

**STATE OF RHODE ISLAND
PROVIDENCE, Sc.**

**DISTRICT COURT
SIXTH DIVISION**

ReGena Johnson :
 :
v. : **A.A. No. 2025 - 054**
 :
City of Pawtucket :
(RITT Appeals Panel) :

ORDER

This matter is before the Court pursuant to § 8-8-8.1 of the General Laws for review of the Findings and Recommendations of the Magistrate.

After a de novo review of the record and the memoranda of counsel, the Court finds that the Findings & Recommendations of the Magistrate are supported by the record, and are an appropriate disposition of the facts and the law applicable thereto.

It is, therefore, ORDERED, ADJUDGED AND DECREED,
that the Findings and Recommendations of the Magistrate are adopted by reference as the Decision of the Court and the decision of the Appeals Panel is AFFIRMED.

Entered as an Order of this Court at Providence on this 30th day of January, 2026.

Enter:

_____/s/
Jeanne E. LaFazia
Chief Judge

By Order:

_____/s/
Jamie Hainsworth
Chief Clerk

ReGena Johnson :
 :
v. : **A.A. No. 2025-054**
 : **(M24-007)**
City of Pawtucket : **(24-408-502260)**
(RITT Appeals Panel) :

FINDINGS & RECOMMENDATIONS

Ippolito, M. On April 12, 2024, a member of the Pawtucket Police Department cited Ms. ReGena Johnson (who shall also be identified as “the Motorist”) for a civil traffic violation — Speeding, as prohibited by G.L. 1956 § 31-14-2. The case proceeded to trial on November 8, 2024, before a judge of the Pawtucket Municipal Court, who sustained the charge. After her initial appeal to the Appeals Panel of the Traffic Tribunal proved unsuccessful, Ms. Johnson now seeks relief from this Court, which is vested with jurisdiction to hear appeals from decisions of the Panel by G.L. 1956 § 31-41.1-9.

This matter has been referred to me for the making of findings and recommendations pursuant to G.L. 1956 § 8-8-8.1. On August 7, 2025, a briefing schedule was set by the Court, with Ms. Johnson’s memorandum due on September 29, 2025, and the City’s response due on October 29, 2025. While the City’s memorandum was received when due, Appellant’s was not. Thereafter, she filed, not a memorandum, but a document which was styled an “Affidavit of Truth,” which shall be discussed in due course *infra*.

Accordingly, the Court shall proceed to decide the matter without further delay, on the basis of the record which has been transmitted by the agency to this Court.¹

Applying the standard of review found in G.L. 1956 § 31-41.1-9(d), I have concluded that Appellant’s adjudication on the speeding charge was supported by competent evidence of record and the applicable law. I must therefore recommend that the decision rendered by the Appeals Panel in Ms. Johnson’s case be AFFIRMED.

I

Facts and Travel of the Case

A

The Incident and Proceedings Before the Municipal Court

On April 12, 2024, at about 5:10 p.m., Officer Carolyn Whalen (who shall also be referred to as “the Officer” or “the Patrolwoman”) of the Pawtucket Police Department was assigned to a traffic post at the intersection of School Street and Rosewood Street to perform traffic enforcement.² During that assignment she was using a handheld LIDAR device³ which had passed its self-diagnosis internal calibration prior to the start of her shift.⁴ While employing the LIDAR device, Officer Whalen obtained a speed reading of 42 miles per hour on a white Infiniti QX50 automobile, bearing Connecticut registration BL56124 in a 25 miles-per-hour zone.⁵ The vehicle was stopped and the operator, identified as ReGena Johnson, was issued a citation, summons number 24-408-502260, citing her with speeding, in violation of G.L. 1956 § 31-14-2.⁶

¹ See *Electronic Docket Entry* — 09/29/2025 Appellant Brief Scheduled.

² *Dec. of Appeals Panel*, at 1 (citing *Trial Tr.* at 5).

³ During the trial, Officer Whalen explained that the LIDAR device determines the speed of a vehicle by emitting a laser beam. *Trial Tr.* at 6.

⁴ *Dec. of Appeals Panel*, at 1 (citing *Trial Tr.* at 5).

⁵ *Id.* at 1-2 (citing *Trial Tr.* at 5).

⁶ *Id.* at 2 (citing *Trial Tr.* at 5). The summons may be found on page 56 of the electronic record attached to this case.

At trial, Officer Whalen testified in a manner consistent with the foregoing narrative. She also testified regarding her training in the use of LIDAR, the functioning and calibration of the device, and her observations of Ms. Johnson's vehicle. On cross-examination by the Motorist, the Officer also testified that when the vehicle in question passed by her, she was sitting in her police vehicle with another officer; when it passed, she pointed the LIDAR device at the front of the white Infiniti. *Trial Tr.* at 8. The Officer stated that the traffic on School Street was light when the vehicle passed her at about 5:00 to 5:10 p.m. *Id.* at 10-11. At this juncture, the Motorist gave her opinion that the traffic at that time was heavy. *Id.* at 11. She also suggested that there are many things that may interfere with the LIDAR reading, particularly in heavy traffic. *Id.* She also suggested that the laser gun may have done a misreading, due to foreign items affecting the lens. *Id.* at 12-13. When asked to respond to this hypothesis, Officer Whalen stated that she pointed the LIDAR at Ms. Johnson's vehicle, and she received the reading. *Id.* at 13.

Based on this testimony, the Trial Judge found Ms. Johnson guilty of speeding, in violation of G.L. 1956 § 31-14-2.⁷ The Motorist then filed an appeal to the Appeals Panel of the Traffic Tribunal.⁸

B

The Decision of the Appeals Panel

On May 21, 2025, oral arguments in the case were heard by an Appeals Panel composed of Magistrate DiChiro (Chair), Magistrate Abilheira, and Magistrate Welch.⁹ In its decision, which was published on July 16, 2025,¹⁰ the Panel addressed three issues: (a) whether the *laser* device reading was properly admitted into evidence in conformity with

⁷ *Dec. of Appeals Panel*, at 2 (citing *Trial Tr.* at 14).

⁸ *Dec. of Appeals Panel*, at 2 (citing *Trial Tr.* at 15).

⁹ *Dec. of Appeals Panel*, at 1.

¹⁰ *Dec. of Appeals Panel*, at 7.

the guidance set down by our Supreme Court fifty years ago in a case relating to the admissibility of *radar* speed readings;¹¹ (b) determinations of credibility;¹² and (c) failure to invoke the good driving record statute.¹³

1

The Admissibility of the Radar Speed Readings

In the first instance, the Panel reviewed the propriety of the admission into evidence of the speed reading produced by the LIDAR device used by Officer Whalen; it did so by setting forth the rule in *Sprague*, which provides that radar device readings are only admissible upon proof that (a) the device was in proper working order, (b) that the officer the had the training and was qualified to use the device, and (c) the device was used in accordance with the training received by the officer.¹⁴ The Appeals Panel then declared that all three prongs of the *Sprague* test were satisfied by Officer Whalen’s testimony.¹⁵

Addressing the *first* prong of the rule in *Sprague*, the Panel noted that the Officer’s provided testimony indicating that the LIDAR device “had successfully completed and passed its internal self-check” before the start of her shift.¹⁶ She also testified that the LIDAR is calibrated before and after each shift to ensure proper functioning.¹⁷ Regarding the *second* prong of the *Sprague* test, the Appeals Panel observed that the Officer testified that she received training in the use of LIDAR devices during her time at the Rhode Island

¹¹ *Dec. of Appeals Panel*, at 4-5 (discussing *State v. Sprague*, 113 R.I. 351, 322 A.2d 36 (1974)).

¹² *Dec. of Appeals Panel*, at 5.

¹³ *Dec. of Appeals Panel*, at 6.

¹⁴ *Dec. of Appeals Panel*, at 4. Perhaps the most important lesson the *Sprague* decision teaches is that it is a rule regarding the *admissibility* of radar evidence, not a determination of the weight to be accorded radar evidence, nor does it constitute a judicially added element of proof. 113 R.I. at 355, 322 A.2d at 39.

¹⁵ *Id.*

¹⁶ *Id.* (citing *Trial Tr.* at 5).

¹⁷ *Id.* (citing *Trial Tr.* at 10).

Municipal Police Training Academy.¹⁸ She also testified that she was certified in its use, though she did not bring her certification to Court.¹⁹ Turning to the *third* and final prong of the *Sprague* test, the Appeals Panel quoted the Officer's testimony that she pointed the LIDAR device at the front of Appellant's vehicle and no other.²⁰

And so, based on the Officer's testimony, the Appeals Panel found all three prongs of the *Sprague* test were satisfied; consequently, the LIDAR results were found to have been properly admitted.²¹

2

Credibility

Under the heading of "Determinations of Credibility" the Appeals Panel considered Ms. Johnson's assertion that the Trial Judge wrongly found the Officer's testimony, regarding the stop generally and the operation of the LIDAR device, to be persuasive and credible.²² Commencing its analysis on this issue, the Panel explained that it lacks the authority to evaluate the Officer's credibility or to substitute its judgment for that of the Trial Judge.²³ This rule is predicated on the assumption that the trial judge or magistrate, "who has the opportunity to observe witnesses and evidence firsthand, is in the best position to assess credibility."²⁴ The Panel further noted that it may not disturb a Trial Judge's findings unless those findings are clearly erroneous or unsupported by the record.²⁵

¹⁸ *Dec. of Appeals Panel*, at 4 (citing *Trial Tr.* at 5).

¹⁹ *Id.* at 4. Here the Court noted that live testimony regarding training is sufficient in the absence of contrary evidence. *Id.* (citing *Link v. State*, 633 A.2d 1345, 1348 (R.I. 1993)).

²⁰ *Id.* at 5. (citing *Trial Tr.* at 5, 9, and 13).

²¹ *Dec. of Appeals Panel*, at 5.

²² *Dec. of Appeals Panel*, at 5 (citing *Trial Tr.* at 14).

²³ *Dec. of Appeals Panel*, at 5 (citing *Link, supra*, 633 A.2d at 1348, and G.L. 1956 § 31-41.1-8(f)).

²⁴ *Dec. of Appeals Panel*, at 5 (citing *Liberty Mut. Ins. Co. v. Janes*, 586 A.2d 536, 537 (R.I.1991)).

²⁵ *Dec. of Appeals Panel*, at 5 (citing *Link, supra*, 633 A.2d at 1348).

In sustaining the Trial Judge’s findings, the Panel noted that the Motorist’s defense mainly consisted of speculation regarding potential interference in the operation of the device and interference from nearby vehicles; but no evidence was offered to support such theories.²⁶ And so, the Panel concluded that it was unable to find that the Appellant showed that the Trial Judge’s findings were clearly erroneous or unsupported on the record; and so, his findings were not stricken.

3

Good Driving Record

The Appeals Panel also addressed Ms. Johnson’s disappointment that the case was not handled under the Good Driving Record statute — G.L. 1956 § 31-41.1-7(c).²⁷

The Panel explained that the use of the statute is not automatic, but must be requested.²⁸ The Panel also stated that Ms. Johnson was given the opportunity to invoke the statute, but declined to do so.²⁹ As a result, it found no error on the part of the Municipal Court in its handling of the case with reference to the Good Driving Record statute.³⁰

As a result of its rulings on each of the foregoing issues, the Appeals Panel affirmed Ms. Johnson’s conviction on the charge of speeding.³¹ Thereafter, the Motorist filed a timely appeal.

²⁶ *Dec. of Appeals Panel*, at 5 (citing *Trial Tr.* at 10, 11, and 13).

²⁷ *Dec. of Appeals Panel*, at 6.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Dec. of Appeals Panel*, at 7.

II Standard of Review

The standard of review which must be employed when this Court when hearing appeals from the Traffic Tribunal Appeals Panel is set forth in G.L. 1956 § 31-41.1.-9(d), which states:

(d) *Standard of review.* The judge of the district court shall not substitute his or her judgment for that of the appeals panel as to the weight of the evidence on questions of fact. The district court judge may affirm the decision of the appeals panel, or may remand the case for further proceedings or reverse or modify the decision if the substantial rights of the appellant have been prejudicial because the appeals panel's findings, inferences, conclusions or decisions are:

- (1) In violation of constitutional or statutory provisions;
- (2) In excess of the statutory authority of the appeals panel;
- (3) Made upon unlawful procedure;
- (4) Affected by other error of law;
- (5) Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- (6) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

This provision is identical to the standard of review found in the Administrative Procedures Act, G.L. 1956 § 42-35-15(g); therefore, we can rely on cases interpreting that standard as guideposts in this process. Under that standard, the District Court “may not substitute its judgment for that of the agency and must affirm the decision of the agency unless its findings are ‘clearly erroneous.’”³² And, reviewing courts lack “the authority to assess witness credibility or to substitute its judgment for that of the hearing judge concerning the weight of the evidence on questions of fact.”³³ This Court’s review “... is confined to a reading of the record to determine whether the judge’s decision is supported by legally competent evidence or is affected by an error of law.”³⁴

³² *Guarino v. Dep’t of Social Welfare*, 122 R.I. 583, 584, 410 A.2d 425 (1980) .

³³ *Link, ante*, 633 A.2d at 1348 (citing *Liberty Mut. Ins. Co. v. Janes*, 586 A.2d 536, 537 (R.I. 1991)).

³⁴ *Id.* at 1348 (citing *Environmental Science Corp. v. Durfee*, 621 A.2d 200, 208 (R.I. 1993)).

III
Analysis
A
The Law Regarding the Proof of Speeding by Radar and Other Devices
1
Generally

The device most frequently used by police to determine the speed of vehicles travelling on our streets, roads, and highways is the radar *speedmeter*.³⁵ When, in the 1950s, law enforcement officers were supplied with radar speed detection devices, and put them to use, the admissibility of radar readings was disputed in courtrooms across America by defendant-motorists. To work through these issues, several courts employed a three-part test (for the admissibility of testimony based on scientific instruments) which had been set forth in 1937 by America’s preeminent scholar of evidence, Professor John H. Wigmore, which stated:

A. The type of apparatus purporting to be constructed on scientific principles must be accepted as dependable for the proposed purpose by the profession concerned in that branch of science or its related art. This can be evidence by qualified expert testimony; or, if notorious, it will be judicially noticed by the judge without evidence.

B. The particular apparatus used by the witness must be one constructed according to an accepted type and must be in good condition for accurate work. This may be evidenced by a qualified expert.

C. The witness using the apparatus as the source of his testimony must be one qualified for its use by training and experience.³⁶

³⁵ 3 Barbara E. Bergman, WHARTON’S CRIMINAL EVIDENCE at § 13:61 (15th ed. March 2023 Update).
1 Robert E. Mosteller, MCCORMICK ON EVIDENCE, § 204.3 *Physics and Electronics: Speed Detection and Recording — Radar* (8th ed. July 2022 Update).

³⁶ *City of E. Cleveland v. Ferrell*, 168 Ohio St. 298, 301, 154 N.E. 2d 630, 632 (1958) (quoting J. H. Wigmore, *The Science of Judicial Proof*, § 220 at 450 (3rd ed. 1937)). See also *State v. Ahern*, 122 N.H. 744, 745, 449 A.2d 1224, 1225 (1982). In any event, in revised form, this test has become a part of the jurisprudential firmament in this area of the law. See Thomas J. Goger, ANNOT., *Proof, By Radar or Other Mech. or Elec. Devices, of Violation of Speed Regulations*, 47 A.L.R.3d 822, § 2[a] (1973) (substituting, under paragraph A, the *Daubert v. Merrill Dow Pharm.*, 509 U.S. 579, 113 S.Ct. 2786 (1993) standard of *reliability* in lieu of the *Frye v. United States*, 293 F. 1013 (D.C. App. 1923) standard

Naturally, the first prong of the test (establishing the acceptance of the dependability of the underlying science of the device for the proposed purpose) was the first one addressed. But, it was not long before courts began to take judicial notice of the soundness of the scientific principles upon which radar devices operate and the ability of radar devices to detect the speed of vehicles with sufficient accuracy; as a result, prosecutors were relieved of the duty to present expert testimony in support of the technology.³⁷ Over the past seventy years, evidence from speed-detecting radar devices has been ruled to be admissible in virtually all states.

More recently, speed detection devices based on laser technology have also been accepted in American courts.³⁸ Analogizing to radar cases, Courts have generally found laser device readings to be admissible.³⁹

2

In Rhode Island

No Rhode Island Supreme Court cases have yet addressed the issue of the admissibility of readings from laser-based speed detection devices. And, though decided fifty years ago, *State v. Sprague* remains the entire corpus of the Rhode Island Supreme Court's teaching regarding the admissibility of readings taken from radar speed detection

of professional acceptance).

³⁷ See *State v. Dantonio*, 18 N.J. 570, 115 A.2d 35, 40 (1955); *People v. Magri*, 3 N.Y.2d 562, 170 N.Y.S.2d 335, 147 N.E.2d 728, 730 (1958); *Ferrell, ante*, 168 Ohio St. at 303, 154 N.E. 2d at 633; and *Everight, ante*, 230 Ark. at 697, 326 S.W.2d at 797. And see 1 MCCORMICK ON EVIDENCE § 204.3 and 8 Am.Jur.2d *Automobiles* § 947.

³⁸ See 1 Robert E. Mosteller, MCCORMICK ON EVIDENCE, § 204.4 *Physics and Electronics: Speed Detection and Recording — Laser Pulses* (9th ed. February 2025 Update); see also Thomas J. Goger, ANNOT., *Proof, By Radar or Other Mech. or Elec. Devices, of Violation of Speed Regulations*, 47 A.L.R.3d 822, § 20, *Miscellaneous Devices* (1973).

³⁹ E.g. *State v. Macedo Soares*, 190 Vt. 549, 26 A.3d 37, 39-40 (2011) and *State v. Williamson*, 144 Idaho 597, 166 P.3d 387, 389-91 (2007).

devices.⁴⁰ Nevertheless, it has much to teach us. *First*, the decision implicitly recognizes radar speedmeters to be reliable, though no expert testimony had been received on that subject nor was judicial notice taken on that point.⁴¹ *Second*, the Supreme Court affirmed the trial judge’s admission of the radar speed reading even though only one tuning-fork test was performed and the tuning fork used had not, itself, been tested.⁴² *Third*, the rule of the case is perceived to be that radar speed readings are admissible upon proof of (a) the training and experience of the citing officer in the use of such devices, and (b) the accuracy (or operational efficiency) of the instrument as shown by testing within a reasonable time and by an appropriate method.⁴³

B

Resolution of the Instant Case

At the outset, it must be noted that the trial transcript reveals that Ms. Johnson did not object to the Trial Judge’s admission of the LIDAR device’s reading of the speed she was traveling on School Street in Pawtucket on April 12, 2024. Therefore, this Court can find no error in its *admission*.⁴⁴

Of course, Ms. Johnson adamantly challenged the *accuracy* of those readings. In this regard she argued that there could have been interference with the signal

⁴⁰ *Sprague*, 113 R.I. at 357, 322 A.2d at 39-40.

⁴¹ *Sprague*, 113 R.I. at 356, 322 A.2d at 39.

⁴² *Sprague*, 113 R.I. at 357, 322 A.2d at 39-40. Whether instruments used to test the accuracy of radar devices must themselves be tested for accuracy is an issue that has been much litigated. *See* Goger, *ante*, 47 A.L.R.3d 822, at § 7[d]. According to Goger, “[m]any, but not all of these cases have ruled that proof of the accuracy of the testing apparatus is a necessary prerequisite to proof of the accuracy of the radar unit.” *Id.* Thus, when compared with the holdings of many other state courts of ultimate jurisdiction, *Sprague* must be categorized as being among the least demanding regarding proof of speedmeter accuracy. *Id.*

⁴³ Perhaps the most important thing the *Sprague* decision teaches us is that it is a rule regarding the *admissibility* of radar evidence, not a determination of the weight to be accorded radar evidence; nor does it constitute a judicially added element of proof. 113 R.I. at 355, 322 A.2d at 39.

⁴⁴ Of course, the Appeals Panel did address the issue of admissibility in its decision, finding that the elements of the *Sprague* test had been satisfied. *See Dec. of Appeals Panel*, at 4-5.

due to the level of traffic, which she described as heavy. *Trial Tr.* at 11-12. However, in deciding to credit the speed reading, the Trial Judge was entitled to rely on Officer Whalen’s testimony that she was trained in the use of the hand-held LIDAR device at the Municipal Police Training Academy, that the device was calibrated for accuracy prior to her shift, and that the LIDAR device was pointed at the front of Ms. Johnson’s vehicle. *Trial Tr.* at 5-6, 8-9. This testimony was certainly competent evidence upon which the Trial Judge, as the finder of fact, had very right to rely. Endeavoring to oppose this testimony, Ms. Johnson raised a number of factors which, according to her, can cause false readings on the laser device. *Id.* at 11-12. But no testimony was presented to turn these matters of speculation into concrete concerns.⁴⁵ As a result, this Court is unable to find that the Appeals Court erred in finding the Officer’s testimony to be credible — giving, as we must, due deference to the findings made by the Trial Judge of the Pawtucket Municipal Court.

And so, based on the trial record taken as a whole, the Appeals Panel could certainly find the testimony by the Officer on behalf of the City was sufficiently credible to support the municipal court’s verdict that Appellant violated § 31-14-2 to the standard of clear and convincing evidence, given that this Court is *required* to accept the findings of the trial court, unless they are clearly erroneous. *See* § 31-41.1.-9(d)(5).

C

Appellant’s “Affidavit of Truth”

As stated *supra*, Appellant filed, on November 13, 2025, what she titled an “Affidavit of Truth – To Be Entered into Record.” In it, Ms. Johnson proclaims herself to be “a living woman in the flesh and blood created by the Divine under Natural Law.” She

⁴⁵ Neither was any *expert* testimony verifying that the matters she raised were scientifically valid.

adds that she holds “unalienable rights granted by the Creator.” As such, she denies that this Court (and presumably the Pawtucket Municipal Court and the Appeals Panel of the Traffic Tribunal) has jurisdiction over her; and, she declares that she has not consented to such jurisdiction. Consequently, she suggests that the instant matter should be dismissed.

This argument, while confidently stated, is without merit.⁴⁶

In *State v. Garvin*, 945 A.2d 821 (R.I. 2008), our Supreme Court rejected a similar argument by an appellant who claimed status as a “sovereign state citizen” and that, consequently, he was immune from traffic regulation under the Ninth Amendment to the United States Constitution. *Garvin*, 945 A.2d 822-24.⁴⁷ In *Garvin*, the Court cited its previous ruling that “the right to operate a motor vehicle on the public highways is not a fundamental right” *Garvin*, 945 A.2d 823 (quoting *Allard v. Dept. of Transportation*, 609 A.2d 930, 937 (R.I.1992) (citing *Berberian v. Petit*, 118 R.I. 448, 455 n.9, 374 A.2d 791, 794 n.9 (1977))). And it reminded us that “the right to use the public highways for travel by motor vehicles is one which properly can be regulated by the [L]egislature in the valid exercise of the police power of the state.” *Garvin*, 945 A.2d 823-24 (quoting *Berberian v. Lussier*, 87 R.I. 226, 231-32, 139 A.2d 869, 872 (1958)). Accordingly, it rejected Mr. Garvin’s argument that he was not subject to Rhode Island’s traffic laws.⁴⁸

⁴⁶ It must be stated that it is not this Court’s duty to assemble an effective argument from the comments made by Appellant. See *Tworog v. Tworog*, 140 A.3d 159, 160 (R.I. 2016) (Mem.); *McMahon v. Deutsche Bank Nat. Trust Co.*, 131 A.3d 175, 176 (R.I. 2016) (Mem.). We also note that Appellant cited no legal authority in support of her jurisdictional claim.

⁴⁷ The specific issue under review in *Garvin* was whether the Appellant was subject to the mandate that operators of motor vehicles be licensed. His conviction for operating without a license under G.L. 1956 § 31-11-18 was upheld. 945 A.2d 824.

⁴⁸ The Supreme Court cited its ruling in *Garvin* two years later in *State v. Kowal*, 8 A.3d 1036 (R.I. 2010) (Mem). Mr. Kowal’s argument that the Superior Court lacked jurisdiction to try him on a charge of operating without a license under G.L. 1956 § 31-11-18 was upheld, based on the Appellant’s “vague religiously oriented argument.” *Kowal*, 8 A.3d at 1037.

Since this Court is bound to follow the rulings of the Supreme Court whenever they are relevant to an issue pending before us, this Court must reject Ms. Johnson's jurisdictional argument.

IV
Conclusion

I recommend that this Court find that the decision rendered by the Appeals Panel ought to be affirmed. The Panel's adjudication was supported by competent evidence and not legally erroneous insofar as it affirmed the Trial Judge's verdict on the charge of speeding, based on the laser reading that was presented to the Court by the Officer, since it constituted competent evidence that she was speeding.

Accordingly, I find that the decision of the Appeals Panel is not clearly erroneous in the view of the reliable, probative, and substantial evidence of record; nor is it contrary to law or made upon an unlawful procedure. G.L. 1956 § 31-41.1-9(d)(3)-(5). Neither is it characterized by an abuse of discretion or a clearly unwarranted exercise of discretion. And, for the reasons stated, I must also reject Appellant's jurisdictional argument. I therefore recommend that the decision that the Traffic Tribunal Appeals Panel rendered in this matter be **AFFIRMED**.

/s/
Joseph P. Ippolito
MAGISTRATE
JANUARY 30, 2026

