

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PROVIDENCE, SC. SUPERIOR COURT

MS

MATTHEW GILLETTE :

v. :

CA P 09-1842

DEAN ESSERMAN, in his capacity :
As Chief of Police of the City of :
Providence :

ORDER

This matter came before the Court on the Plaintiff's Complaint which sought a Writ of Mandamus or Alternate Relief. The Complaint was filed on or about March 31, 2009, together with a Memorandum of Law in support of the Complaint.

The Defendant Answered the Complaint, filed a responding Memorandum of Law, and a hearing on this matter was held on June 4, 2009. At this hearing there were two witnesses: the Plaintiff testified in support of his Complaint and the Defendant called Lt. Michael Correia of the Providence Police. Following the testimony argument was heard on June 4, 2009.

After consideration of the testimony, two exhibits submitted by the Plaintiff, and the respective arguments by counsel it is the decision of this Court and it is hereby:

ORDERED, ADJUDGED AND DECREED:

1. The Petition of the Plaintiff for a Writ of Mandamus is hereby GRANTED;
2. The Defendant is hereby ordered to receive, consider and review the "Application for License to Carry a Concealable Weapon" of the Plaintiff for a permit pursuant to RIGL § 11-47-11(a);
3. Counsel for Plaintiff and Defendant agree that the Defendant shall have 45 days from the date of this Order to establish policies and procedures for the consideration and review of Applications that are filed under RIGL §11-47-11(a); thereafter the consideration and

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review of the Plaintiff's Application shall take place within a reasonable time not to exceed 30 days;

4. Plaintiff may file the appropriate Motion for the Court to consider in a supplementary proceeding the awarding of attorney's fees and/or costs.

ENTER:

~~_____~~
SHERKIN
6/11/09

PER ORDER:

Mami Collins
Deputy Clerk I

Date:

6/11/09

Submitted by:

Jeffrey B. Pine

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