

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CRANSTON, RITT

RHODE ISLAND TRAFFIC TRIBUNAL

STATE OF RHODE ISLAND

v.

PHILIP J. CASEY

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**C.A. No. T17-0012
16001524665**

Consolidated with

STATE OF RHODE ISLAND

v.

RYAN P. GENSEL

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**C.A. No. T17-0013
16001524668**

AMENDED DECISION

PER CURIAM: This Panel amends its Decision, filed July 13, 2018, in the above-entitled case, to omit the following footnote which was included in the Decision:

On page 9, after the sentence—“According to Appellants, prior to their trial, the court heard a separate trial involving citations issued to the other motorcyclists that were charged with the same violation.”—this footnote, numbered 2, is hereby omitted:

It is noteworthy that Appellants have not provided a transcript of the other trial that they claim binds this Panel’s decision. Our Supreme Court has made clear that “[t]he deliberate decision to prosecute an appeal without providing the Court with a transcript of the proceedings in the trial court is risky business. Unless the appeal is limited to a challenge to rulings of law that appear sufficiently on the record and the party accepts the findings of the trial justice as correct, the appeal must fail.” 731 Airport Assocs. v. H & M Realty Assocs., LLC ex rel. Leef, 799 A.2d 279, 282 (R.I. 2002).

The Decision included the above footnote in error. It shall be noted that the Panel not only received the transcript referred to in the above footnote, but also thoroughly reviewed and considered said transcript in rendering the Decision.

This Amended Decision will be attached to the Decision, which was filed on July 13, 2018. The Decision, filed on July 13, 2018, remains the same in all other respects.

ENTERED:

Chief Magistrate Domenic A. DiSandro, III (Chair)

Administrative Magistrate Joseph A. Abbate

Associate Judge Edward C. Parker

DATE: _____