

SUPREME JUDICIAL COURT OF MASSACHUSETTS

Steven L. Smith v. Commonwealth

SJC-13806 · No. SJC-13806 · Decided May 8, 2026

SUMMARY

The Massachusetts Supreme Judicial Court affirmed the denial of Steven L. Smith’s petition under G. L. c. 211, § 3. Smith sought relief concerning unresolved motions to withdraw his guilty pleas or obtain a new trial under Mass. R. Crim. P. 30(b). The court held that he had not shown exceptional circumstances or exhausted available trial-court measures, while urging the trial court to act promptly if the motions remained unresolved.

CASE DETAILS

COURT	Supreme Judicial Court of Massachusetts
JURISDICTION	Supreme Judicial Court of Massachusetts
DECIDED	May 8, 2026
DOCKET	SJC-13806
DISPOSITION	affirmed
PROCEDURAL POSTURE	Smith appealed from a single justice's denial of his petition for extraordinary relief under G. L. c. 211, § 3. He sought an order requiring the trial court to act on his Mass. R. Crim. P. 30 (b) motions or, alternatively, to set aside his guilty pleas and schedule a trial.
STANDARD OF REVIEW	Whether the single justice properly exercised discretion in denying extraordinary relief under G. L. c. 211, § 3.
PRECEDENTIAL VALUE	Published; precedential
PARTIES	Steven L. Smith v. Commonwealth

TOPICS

- post-conviction relief
- appellate procedure
- criminal procedure
- standard of review

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

1. Whether the single justice abused her discretion by denying Smith's petition under G. L. c. 211, § 3 when the trial court had not apparently ruled on his Mass. R. Crim. P. 30 (b) motions.
2. Whether Smith was entitled to an order directing the trial court to schedule a hearing on his Rule 30 (b) motions or to set aside his guilty pleas and set a trial date.

HOLDINGS

1. The single justice acted within her discretion in denying Smith's petition for extraordinary relief because he failed to demonstrate that he had availed himself of all measures available in the trial court to obtain rulings on his Rule 30 (b) motions.
2. The apparent lack of action on Smith's Rule 30 (b) motions did not require appellate extraordinary relief, but the court stated that the trial court should act promptly if the motions remained unresolved.

FACTUAL BACKGROUND

Smith pleaded guilty to one count of indecent assault and battery on a person age fourteen or older and three counts of witness intimidation. He was sentenced to a term of imprisonment deemed served and three years of probation with conditions. Acting pro se, he later filed multiple motions to withdraw his guilty pleas or for a new trial under Mass. R. Crim. P. 30 (b), but the docket did not indicate that the trial court had ruled on those motions. The trial-court docket also reflected numerous filings, probation-violation proceedings, and judicial-assignment issues.

PROCEDURAL HISTORY

In August 2024, Smith pleaded guilty to one count of indecent assault and battery and three counts of witness intimidation and received a sentence deemed served plus three years of probation with conditions. He subsequently filed several pro se motions to withdraw his guilty pleas or obtain a new trial under Mass. R. Crim. P. 30 (b), but the record did not show that the trial court had acted on those motions. In June 2025, he sought emergency relief in the county court; a single justice treated the filing as a petition under G. L. c. 211, § 3, and denied relief. The Supreme Judicial Court affirmed, concluding that Smith had not shown that he had pursued all available trial-court measures to obtain rulings on his motions.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Fontanez, 482 Mass. 22, 25 (2019)
- Sellers v. Commonwealth, 464 Mass. 1015, 1015 (2013)
- Matthews v. D'Arcy, 425 Mass. 1021, 1022 (1997)

OPINION

Smith v. Commonwealth

PER CURIAM.

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SJC-13806

STEVEN L. SMITH vs. COMMONWEALTH. May 8, 2026. Supreme Judicial Court, Superintendence of inferior courts. Practice, Criminal, New trial. The petitioner, Steven L. Smith, appeals from a judgment of a single justice of this court denying his petition pursuant to G. L. c. 211, § 3. We affirm. In August 2024, Smith pleaded guilty to one count of indecent assault and battery on a person age fourteen or older, in violation of G. L. c. 265, § 13H, and three counts of witness intimidation, in violation of G. L. c. 268, § 13B. He was sentenced to a term of imprisonment, deemed served, and a three- year term of probation with certain conditions. At the time, Smith was represented by appointed counsel. In the ensuing months, Smith, acting pro se, filed several motions to withdraw his guilty pleas or for a new trial pursuant to Mass. R. Crim. P. 30 (b), as appearing in 435 Mass. 1501 (2001) (collectively, rule 30 (b) motions). He also filed numerous other motions seeking, among other things, appointment of counsel and funds to pay a private investigator. Although the trial court acted on many of the motions, including denying the motion for appointment of counsel for purposes of the rule 30 (b) motions, there is no indication, on the docket or otherwise, that the court acted on the rule 30 (b) motions.¹ 1 The volume of papers filed in the trial court proceedings makes it difficult to discern certain details, but the Commonwealth has not disputed the petitioner's claims that the 2 In June 2025, Smith filed his "emergency motion for immediate relief" in the county court, in which he requested a change of venue and to withdraw his pleas. He also pressed the point that the trial court had not acted on his rule 30 (b) motions. The single justice treated the motion as a petition pursuant G. L. c. 211, § 3, and denied it on the basis that the petition did not present "the type of exceptional matter that requires the court's extraordinary intervention." Commonwealth v. Fontanez, 482 Mass. 22, 25 (2019).² In his appeal, Smith seeks a variety of relief including an order directing the trial court to schedule a hearing on his rule 30 (b) motions or, alternatively, to set aside his pleas and set a trial date. As noted, it does not appear that the trial court has acted on Smith's rule 30 (b) motions. The reasons for this are not apparent, but in addition to the numerous motions that Smith has filed, the docket reflects that Smith has been charged several times with violating his probation with many related docket entries. There are also docket entries related to the need for the court to assign Smith's case to certain judges (because Smith has brought civil actions against several trial court judges, including the judge who presided over the plea hearing). Moreover, it appears that there is a pending probation violation charge that has not yet been resolved. In short, the variety of events

in the trial court and the numerous filings may bear on any lack of action on Smith's rule 30 (b) motions. Smith has also failed to demonstrate that he has "availed himself of all measures available to him in the trial court to obtain a ruling on his motions." *Sellers v. Commonwealth*, 464 Mass. 1015, 1015 (2013), citing *Matthews v. D'Arcy*, 425 Mass. 1021, 1022 (1997) (setting forth steps a litigant should take to address judicial inaction). The single justice was therefore well within her discretion to deny relief under G. L. c. 211, § 3. That said, we are "not unmindful of the fact" that Smith's rule 30 (b) motions appear to have gone unresolved for reasons not readily apparent from the record. *Sellers*, 464 Mass. at 1015. We trust that, if the trial court has in fact not yet acted on the motions, it will do so promptly. court has not acted on his motions to withdraw his guilty pleas or for a new trial. 2 The petitioner referenced G. L. c. 231, § 118, on the face of the motion, but that statute does not apply here. 3 Judgment affirmed. The case was submitted on briefs. Steven L. Smith, pro se. Elizabeth A. Sweeney, Assistant District Attorney, for the Commonwealth.