

*David Blinn v. Desh Sindwani (AC 40985)*

The plaintiff brought this action forward seeking damages against the defendant for negligence relating to personal injuries sustained in a car accident. The plaintiff contends that the car accident has caused him to suffer “mental anguish and exacerbated preexisting conditions of anxiety and depression.” During trial, evidence was presented regarding the plaintiff’s mental health treatments from a mental health provider from who the plaintiff received treatment in the years following the accident. Contained within the records presented was information about past misconduct on the part of the plaintiff. Such misconduct included a conviction for driving under the influence of drugs or alcohol, allegations of involvement in an additional car accident, and a motor vehicle citation. The plaintiff subsequently filed a motion in limine wherein he sought to preclude the convictions and citation related to prior misconduct from being presented as evidence to the jury. The defendant objected to the plaintiff’s motion and the trial court sustained the defendant’s objection.

After presenting the case to the court, the jury returned a verdict in favor of the defendant. The trial court rendered a judgment in accordance with the jury verdict. The plaintiff appealed the judgement rendered by the court. The issue presented to the Appellate Court on this appeal is whether the trial court properly allowed evidence relating to the plaintiff’s past misconduct to be presented to the jury. The Appellate Court determined that the trial court did not act improperly by admitting the evidence.

In reaching this determination, the Court first considered the plaintiff’s claim that evidence of prior misconduct should have been precluded from evidence. The Court was unpersuaded by the plaintiff in regard to this claim. The Court found that the evidence of prior misconduct was relevant for the court to determine whether the plaintiff’s emotional and mental

distress was caused by the accident with the defendant. The plaintiff claimed that allowing this evidence would have a prejudicial effect against him. However, the trial court determined that such evidence was necessary for the court to determine whether the mental and emotional anguish which the plaintiff suffered following his car accident was caused by the trauma related to the accident or if it was caused by other stressors in the plaintiff's life. The Court determined that stressors in the plaintiff's life which were unrelated to the car accident, including his prior misconduct, were relevant to make such a determination.

The Court looked to a two-part test to determine the admissibility of prior misconduct evidence. The first prong of the test requires that "the evidence must be relevant for a purpose other than showing the defendant's bad character or criminal tendencies." In the present case, the evidence was relevant as it was necessary to determine whether the car accident involving the defendant caused the plaintiff's need for mental health treatment. The second prong of the test stipulates that "[f]or prior misconduct evidence to be admissible, it must not only be relevant and material, but also more probative than prejudicial." The Court determined that the probative value of the evidence outweighed the potential prejudicial impact of the evidence as the evidence was crucial for the trial court to determine whether the car accident involving the defendant was the cause of the plaintiff's need for mental health treatment. The Court therefore found that the trial court properly sustained the defendant's objection to the plaintiff's motion to limine.

The Court further determined that the trial court did not abuse their discretion in allowing evidence to be presented regarding the plaintiff's motor vehicle citation. The Court determined that there were "no material differences between evidence of the citation and evidence of the prior arrests and [the] convictions" previously discussed. The trial court allowed this evidence

because it provided information which would be relevant in calculating damages in the present case.

The Court determined that the trial court acted properly in allowing this evidence as such information is relevant for the court to determine to what degree, if at all, the plaintiff's need for mental health services was caused by his initial accident with the defendant or if the plaintiff's mental and emotional distress could have been caused, in part or in whole, by the plaintiff's additional vehicle citation. The Court determined that the motor vehicle citation could have been a substantial factor in causing the plaintiff's distress as when he was given the citation he was on probation and in a child custody battle, both of which would be detrimentally impacted by the citation and could have exacerbated the plaintiff's mental and emotional distress. As the citation was relevant to the plaintiff's claim, the Court determined that the trial court did not abuse its discretion in allowing it to be presented as evidence.

The Appellate Court therefore affirmed the ruling of the lower court.