

2014 -- S 2541

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LC003993  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE IN PARTICULAR  
ACTIONS -- POST-CONVICTION REMEDY

Introduced By: Senators Lynch, and Lombardi

Date Introduced: February 27, 2014

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 10-9.1-9 of the General Laws in Chapter 10-9.1 entitled "Post  
2 Conviction Remedy" is hereby amended to read as follows:

3 **10-9.1-9. Appeal.** -- ~~A final judgment entered in a proceeding brought under this chapter~~  
4 ~~shall be appealable to the supreme court in the same manner and subject to the same requirements~~  
5 ~~as a final judgment in a civil action.~~ An aggrieved party may seek review of a final judgment  
6 entered in a proceeding brought under this chapter by filing a petition for writ of certiorari in  
7 accordance with the supreme court rules of appellate procedure within sixty (60) days of the entry  
8 of the final judgment.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE IN PARTICULAR  
ACTIONS -- POST-CONVICTION REMEDY

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1           This act would provide that supreme court review of final judgments in post-conviction  
2 relief proceedings be sought by the filing of a petition for writ of certiorari in accordance with the  
3 supreme court rules of appellate procedure within sixty (60) days of the entry of final judgment.

4           This act would take effect upon passage.

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