

STATE OF RHODE ISLAND
RHODE ISLAND TRAFFIC TRIBUNAL

STATE OF RHODE ISLAND	:	
	:	
v.	:	C.A. No. T25-0023
	:	25406501769
	:	
KEONNIA GRANT	:	

DECISION

PER CURIAM: Before this Panel on April 1, 2026—Administrative Magistrate DiChiro (Chair), Chief Magistrate DiSandro, and Magistrate Landroche—is the appeal of Keonnia Grant (Appellant) from a decision of Magistrate Welch of the Rhode Island Traffic Tribunal, denying the Appellant’s Motion to Vacate the charged violations of G.L. 1956 § 31-23.3-5(A) “Unlawful Installation of Sunscreen Material – First Offense”, G.L. 1956 § 31-47-9 “Operating M/V without Evidence of Insurance – First Offense”, and G.L. 1956 § 31-3-18 “Display of Registration Plates.” Appellant appeared *pro se* before this Panel. Jurisdiction is pursuant to G.L. 1956 § 31-41.1-8. For reasons set forth in this Decision, this Panel sustains the Magistrate’s decision denying her Motion to Vacate and Appellant’s appeal is denied.

I

Facts and Travel

On August 14, 2025, at 6:19 P.M., Appellant was lawfully stopped by Lincoln Police Officer Robert W. Morrissey (Officer Morrissey) on 373 Front St. in Lincoln, Rhode Island. On September 15, 2025, the initial hearing date noted in the traffic summons given to her by Officer Morrissey, Appellant she did not appear in court and a judgement by default was entered against her. Tr. 4: 14. The following month, on October 9, 2025, Appellant filed a motion to vacate with the Rhode Island Traffic Tribunal. *Id.* Appellant’s motion stated that her absence from the

September 15, 2025, hearing was due to her “not being aware of the court date and time.” *See* Tr. 4: 18.

On October 28, 2025, at Appellant’s motion hearing, Appellant stated that she never received the ticket (summons) from the officer who stopped her on August 14, 2025. However, the Trial Magistrate found that the ticket given in hand to Appellant on August 14, clearly stated that the date and time for Appellant to appear in court was September 15, 2025.

Further, the Traffic Tribunal contacted the Appellant’s insurance company to clarify whether the Appellant’s insurance was valid at the time of the infraction. *Id.* Per the Court staff’s conversations with Geico, records showed that the Appellant’s vehicle was “not insured” on August 14, despite Appellant’s claim in her motion that she was insured at the time of this traffic stop. *Id.* The Geico policy only became active again on September 25, 2025. *Id.* In light of the evidence that Appellant’s insurance was lapsed, and that her original hearing date was on the original summons handed to her at the traffic stop, but she failed to appear, Ms. Grant’s Motion to Vacate her default was denied. Appellant subsequently filed this appeal.

II

Standard of Review

Pursuant to § 31-41.1-8, the Appeals Panel of the Rhode Island Traffic Tribunal (RITT) possesses appellate jurisdiction to review an order of a judge or magistrate. Section 31 -41.1-8(f) provides in pertinent part:

“The appeals panel shall not substitute its judgment for that of the judge or magistrate as to the weight of the evidence on questions of fact. The appeals panel may affirm the decision of the judge or magistrate, or it may remand the case for further proceedings or reverse or modify the decision if the substantial rights of the appellant have been prejudiced because the judge’s findings, inferences, conclusions or decisions are:

- (1) In violation of constitutional or statutory provisions;

- (2) In excess of the statutory authority of the judge or magistrate;
- (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.”

In reviewing a hearing judge or magistrate’s decision pursuant to § 31-41.1-8, this Panel “lacks the authority to assess witness credibility or to substitute its judgment for that of the hearing judge [or magistrate] concerning the weight of the evidence on questions of fact.” *Link v. State*, 633 A.2d 1345, 1348 (R.I. 1993) (citing *Liberty Mut. Ins. Co. v. Janes*, 586 A.2d 536, 537 (R.I. 1991)). “The review of the appeals panel is confined to a reading of the record to determine whether the judge’s [or magistrate’s] decision is supported by legally competent evidence or is affected by an error of law.” *Id.* (citing *Envtl. Sci. Corp. v. Durfee*, 621 A.2d 200, 208 (R.I. 1993)). “In circumstances in which the appeals panel determines that the decision is ‘[c]learly erroneous in view of the reliable, probative, and substantial evidence on the whole record,’ or is affected by ‘error of law,’ it may remand, reverse, or modify the decision.” *Id.* “Otherwise, it must affirm the hearing judge’s [or magistrate’s] conclusions” on appeal. *Id.*; see *Janes*, 586 A.2d at 537.

III

Analysis

Appellant argues on appeal that the Trial Magistrate wrongly denied her Motion to Vacate. Specifically, in her Notice of Appeal Appellant contends that the Trial Magistrate wrongly “provided no confirmation from the officer on duty of the ticket date provided to Defendant and . . . the Judge stated I was not credible and believed the officer over me because he was law enforcement”, and that the matter of her insurance was not fully addressed. See Appellant’s Notice of Appeal.

Rule 20 of the Rhode Island Traffic Tribunal’s Rules and Procedures governs judicial relief from a judgement or order. Pursuant to Rule 20(a), “[t]he court may, upon motion or on its own initiative, relieve a party or a party’s legal representative from a judgement or order for . . . [m]istake, inadvertence, surprise, or excusable neglect.” However, it is “well established . . . that unexplained neglect, standing alone and without more . . . will not automatically excuse noncompliance with orderly procedural requirements.” *Santos v. D. Laikos, Inc.*, 139 A.3d 394, 398 (R.I. 2016) (quoting *Iddings v. McBurney*, 657 A.2d 550, 553 (R.I. 1995)).

The Rhode Island Supreme Court defines *excusable* neglect as

“[a] failure to take the proper steps at the proper time, not in consequence of the party’s own carelessness, inattention, or willful disregard of the process of the court, but in consequence of some unexpected or unavoidable hindrance or accident, or reliance on the care and vigilance of his counsel or on promises made by the adverse party,” *Pleasant Management, LLC v. Carrasco*, 960 A.2d 216, 224-5 (R.I. 2008) (quoting *Jacksonbay Builders, Inc. v. Azarmi*, 869 A.2d 580, 584 (R.I. 2005)).

Parties must “generally show that the circumstances that caused the party to miss a deadline were out of that part[ies] control” to establish excusable neglect. *Santos*, 139 A.3d at 399. Excusable neglect can be found when taking into account “all relevant circumstances surrounding the party’s omission.” *Pleasant Management, LLC*, 960 A.2d at 225. For excusable neglect to qualify for relief from judgment it needs to generally be conduct that a “reasonably prudent person would have taken under similar circumstances.” *Id.* Conduct to be considered includes whether the Appellant had reasonable control, the Appellant had acted in good faith, the reason for the error itself and the impact had on judicial proceedings. In this instant case the Magistrate hearing this Motion to Vacate found that Appellant’s Motion and her argument at the motion hearing failed to establish excusable neglect.

Appellant argues that she failed to appear for her arraignment because she was unaware of the date and time of the hearing. Tr. 4: 17–19. The Trial Magistrate denied the Motion to Vacate the default, finding that Appellant failed to establish that her non-appearance resulted from excusable neglect. *Id.* Specifically, the Trial Magistrate found that the summonses were personally served on Appellant at the time of the violations and that the date and time of the arraignment were clearly indicated on the summonses. *Id.*

“A motion to vacate a default judgement is addressed to the sound discretion of the trial justice and will not be disturbed absent a showing of abuse of discretion.” *Pirriouen v. Green*, 641 A.2d 1325, 1326 (R.I. 1993).

Further, Appellant’s argument on appeal and in her motion to vacate that she had valid insurance coverage for her automobile on August 14, 2025 is not supported by the evidence. *See* Appellant’s Notice of Appeal; *see also* Tr. 6: 23-27 Communications with Appellant’s insurance company confirmed the opposite, namely that her automobile insurance was *not* active on the date of the traffic stop. Therefore, the Panel is satisfied that the Magistrate hearing Appellant’s Motion to Vacate did not abuse his discretion in denying Appellant’s Motion to Vacate the default judgement.

IV

Conclusion

This Panel has reviewed the entire record in this matter. Having done so, the members of this Panel are satisfied that the Trial Magistrate's decision was neither clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record nor arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. Appellant failed to establish either excusable neglect for the default entered against her, no substantial rights of the Appellant have been prejudiced or a valid defense provided for the charged violations. Appellant's appeal of the denial of her Motion to Vacate a default is denied, and therefore, the original default judgement shall stand. Accordingly, Appellant's appeal is denied.

ENTERED:

_____/S/_____
Administrative Magistrate DiChiro (Chair)

_____/S/_____
Chief Magistrate DiSandro

_____/S/_____
Magistrate Landroche

DATE: Aug. 31, 2026