any legal advice in connection with any lawsuit.
 - d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service thereof.

I hereby certify I have read and understand the above: SIGNED (Pro Se Plaintiff) _____ DATE SIGNED _____ DOCKET NO. **4029509**

ORIGINAL

NEW HAVEN J.D. SUPERIOR COURT CLERK'S OFFICE JAN 15 P 12:37

SUMMONS - CIVIL
(Except Family Actions)

JD-CV-1 Rev. 1-2000
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RETURN DATE (Mo., day, yr.)
(Must be a Tuesday) **01/29/08**

JUDICIAL DISTRICT HOUSING SESSION G.A. NO. **New Haven** AT (Town in which writ is returnable) (C.G.S. 51-346, 51-349)

CASE TYPE (See JD CV 1e) Major **M** Minor **90**

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Additional Plaintiff				02
FIRST NAMED DEFENDANT	State of Connecticut, Attorney General's Office, 55 Elm Street, Hartford, 06103 and Office of the Chief State's Attorney, 300 Corporate Place, Rocky Hill, 06067			50
Additional Defendant				51
Additional Defendant				52
Additional Defendant				53

NOTICE TO EACH DEFENDANT

1. YOU ARE BEING SUED.
2. This paper is a Summons in a lawsuit.
3. The Complaint attached to these papers states the claims that each Plaintiff is making against you in this lawsuit.
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PLFS. **1** # DEFS. **1** # CNTS. **1** SIGNED (Official taking recognizance "X" proper box) Comm. of Superior Court Assistant Clerk

JUDICIAL DISTRICT OF PLAINFIELD, NEW HAVEN SUPERIOR COURT
FILED
JAN 15 2008
CHIEF CLERK'S OFFICE

- IF THIS SUMMONS IS SIGNED BY A CLERK:
- a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts.
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 - c. The Clerk is not permitted to give any legal advice in connection with any lawsuit.
 - d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service thereof.

I hereby certify I have read and understand the above: SIGNED (Pro Se Plaintiff) DATE SIGNED DOCKET NO.

ORIGINAL

RETURN DATE: January 29, 2008

SOLOMON BARNES : SUPERIOR COURT
VS. : J. D. OF NEW HAVEN
STATE OF CONNECTICUT : JANUARY 2, 2008

PETITION FOR NEW TRIAL

TO THE SUPERIOR COURT IN AND FOR THE JUDICIAL DISTRICT OF NEW HAVEN NOW IN SESSION comes Solomon Barnes of New Haven petitioning for a new trial pursuant to Section 42-55 of the Practice Book and Section 52-270 of the General Statutes and complains and says:

1. He is now being held and confined by the State of Connecticut.
2. His said incarceration is based upon his conviction in this court, at Geographical Area 23, in two consolidated cases bearing Docket Numbers CR06-55319 and CR06-52605.
3. Evidence has been discovered since his conviction which establishes a reasonable doubt concerning his guilt. That evidence consists of the guilty pleas in the United States District Court of two crucial prosecution witnesses, New Haven Detective Jose R. Silva and New Haven Detective Justin Kasperzyk, to crimes perpetrated as a part of a continuing criminal enterprise in which they were involved while investigating and prosecuting the petitioner. The petitioner's conviction was based upon the jury's determination that the two said witnesses

were credible in their claims against the petitioner and the newly-discovered evidence establishes that they are utterly without credibility as to their work as narcotics detectives.

4. The said evidence could not with reasonable diligence have been discovered prior to his conviction because Detective Kasperzyk was not arrested until after the jury returned its verdict of guilty and Detective Silva was not arrested until after the petitioner had been sentenced. Neither detective pled guilty until after the petitioner had been sentenced.

5. Attached hereto are true and accurate copies of the records of the United States District Court establishing the facts alleged above.

WHEREFORE the petitioner prays that he be granted a new trial.

Dated at New Haven this 2nd day of January 2008.

SOLOMON BARNES, PETITIONER

BY: 

JOHN R. WILLIAMS (#67962)

51 Elm Street

New Haven, CT 06510

203/562-9931

Fax: 203/776-9494

jrwilliams@johnrwilliams.com

His Attorney

TO ANY PROPER OFFICER:

The Petitioner, Solomon Barnes, having made the foregoing application, alleging that he is entitled to a new trial because of newly discovered evidence, it is

ORDERED that the State of Connecticut bring the petitioner before the Superior Court for the Judicial District of New Haven at New Haven on _____, 2008, that justice may be done, and it is further

ORDERED that you serve a true and attested copy of this writ and of the foregoing application on the State's Attorney for the Judicial District of New Haven at least _____ days before the date of the hearing.

Hereof fail not, but of this writ make immediate service and return.

Dated at New Haven, Connecticut, this _____ day of January, 2008.

By the Court

A Judge of the Superior Court