

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ROBERT MCKINNEY
Petitioner

PM-2020-00444

v.

PATRICIA COYNE-FAGUE, in her capacity
as Director, Rhode Island Department of
Corrections
Respondent

STIPULATION

It is hereby agreed by and between the parties, by their undersigned counsel, that the following shall enter:

1. The parties agree to resolve the issue of Petitioner's eligibility for release to the community in accordance with the terms specified by the Rhode Island Parole Board without prejudice to any party's position on the methodology or propriety of calculation of sentence to determine eligibility to be considered for parole. Accordingly, nothing herein shall constitute an acknowledgment or concession by either party as to the methodology for parole eligibility to be utilized by the Department of Corrections.

2. Respondent agrees that Petitioner is now eligible for release to the community on the terms set forth by the Parole Board and without the need or requirement to serve additional time in the institution before such release to the community. Accordingly, Respondent shall not assert and hereby withdraws any objection to the Petitioner's parole to the community in accordance with the decision and terms set by the Parole Board.

3. Upon Petitioner's release to the community on parole, the parties shall enter a stipulation dismissing the above-captioned action with prejudice.

ROBERT MCKINNEY
By his attorneys,

/s/ Lisa S. Holley
Lisa S. Holley, Esq. (#6606)
Lisa Holley Law
536 Atwells Ave., 2nd Fl.
Providence, RI 02909
(401) 400-2850
lisa@lisaholleylaw.com

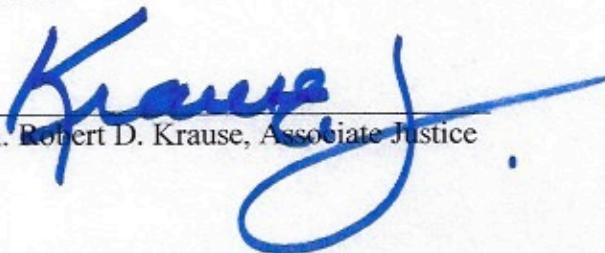
PATRICIA COYNE-FAGUE,
By her attorneys,

/s/Kathleen Kelly
Kathleen Kelly, Executive Counsel (#5501)
RI Department of Corrections
40 Howard Avenue
Cranston, Rhode Island 02920
401-462-2546
Kathleen.Kelly@doc.ri.gov

/s/ Lynette Labinger
Lynette Labinger (#1645)
128 Dorrance St., Box 710
(401) 465-9565
ll@labingerlaw.com
Cooperating counsel,
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF RHODE ISLAND

Dated: January 23, 2020

ENTER:


Hon. Robert D. Krause, Associate Justice

CERTIFICATE OF SERVICE

I hereby certify that, on January 23, 2020:

I electronically filed and served this document through the electronic filing system.

The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/s/ Lisa S. Holley