

N23N CR23-0250215 S
N23N CR23-0250216 S
N23N CR23-0250217 S

: SUPERIOR COURT

STATE OF CONNECTICUT

: JUDICIAL DISTRICT OF
: NEW HAVEN

V.

: AT NEW HAVEN

PAUL BOYNE

: AUGUST 15, 2025



INTERIM ORDER REGARDING STATE'S MOTION FOR JOINDER

On July 21, 2025, the State filed a Motion for Joinder regarding all the pending files in this case: N23N-CR23-0250215-S, N23N-CR23-0250216-S, and N23N-CR23-0250217-S. The defendant filed his Objection to the motion on July 30, 2025. The court heard oral argument on the motion on July 31, 2025. State argues that joinder is proper because the evidence that would be presented in each trial would be cross admissible. In the alternative, the State argues it can establish, by a preponderance of the evidence, that the defendant would not be substantially prejudiced by the joinder of these files in one trial pursuant to *State v. Boscarino*, 204 Conn. 714 (1987), and *State v. James A.*, 345 Conn. 599 (2022), cert. denied 143 S.Ct. 2473 (2023). The defendant argues that joinder is improper where the prosecution seeks to introduce presumptively prejudicial propensity evidence.

The defendant began his argument stating that docket N23N-CR23-0250215-S is not properly before this court in the New Haven JD. The State alleges that the conduct at issue occurred in the Town of Groton on or about December 13, 2021 through April 19, 2024. CGS 51-352(a) states "each person charged with any offense shall be tried in the judicial district in which the offense was committed, excepted when it is otherwise provided." The Town of Groton falls within the New London JD. The defendant was arraigned in the New Haven GA as to all

three files in October of 2023. The court notes that the State never filed a motion to transfer the file ending 215-S from the New London JD to the New Haven JD. The State contends that the defendant has waived the issue of improper venue by subjecting himself to the jurisdiction of the New Haven JD as to all three cases since his arraignment in New Haven GA 23 in October 2023. Neither party has had an opportunity to thoroughly brief the waiver issue as to a claim of improper venue. The defendant cited *State v. Shane K.*, 228 Conn. App. 105 (2024), which the court did not find illustrative on the waiver issue presently before the court. During oral argument, the State referenced *State v. Orsini*, 187 Conn. 264, 269 (1982). In *Orsini*, the Court stated that venue requirements are created for the convenience of the litigants and may be waived by failure to assert the statutory privilege in timely fashion. 77 Am. Jur. 2d, Venue section 45. The defendant is clearly raising the venue issue before the court now. The issue becomes what is meant by “timely fashion.”

The court directs the parties to brief this issue and to file simultaneous briefs with the court not later than September 16, 2025. The court will hear further argument on the venue issue on the next court date of September 22, 2025. The court reserves ruling on the motion for joinder until the court resolves the venue issue raised by the defendant. SO ORDERED.

(Brown, J.) 
Hon. Peter L. Brown 
Judge