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WILLIE MILLS *v.* COMMISSIONER OF  
TRANSPORTATION ET AL.  
(SC 19163)

Rogers, C. J., and Palmer, Zarella, Eveleigh, McDonald, Espinosa and  
Robinson, Js.

Argued September 15—officially released October 21, 2014

*Alphonse J. Balzano*, with whom was *Brian Alteri*,  
for the appellant (plaintiff).

*Ronald D. Williams, Jr.*, for the appellee (named  
defendant).

*Opinion*

PER CURIAM. The plaintiff, Willie Mills, appeals, upon our grant of his petition for certification,<sup>1</sup> from the judgment of the Appellate Court reversing the judgment of the trial court and remanding the case to that court with direction to render judgment dismissing his highway defect action against the named defendant, the Commissioner of Transportation.<sup>2</sup> *Mills v. Commissioner of Transportation*, 142 Conn. App. 785, 792, 68 A.3d 118 (2013). On appeal, the plaintiff contends that the Appellate Court improperly concluded that the trial court lacked subject matter jurisdiction on the ground that the General Statutes § 13a-144<sup>3</sup> notice letter that he sent to the defendant was defective as a matter of law because, although it provided “ample details” about the motor vehicle accident giving rise to the claim, its face indicated only his intent to bring an action against the city of Milford, rather than the state. See *id.*, 791–92.

After examining the entire record on appeal and considering the briefs and oral arguments of the parties, we have determined that the appeal in this case should be dismissed on the ground that certification was improvidently granted.

The appeal is dismissed.

<sup>1</sup> We granted the plaintiff’s petition for certification limited to the following issue: “Did the Appellate Court properly conclude that the General Statutes § 13a-144 notice sent to the named defendant in this matter was inadequate, and required a reversal of the trial court’s denial of the named defendant’s motion to dismiss?” *Mills v. Commissioner of Transportation*, 309 Conn. 913, 69 A.3d 308 (2013).

<sup>2</sup> As the Appellate Court noted, “[t]he state and the city of Milford also were named as defendants. The action was dismissed against the state on March 14, 2012 . . . . Summary judgment was rendered in favor of the city of Milford on July 19, 2010 . . . . Neither of these judgments are the subject of this appeal. Hereafter, we refer to the commissioner of transportation as the defendant.” *Mills v. Commissioner of Transportation*, 142 Conn. App. 785, 786 n.1, 68 A.3d 118 (2013).

<sup>3</sup> General Statutes § 13a-144 provides in relevant part: “Any person injured in person or property through the neglect or default of the state or any of its employees by means of any defective highway, bridge or sidewalk which it is the duty of the Commissioner of Transportation to keep in repair, or by reason of the lack of any railing or fence on the side of such bridge or part of such road which may be raised above the adjoining ground so as to be unsafe for travel or, in case of the death of any person by reason of any such neglect or default, the executor or administrator of such person, may bring a civil action to recover damages sustained thereby against the commissioner in the Superior Court. No such action shall be brought except within two years from the date of such injury, nor unless notice of such injury and a general description of the same and of the cause thereof and of the time and place of its occurrence has been given in writing within ninety days thereafter to the commissioner. . . .”