

SUPREME JUDICIAL COURT OF MASSACHUSETTS

Gorbatova v. City of Lynn

SJC-13810 · No. SJC-13810 · Decided February 26, 2026

SUMMARY

The Massachusetts Supreme Judicial Court affirmed the denial of Valentina Gorbatova's petition challenging municipal citations and fines issued by the City of Lynn for alleged sanitary code violations. The court held that extraordinary relief was unavailable because Gorbatova had an alternative remedy through an appeal to the District Court under G. L. c. 40, § 21D. The court also noted that G. L. c. 211, § 3 does not authorize superintendence over executive agencies.

CASE DETAILS

COURT	Supreme Judicial Court of Massachusetts
JURISDICTION	Supreme Judicial Court of Massachusetts
DECIDED	February 26, 2026
DOCKET	SJC-13810
DISPOSITION	affirmed
PROCEDURAL POSTURE	Valentina Gorbatova appealed from a county court judgment denying, without a hearing, her petition seeking extraordinary relief concerning municipal citations and fines issued by the City of Lynn.
STANDARD OF REVIEW	The court reviewed the single justice's ruling for abuse of discretion or other error of law.
PRECEDENTIAL VALUE	Published Massachusetts Supreme Judicial Court opinion
PARTIES	Valentina Gorbatova, Sergey Gorbatov v. City of Lynn

TOPICS

- writ of certiorari
- exhaustion of remedies
- administrative law
- municipal law
- appellate procedure

PRACTICE AREAS

- civil procedure
- appellate procedure
- administrative law
- municipal law
- remedies

QUESTIONS PRESENTED

1. Whether the petitioner was entitled to extraordinary relief under G. L. c. 211, § 3, or relief in the nature of certiorari or mandamus under G. L. c. 249, §§ 4 and 5, when an appeal to the District Court was available.
2. Whether relief under G. L. c. 211, § 3, was available to challenge actions taken by a city rather than a court of inferior jurisdiction.

HOLDINGS

1. Relief under G. L. c. 211, § 3, or in the nature of certiorari or mandamus under G. L. c. 249, §§ 4 and 5, is unavailable where the petitioner has another adequate remedy. Because Gorbatova could appeal the municipal citations to the District Court under G. L. c. 40, § 21D, she was not entitled to the extraordinary relief sought.
2. Relief under G. L. c. 211, § 3, was independently unavailable because the statute's superintendence power extends only to courts of inferior jurisdiction, while Gorbatova challenged actions of the City of Lynn rather than a ruling of a court.

KEY QUOTATIONS

“our superintendence power under that statute extends only to “courts of inferior jurisdiction.”” (n.3)

“Moreover, our superintendent power “is extraordinary and will be exercised only in the most exceptional circumstances”” (n.3)

FACTUAL BACKGROUND

In 2023, the City of Lynn issued municipal citations imposing fines on Valentina Gorbatova for violations of the State sanitary code. Following a December 8, 2023, administrative hearing, a city administrative officer upheld the violations and informed Gorbatova that she could appeal to the District Court under G. L. c. 40, § 21D. Gorbatova instead sought extraordinary judicial relief challenging the validity of the citations and fines.

PROCEDURAL HISTORY

The City of Lynn issued municipal citations and fines against Gorbatova for alleged violations of the State sanitary code. After an administrative hearing, a city administrative officer upheld the violations and advised Gorbatova of her right to appeal to the District Court under G. L. c. 40, § 21D. Gorbatova petitioned the county court seeking annulment of the citations and fines. The single justice denied relief without reaching the merits, and the Supreme Judicial Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Wallace v. PNC Bank, N.A., 478 Mass. 1020, 1020 (2018)
- Troila v. Department of Correction, 490 Mass. 1013, 1014 n.1 (2022)

- Doe, Sex Offender Registry Bd. No. 76819 v. Sex Offender Registry Bd., 480 Mass. 212, 221 n.3 (2018)
- Perrier v. Commonwealth, 489 Mass. 28, 30 (2022)
- Gorbatova v. Lynn Div. of the Dist. Court Dep't, 495 Mass. 1036, 1037 (2025)

OPINION

PER CURIAM.

NOTICE: All slip opinions and orders are subject to formal revision and are superseded by the advance sheets and bound volumes of the Official Reports. If you find a typographical error or other formal error, please notify the Reporter of Decisions, Supreme Judicial Court, John Adams Courthouse, 1 Pemberton Square, Suite 2500, Boston, MA, 02108-1750; (617) 557- 1030; SJCRporter@sjc.state.ma.us SJC-13810 VALENTINA GORBATOVA & another1 vs. CITY OF LYNN.

February 26, 2026. Supreme Judicial Court, Superintendence of inferior courts. Valentina Gorbatova (petitioner) appeals from a judgment of the county court denying, without a hearing, her petition for relief relating to certain municipal citations.

We affirm. In 2023, the city of Lynn (city) issued municipal citations imposing fines on the petitioner for violations of the State sanitary code. On December 8, 2023, after a hearing, an administrative officer for the city upheld the violations and advised the petitioner that she had the right to appeal to the District Court pursuant to G. L. c. 40, § 21D.2 In her petition, the petitioner alleged that the citations and fines were invalid for a variety of reasons, and she requested that the single justice annul them.

The single justice denied relief without addressing the merits of the petition, ruling that the circumstances did not require the court's extraordinary intervention. 1 Sergey Gorbatov. Although Mr. Gorbatov is named as a petitioner in this matter, he did not sign the petition, the notice of appeal, or the brief on his own behalf, and no attorney has appeared for him.

2 In her brief, the petitioner claims that a clerk- magistrate in the District Court waived all fines against her and deleted the court's records thereof. This claim was not before the single justice, and we do not consider it. 2 We have reviewed the record before the single justice and discern no abuse of discretion or other error of law. At the outset, it is not clear whether the petitioner sought relief under G. L. c. 211, § 3,3 or relief in the nature of certiorari or mandamus under G. L. c. 249, §§ 4 and 5.

Under any of these provisions, however, relief is available only where no other remedy is available. See Wallace v. PNC Bank, N.A., 478 Mass. 1020, 1020 (2018), and cases cited. Here, the petitioner had an alternative remedy, namely, an appeal to the District Court pursuant to G. L. c. 40, § 21D.4 The petitioner therefore is not entitled to the relief she seeks.

The single justice properly denied the petition. Judgment affirmed. The case was submitted on briefs. Valentina Gorbatova, pro se. James P. Lamanna, Assistant City Solicitor, for the respondent. 3 To the extent that the petitioner sought relief under G. L. c. 211, § 3, it was properly denied for the further reason that our superintendence power under that statute extends only to "courts of inferior jurisdiction."

See *Troila v. Department of Correction*, 490 Mass. 1013, 1014 n.1 (2022), citing *Doe, Sex Offender Registry Bd. No. 76819 v. Sex Offender Registry Bd.*, 480 Mass. 212, 221 n.3 (2018) (G. L. c. 211, § 3, does not empower court to superintend executive agencies).

In this case, the petitioner is challenging actions of the city, not a ruling of any court. Moreover, our superintendent power "is extraordinary and will be exercised only in the most exceptional circumstances" (citation omitted). *Perrier v. Commonwealth*, 489 Mass. 28, 30 (2022).

We agree with the single justice's determination that such circumstances are not present here. 4 It appears from court records that Gorbatova pursued this remedy. See *Gorbatova v. Lynn Div. of the Dist. Court Dep't*, 495 Mass. 1036, 1037 (2025).