

After discussion with counsel and the City's further discussion with the Providence Police department, the parties agreed to a consented to reopening of the Appellant pending the full hearing scheduled for December 19, 2024. Therefore, the Department issued an order on November 26, 2024 memorializing the parties' agreement allowing the Appellant to reopen pending the Board's hearing on December 19, 2025.¹

On January 29, 2025, the Appellant informed the undersigned that a hearing had been held by the Board, and the matter had been taken under advisement, and no decision had been made yet. On March 4, 2025 and May 29, 2025, the Appellant informed the undersigned that no decision had yet been made by the Board, and the Appellant was operating under the Department's order without issue. On June 4, 2025, the Board indicated to the undersigned that a decision would be made on the stipulated facts. While the undersigned has not been informed of any decision made by the Board after its December, 2024 hearing, the Appellant's application to renew its Class BVX license for 2025 to 2026 was approved by the Board on November 13, 2025.² Therefore, based on the foregoing, the Appellant's appeal is dismissed.

Dated: December 1, 2025


Catherine R. Warren
Hearing Office

¹ See <https://dbr.ri.gov/municipal-liquor-appeals-under-3-7-21>.

² See <https://providenceri.iqm2.com/Citizens/FileOpen.aspx?Type=15&ID=12109&Inline=True> (minutes of November 13, 2025 Board meeting).

ORDER

I have read the Hearing Officer’s Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

 X ADOPT
 REJECT
 MODIFY

Dated: 12/02/2025



Elizabeth Kelleher Dwyer, Esquire
Director

NOTICE OF APPELLATE RIGHTS

THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this 3rd day of December, 2025 that a copy of the within Order and Notice of Appellate Rights were sent by email and first class mail, postage prepaid, to the following: James Smith, Esquire, City of Providence Law Department, 444 Westminster Street, Suite 220, Providence, R.I. 02903 and jimsmith@providenceri.gov, John C. Manni, Esquire, 1405 Plainfield Street, Johnston, R.I. 02919 and jmanni@1405lawoffices.com, and Louis A. DeSimone, Jr., Esquire and ldatty@gmail.com, 1554 Cranston Street, Cranston, R.I. 02920 and by electronic delivery to Pamela Toro, Esquire, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, R.I. 02920.

