

Supreme Court

No. 2018-78-Appeal.
(PM 18-30)

In re: Keven McKenna. :

ORDER

The respondent, Keven McKenna, states in a document filed with this Court entitled “McKenna’s Prebriefing Reinstatement of Appeal” that he is appealing from “his illegal arrest order * * * and his subsequent incarceration” at the Adult Correctional Institutions (ACI). He appears to be referring to his having been remanded to the ACI by a justice of the Providence County Superior Court on January 9, 2018 after that justice found him in civil contempt. That hearing justice found him in civil contempt due to his failure to have paid monies that were past due on sanctions imposed against him by the Superior Court, pursuant to Rule 11 of the Superior Court Rules of Civil Procedure, in several related cases in that court: PC-2005-4066, PC-2007-5153, PC-2007-3471, PC-2006-6481, PC-2006-5659, and PC-2006-0609. On January 9, 2018, the hearing justice remanded Mr. McKenna to the ACI until such time as he paid the monies owed. Mr. McKenna ultimately purged himself of the civil contempt on January 12, 2018, and he was released from custody.

This case came before the Supreme Court pursuant to an order directing the parties to appear and show cause why the issues raised in this appeal should not be summarily decided. After a close review of the record and careful consideration of the parties’ arguments (both

written and oral), we are satisfied that cause has not been shown and that this appeal may be decided at this time.

It is our opinion that Mr. McKenna's contentions in this case are not properly before this Court. On appeal, Mr. McKenna's only submission was the above-referenced document entitled "McKenna's Prebriefing Reinstatement of Appeal." In that document, there is absolutely no developed argument or explanation of any of the allegations raised therein. There is not a single citation to legal authority. There is not a single citation to the record. Moreover, Mr. McKenna inexplicably seeks judgment in the amount of one million dollars, which is certainly not within this Court's authority to award as regards the case with which we are presented. Consequently, it is our considered judgment that Mr. McKenna's contentions on appeal are not properly before us and have been waived. *See State v. Day*, 925 A.2d 962, 974 n.19 (R.I. 2007) ("A mere passing reference to an argument * * *, without meaningful elaboration, will not suffice to merit appellate review."); *Wilkinson v. State Crime Laboratory Commission*, 788 A.2d 1129, 1131 n.1 (R.I. 2002) ("Simply stating an issue for appellate review, without a meaningful discussion thereof or legal briefing of the issues, does not assist the Court in focusing on the legal questions raised, and therefore constitutes a waiver of that issue.").

What is more, Mr. McKenna conceded at oral argument before this Court that there was no issue in his case for this Court to adjudicate. Given that concession, there is clearly no need for us to do anything further. This case is over. *See Palazzo v. Alves*, 944 A.2d 144, 155 (R.I. 2008) ("There is nothing more to be said; this case is over.").

For the reasons set forth herein, Mr. McKenna's appeal is denied. The record may be remanded to the Superior Court.

Entered as an Order of this Court this 4th day of March, 2019.

By Order,

/s/
Clerk

SUPREME COURT – CLERK’S OFFICE

ORDER COVER SHEET

Title of Case	In re: Keven McKenna.
Case Number	No. 2018-78-Appeal. (PM 18-30)
Date Order Filed	March 4, 2019
Justices	Suttell, C.J., Goldberg, Flaherty, Robinson, and Indeglia, JJ.
Source of Appeal	Providence County Superior Court
Judicial Officer From Lower Court	Associate Justice Netti C. Vogel
Attorney(s) on Appeal	For State of Rhode Island: Katherine C. Sadeck Department of Attorney General Michael W. Field Department of Attorney General
	For Respondent: Keven McKenna, Pro Se