

Appeal rejected in drunken-driving case

09:22 AM EST on Wednesday, January 24, 2007

PROVIDENCE -- The state Supreme Court has rejected the appeal of Stephen Reise, who is serving a 14-year prison sentence for the drunken-driving deaths of 13-year-old Kaitlyn DeCubellis and her best friend's mother, Marsha Bowman, in 1999.

Reise had appealed for post-conviction relief based on what he said was new evidence: that Reise suffers from obstructive sleep apnea, a condition that disrupts normal sleep patterns.

The Oct. 29, 1999, crash on Route 4 in East Greenwich drew statewide attention and propelled the parents of DeCubellis to become two of the state's leading activists against drunken driving and substance abuse.

Stephen Reise pleaded no contest in 2000 to five counts of driving while intoxicated, two of which resulted in death and three of which resulted in serious bodily injury. He received a sentence of 14 years to serve followed by 15 years suspended, with probation.

Two hours after the crash, Reise's blood-alcohol level was still 0.13 -- well above the legal limit.

The Supreme Court decided that, "the fact that Mr. Reise suffered from Obstructive Sleep Apnea at the time of the accident is not the type of evidence that would probably change the verdict at trial.

"Even if Mr. Reise were able to prove that he suffered from Obstructive Sleep Apnea at the time of the collision □ we are nonetheless unable to perceive how, given his express acknowledgement of the truthfulness of the state's recital of fact, he can prove that this newly discovered evidence would change the verdict □ he was still legally intoxicated when he struck Marsha Bowman's vehicle."

With reports from projo.com staff writer Kate Bramson