

(1977); see also Bassi v. Zoning Board of Review of Providence, 107 R.I. 702, 271 A.2d 210 (1970). “Neither the current statute, [G.L. 1956] § 45-24-69, nor its predecessor, § 45-24-20, provides for any appeal to the Supreme Court from a Superior Court judgment on an appeal from a decision of a zoning board of review.” Gabriele v. Rocchio, 665 A.2d 566, 566 (R.I. 1995). Because the plaintiff has filed a notice of appeal, rather than a petition for writ of certiorari, this matter is not properly before this court.

Accordingly, the plaintiff’s appeal is dismissed. The papers of the case may be remanded to the Superior Court.

Entered as an Order of this Court this *17th* day of *March, 2011*.

By Order,

_____/s/_____
Clerk



RHODE ISLAND SUPREME COURT CLERK'S OFFICE

Clerk's Office Order/Opinion Cover Sheet

TITLE OF CASE: Bellini Construction Co., Inc. v. Zoning Board of Review of the Town of Smithfield, et al.

CASE NO: No. 2010-69-Appeal.
(PC 02-7003)

COURT: Supreme Court

DATE ORDER FILED: March 17, 2011

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

WRITTEN BY: N/A – Court Order

SOURCE OF APPEAL: Providence County Superior Court

JUDGE FROM LOWER COURT:

Associate Justice Patricia A. Hurst

ATTORNEYS ON APPEAL:

For Plaintiff: John J. Kupa, Jr., Esq.

For Defendant: Edmund L. Alves, Jr., Esq.