

No. 2014-22-Appeal.
(WC-12-0093)

ORDER

Several months after judgment was entered in its favor in this case, the plaintiff filed a motion to issue execution, which was denied by an order entered on August 2, 2013. The plaintiff then filed a motion for reconsideration which was denied by an order entered on

September 17, 2013. The plaintiff filed a notice of appeal on October 16, 2013. The plaintiff's appeal from the order denying its motion to issue execution is clearly untimely.

Even if the appeal period were considered to begin running upon entry of the order denying the plaintiff's motion for reconsideration, the appeal would have been untimely. Nevertheless, we again caution that motions to reconsider do not serve as a substitute for a party's failure to file a timely appeal. See Turacova v. DeThomas, 45 A.3d 509, 515 (R.I. 2012) (citing Gray v. Stillman White Co., 522 A.2d 737, 740 (R.I. 1987)).

Accordingly, the plaintiff's appeal is denied and dismissed.

Entered as an Order of this Court on this 5th day of November, 2014.

By Order,

_____/s/
Clerk



RHODE ISLAND SUPREME COURT CLERK'S OFFICE

Clerk's Office Order/Opinion Cover Sheet

TITLE OF CASE: City National Bank et al. v. Main and West, LLC, et al.

CASE NO: No. 2014-22-Appeal.
(WC-12-0093)

COURT: Supreme Court

DATE ORDER FILED: November 5, 2014

JUSTICES: Suttell, C.J., Goldberg, Flaherty, Robinson, and Indeglia, JJ.

WRITTEN BY: N/A – Court Order

SOURCE OF APPEAL: Washington County Superior Court

JUDGE FROM LOWER COURT:

Associate Justice Kristin E. Rodgers

ATTORNEYS ON APPEAL:

For Plaintiff: Andrew Bilodeau, Esq.

For Defendant: John B. Ennis, Esq.