

Supreme Court

No. 2006-307-M.P.
(PC-2006-5906)

Allan W. Fung :
v. :
Rhode Island Board of Elections, et al. :

ORDER

This case came before the Supreme Court, sitting in conference, on the Rhode Island Board of Elections' petition for writ of certiorari and motion to stay the order rendered by the Superior Court on November 14, 2006 and entered on November 17, 2006. On November 20, 2006, the plaintiff filed an objection to the Board of Elections' motion to stay, as well as a cross-petition for issuance of writ of certiorari.

After considering the memoranda and papers filed by the parties, the Court directs that the following Order shall enter:

1. The motion to stay filed by the Rhode Island Board of Elections is hereby denied, and the Board is directed to comply with the provisions of the Superior Court Order entered on November 17, 2006.
2. The petition and cross-petition for writ of certiorari filed by the Rhode Island Board of Elections and by plaintiff are deemed to be premature and are both denied without prejudice.

Justice Flaherty did not participate.

Entered as an Order of this Court this 20th day of November, 2006.

By Order,

s/s

Clerk