

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

**ADMINISTRATIVE ORDER NO. 2008-2**

**RE: “Gap Kids”**

Pursuant to § 8-2-4 of the General Laws (1997 Reenactment), in the interest of judicial economy and in order to maintain the status quo in those cases filed in the Superior Court where the alleged criminal conduct was committed between July 1, 2007 and November 8, 2007 by one who was seventeen years of age (“gap kids”), said cases shall not be assigned for trial until the Honorable Supreme Court acts on the State’s appeal from the decision of Mr. Justice Procaccini filed on February 5, 2008 in State v. John Doe, PM 07-6114, and State v. Ryan Greenberg, P1/07-4070A, except:

1. where the Family Court, after hearing, waives any defendant who was age seventeen when the alleged offense was committed between July 1, 2007 and November 8, 2007, or
2. where a “gap kid” moves in the Superior Court for a speedy trial.

All other prosecutorial responsibilities as they relate to those affected individuals (“gap kids”) which includes, but is not limited to, arraigning defendants, addressing bail, setting conditions of release, and conducting bail violation hearings shall proceed in the Superior Court pursuant to the Superior Court Rules of Criminal Procedure. Motions challenging the jurisdiction of the Superior Court in cases involving “gap kids” shall be filed consistent with the Superior Court Rules of Criminal Procedure, but the hearing on said motions shall be deferred until the Honorable Supreme Court acts on the State’s appeal in State v. John Doe, PM 07-6114, and State v. Ryan Greenberg, P1/07-4070A.

BY ORDER OF:

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JOSEPH F. RODGERS, JR.  
PRESIDING JUSTICE

DATED: February 13, 2008

