

MASSACHUSETTS SUPREME JUDICIAL COURT

Bledsoe v. Commissioner of Correction

SJC-11647 · No. SJC-11647 · Decided December 19, 2014

SUMMARY

The Massachusetts Supreme Judicial Court affirmed the denial of Haywood Bledsoe’s petition for extraordinary relief under G. L. c. 211, § 3. The court held that Bledsoe had not shown that ordinary appellate review was unavailable or that he had a substantial claim of substantive-rights violation concerning access to a DVD recording of a summary judgment hearing. The court nevertheless indicated that, if an official recording existed or could readily be prepared, Bledsoe should generally be allowed to obtain it at his own expense.

CASE DETAILS

COURT	Massachusetts Supreme Judicial Court
JURISDICTION	Massachusetts
DECIDED	December 19, 2014
DOCKET	SJC-11647
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a single justice's judgment denying, without a hearing, a petition for extraordinary relief under G. L. c. 211, § 3.
STANDARD OF REVIEW	The court reviews the single justice's denial of relief under G. L. c. 211, § 3, for abuse of discretion or other clear error of law.
PRECEDENTIAL VALUE	Published opinion of the Massachusetts Supreme Judicial Court; precedential value is not otherwise specified in the source.
PARTIES	Haywood Bledsoe v. Commissioner of Correction

TOPICS

- appellate procedure
- standard of review
- summary judgment
- civil procedure
- remedies

PRACTICE AREAS

- Massachusetts appellate procedure
- extraordinary relief
- court records and transcripts
- summary judgment procedure

QUESTIONS PRESENTED

1. Whether the single justice abused his discretion or committed clear legal error by denying Bledsoe's petition for relief under G. L. c. 211, § 3.
2. Whether Bledsoe demonstrated a substantial claim of violation of substantive rights and an error that could not be remedied through ordinary appellate review.

HOLDINGS

1. A petitioner seeking relief under G. L. c. 211, § 3, must demonstrate both a substantial claim of violation of substantive rights and an error that cannot be remedied through the ordinary review process.
2. The single justice did not abuse his discretion or commit clear legal error by denying Bledsoe's petition.

KEY QUOTATIONS

“Relief pursuant to G. L. c. 211, § 3, is extraordinary.” (at 2)

“A petitioner seeking relief under the statute 'must "demonstrate both a substantial claim of violation of [his] substantive rights and error that cannot be remedied under the ordinary review process.'” (at 2)

“An official video record of a hearing would be no less of a judicial record than a transcript or audio cassette.” (at 3)

FACTUAL BACKGROUND

Bledsoe participated by video conference in a Superior Court hearing on the defendants' summary judgment motion. After his requests for a transcript and a DVD recording of the hearing were denied, he sought extraordinary relief, asserting that the recording was needed for his pending appeal. He did not substantiate that testimony or other evidence had been taken at the hearing or provide the motion papers and decision necessary to evaluate whether the paper record was inadequate.

PROCEDURAL HISTORY

Bledsoe sued the Commissioner of Correction and other officials in the Superior Court. After summary judgment was entered on all counts, his appeal was pending in the Appeals Court. His requests for a transcript and then a DVD recording of the summary judgment hearing were denied, and he sought relief under G. L. c. 211, § 3; a single justice denied the petition without a hearing. The Supreme Judicial Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *Matthews v. Appeals Court*, 444 Mass. 1007, 1008 (2005)
- *McGuinness v. Commonwealth*, 420 Mass. 495, 497 (1995)
- *Planned Parenthood League of Mass., Inc. v. Operation Rescue*, 406 Mass. 701, 706 (1990)

- Black v. Commonwealth, 459 Mass. 1003, 1003 (2011)
- Commonwealth v. Winfield, 464 Mass. 672 (2013)

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