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SJC-12851

TYRON CLINE vs. CAROLINA CLINE.

May 26, 2020.

Divorce and Separation, Child support. Supreme Judicial Court, Superintendence of inferior courts.

Tyron Cline (petitioner) appeals from a judgment of the county court. The case arises from a complaint for contempt filed in the Probate and Family Court by his former wife, who alleged that he refused to pay child support as required by their judgment of divorce.¹ The petitioner styled his petition as one seeking a writ of habeas corpus. Such relief is inapposite, as there is no indication that the petitioner is imprisoned or restrained of his liberty. G. L. c. 248, § 1. Even if we read his papers generously as seeking relief relating to his child support obligation or to the contempt proceeding, he has shown no basis for relief, nor has he offered any reason why he could not raise his claims by appealing from a contempt judgment to the Appeals Court in the ordinary process rather than seeking extraordinary relief from the county court. The single justice neither erred nor abused his discretion in denying relief.

Judgment affirmed.

The case was submitted on briefs.
Tyron Donovan Cline, pro se.

¹ The petitioner asserts that he was adjudged to be in contempt. However, he has not provided a copy of any judgment of contempt, nor does one appear on the docket of the Probate and Family Court.