

SUPREME COURT OF RHODE ISLAND

State v. Robinson; State v. Palmer, Jr.; State v. Cabral; State v. Garden; State v. Barboza; State v. Furlano

972 A.2d 150 (R.I. 2009) · No. Nos. 2007-197-M.P., 2007-198-M.P., 2007-204-M.P., 2007-296-M.P., 2008-28-M.P., and 2008-116-M.P. · Decided June 11, 2009

SUMMARY

The Rhode Island Supreme Court reviewed consolidated certiorari petitions arising from motorists' refusal-to-submit-to-chemical-test charges. The Court held that the District Court lacked subject-matter jurisdiction to hear the State's appeal from the Traffic Tribunal appeals panel because the governing statute authorized an appeal by an aggrieved "person," a term that did not include the State. The Court quashed the District Court's order and did not reach the merits concerning the statutory penalty and notice requirements.

CASE DETAILS

COURT	Supreme Court of Rhode Island
WRITING FOR THE COURT	Justice Flaherty; Goldberg, Acting C.J.; Flaherty; Suttell; Williams, C.J. (ret.)
JURISDICTION	Rhode Island
DECIDED	June 11, 2009
DOCKET	Nos. 2007-197-M.P., 2007-198-M.P., 2007-204-M.P., 2007-296-M.P., 2008-28-M.P., and 2008-116-M.P.
DISPOSITION	quashed
PROCEDURAL POSTURE	The six motorists petitioned for writs of certiorari seeking review of a District Court order that reversed a Traffic Tribunal appeals-panel decision affirming dismissal of charges for refusing to submit to chemical testing. The Supreme Court issued the writs, consolidated the cases, and reviewed whether the District Court had subject-matter jurisdiction over the State's appeal.
STANDARD OF REVIEW	On certiorari, the Supreme Court reviews the record for error of law. Subject-matter jurisdiction is reviewed de novo.
PRECEDENTIAL VALUE	published precedential opinion

PARTIES

State of Rhode Island v. David Robinson, Robert Palmer, Jr., Christine Cabral, Marcos Garden, John Barboza, Armando Furlano

TOPICS

writ of certiorari

appellate jurisdiction

statutory interpretation

administrative law

criminal procedure

PRACTICE AREAS

appellate procedure

criminal procedure

administrative law

statutory interpretation

QUESTIONS PRESENTED

1. Whether the District Court had subject-matter jurisdiction to hear the State's appeal from the Traffic Tribunal appeals panel under General Laws § 31-41.1-9(a).
2. Whether Traffic Tribunal Rule 21(b) could independently confer jurisdiction on the District Court to hear the State's appeal.

HOLDINGS

1. Section 31-41.1-9(a) did not confer subject-matter jurisdiction on the District Court to hear the State's appeal because the statute authorized an appeal by an aggrieved "person," and the statutory definition of person did not include the State.
2. Traffic Tribunal Rule 21(b) could not expand the District Court's subject-matter jurisdiction because procedural rulemaking authority cannot enlarge jurisdiction that the General Assembly did not confer by statute.

KEY QUOTATIONS

"We cannot overlook the well-established principle that procedural rule-making authority may not be used to expand a court's jurisdiction." (158)

"Rule-making power allows courts to govern their internal matters; it does not allow a court to promulgate a rule that intrudes upon substantive legislative matters such as the expansion of the jurisdiction of the District Court." (159)

"Therefore, we hold that the District Court did not have subject-matter jurisdiction to hear the state's appeal." (159)

FACTUAL BACKGROUND

Six motorists were arrested on suspicion of operating vehicles under the influence and refused chemical testing after being advised of the refusal penalties then included on the police form. The form did not disclose a recently enacted \$200 assessment required by the refusal statute, and the State conceded that the motorists had not been informed of it. Traffic Tribunal magistrates dismissed the charges, and the appeals panel affirmed those dismissals.

PROCEDURAL HISTORY

Traffic Tribunal magistrates dismissed the refusal charges after finding that the motorists had not been informed of the newly enacted \$200 assessment penalty. The Traffic Tribunal appeals panel affirmed the dismissals. The State appealed to the District Court, which reversed and remanded with instructions to reinstate the charges while barring imposition of the uninformed assessment. The Supreme Court granted certiorari and quashed the District Court's order because the District Court lacked subject-matter jurisdiction.

DISPOSITION

quashed

REMAND INSTRUCTIONS

The order entered by the District Court was quashed, and the record was returned to that court. The Court did not reach the merits of the refusal charges or issue instructions concerning their disposition.

CASES CITED

- Levesque v. Rhode Island Department of Transportation, 626 A.2d 1286 (R.I. 1993)
- Crowe Countryside Realty Associates Co., LLC v. Novare Engineers, Inc., 891 A.2d 838, 840 (R.I. 2006)
- State v. Santiago, 799 A.2d 285, 287 (R.I. 2002)
- State v. Faria, 947 A.2d 863, 867 (R.I. 2008)
- Hometown Properties, Inc. v. Rhode Island Department of Environmental Management, 592 A.2d 841, 843 (R.I. 1991)
- Boucher v. McGovern, 639 A.2d 1369, 1373 (R.I. 1994)
- Newman v. Valleywood Associates, Inc., 874 A.2d 1286, 1288 (R.I. 2005)
- Zarrella v. Minnesota Mutual Life Insurance Co., 824 A.2d 1249, 1256 (R.I. 2003)
- Tyre v. Swain, 946 A.2d 1189, 1197 (R.I. 2008)
- State v. Byrnes, 456 A.2d 742, 744 (R.I. 1983)
- State v. Almonte, 644 A.2d 295, 300 (R.I. 1994)
- McCarthy v. Johnson, 574 A.2d 1229, 1232 (R.I. 1990)
- Such v. State, 950 A.2d 1150, 1155-56 (R.I. 2008)
- Brennan v. Kirby, 529 A.2d 633, 637 (R.I. 1987)
- Moore v. Ballard, 914 A.2d 487, 490 (R.I. 2007)
- Tonetti Enterprises, LLC v. Mendon Road Leasing Corp., 943 A.2d 1063, 1071 (R.I. 2008)
- Heal v. Heal, 762 A.2d 463, 467 (R.I. 2000)
- United States v. Sherwood, 312 U.S. 584, 589-90, 61 S. Ct. 767, 85 L. Ed. 1058 (1941)
- Dyer v. Keefe, 97 R.I. 418, 423, 198 A.2d 159, 162 (1964)
- Letendre v. Rhode Island Hospital Trust Co., 74 R.I. 276, 281-82, 60 A.2d 471, 474 (1948)

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