

Supreme Court

No. 13-55-M.P.

Jarren Gendreau :

v. :

Josue E. Canario, in his capacity as Chief of :
Police of the Bristol Police Department :

ORDER


This petition for common law writ of certiorari came before the Court in conference. The petitioner, Jarren Gendreau, seeks review of a decision of respondent Josue Canario, the Chief of Police of the Town of Bristol, denying petitioner's application for a license to carry a concealed weapon. In a letter communicating his decision to the petitioner, the respondent indicated only that he was denying petitioner's application for the latter's failure to meet the criteria outlined in the applicable statute, to wit, G.L.1956 (2002 Reenactment), §11-47-11(a). He did not discuss those criteria, nor did he make the necessary findings to support his determination that petitioner had failed to meet them. This Court has stated that its task when deciding a case on certiorari is "to discern whether any legally competent evidence supports the lower tribunal's decision and whether the decision[-] maker committed any reversible errors of law in the matter under review." *Pastore v. Samson*, 900 A.2d 1067, 1073 (R.I. 2006)(quoting *Cullen v. Town Council of Lincoln*, 850 A.2d 900, 903, R.I. 2004). However, the absence of findings to support the decision under review renders this task impossible.

Accordingly, after careful examination of the petition and the memoranda filed by counsel for the parties, the Court directs that the following Order shall enter:

1. The petition for writ of certiorari is granted. The respondent's decision denying petitioner's application for license to carry a concealed weapon is quashed.
2. The respondent is directed to issue a new decision on petitioner's application within ninety (90) days of the date of this Order and to set forth therein the findings and conclusions upon which the decision is based.
3. This Court shall retain jurisdiction of this matter, and the petitioner, if aggrieved by the respondent's decision, may invoke the Court's jurisdiction by filing an amended petition for writ of certiorari in this same docket within thirty (30) days of the issuance of respondent's decision. No additional filing fee will be required.

Entered as an Order of this Court this *18th* day of *September 2013*.

By Order,


Clerk