

2015 -- S 0516

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE IN PARTICULAR
ACTIONS

Introduced By: Senators Lombardi, McCaffrey, Lynch, and Archambault

Date Introduced: February 26, 2015

Referred To: Senate Judiciary

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

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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.

4 This act would take effect upon passage.

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