

MAINE SUPREME JUDICIAL COURT

Estate of John M. Carter v. Ann C. Martin

2026 ME 34 · No. Cum-25-357 · Decided April 16, 2026

SUMMARY

The Maine Supreme Judicial Court held that a divorce judgment was void because one spouse died before the trial court signed or docketed the final judgment. The court concluded that the marriage terminated upon the spouse’s death, ending the trial court’s subject matter jurisdiction, and that nunc pro tunc language could not retroactively validate the judgment. The judgment was vacated and the case was remanded with instructions to dismiss the divorce action.

CASE DETAILS

COURT	Maine Supreme Judicial Court
WRITING FOR THE COURT	Mead, J.; Stanfill, C.J.; Connors, J.; Lawrence, J.; Douglas, J.; Lipez, J.
JURISDICTION	Maine Supreme Judicial Court
DECIDED	April 16, 2026
DOCKET	Cum-25-357
DISPOSITION	vacated
PROCEDURAL POSTURE	Ann C. Martin appealed from a divorce judgment entered by the Portland District Court and from the denial of her post-judgment motion challenging the court's subject matter jurisdiction.
STANDARD OF REVIEW	The court reviewed subject matter jurisdiction de novo.
PRECEDENTIAL VALUE	Published and precedential Maine Supreme Judicial Court opinion
PARTIES	Ann C. Martin v. Estate of John M. Carter

TOPICS

- dissolution of marriage
- subject matter jurisdiction
- appellate procedure
- family law procedure
- marriage

PRACTICE AREAS

- Family law
- Civil procedure
- Appellate procedure
- Divorce
- Subject matter jurisdiction

QUESTIONS PRESENTED

1. Whether the District Court retained subject matter jurisdiction to enter a final divorce judgment after one spouse died before the court signed or docketed the judgment.
2. Whether the court's oral announcement at the uncontested-divorce hearing or its nunc pro tunc notation could make the divorce final before Carter's death.
3. Whether *Boland v. Belair* independently authorized the court to enter the judgment after Carter's death.

HOLDINGS

1. A court lacks subject matter jurisdiction to enter a final divorce judgment after one spouse has died if the divorce judgment was not final before the death, because the marriage terminates automatically upon death and no marital relationship remains for the court to dissolve.
2. The trial court's oral announcement did not constitute a final divorce judgment because it was not accompanied by a judge's signature or entry on the civil docket before Carter died.
3. A nunc pro tunc notation could not retroactively validate the divorce judgment because, by the time the court entered the judgment, the court lacked subject matter jurisdiction.
4. *Boland v. Belair* did not independently vest the court with jurisdiction to enter a divorce judgment after Carter's death; it concerned the binding and enforceability of a settlement agreement, not the court's power to act without subject matter jurisdiction.

KEY QUOTATIONS

“A final judgment is a decision that fully decides and disposes of the entire matter pending before the court leaving no questions for the future consideration and judgment of the court.” (¶ 6)

“Any judgment or other order of the court is effective and enforceable upon signature by the court, or if not signed by the court, then upon entry of the judgment in the civil docket.” (¶ 7)

“A judgment that is issued by a court that does not have subject matter jurisdiction to issue it is void.” (¶ 9)

FACTUAL BACKGROUND

John M. Carter and Ann C. Martin were married on July 4, 2015, and Carter filed for divorce on March 31, 2023. After an uncontested-divorce hearing on June 6, 2025, the court indicated that the divorce would be final that day if both parties filed waivers of appeal, but Martin did not file one and additional real-estate orders remained to be prepared. Carter died on June 27, 2025, and the court signed the divorce judgment and related property orders on July 3, 2025, with a nunc pro tunc notation applying them to June 6.

PROCEDURAL HISTORY

John M. Carter filed a complaint for divorce, and the District Court held an uncontested-divorce hearing on June 6, 2025. Carter died on June 27, 2025, before the court signed the final judgment on July 3, 2025. The District Court denied Martin's motion for relief from or to alter the judgment, relying on *Boland v. Belair*. The Maine Supreme Judicial Court vacated the judgment and remanded for dismissal of the divorce action.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The judgment is vacated, and the case is remanded to the Portland District Court with instructions to enter an order dismissing the divorce action.

CASES CITED

- McCarthy v. Guber, 2023 ME 53, ¶ 2, 300 A.3d 804
- Bright v. Chapman, 105 Me. 62, 72 A. 750, 752 (1908)
- McIntire v. McIntire, 130 Me. 326, 155 A. 731, 736 (1931)
- MacPherson v. Est. of MacPherson, 2007 ME 52, ¶¶ 4-5, 919 A.2d 1174
- Weinle v. Est. of Tower, 2025 ME 62, ¶ 28, 340 A.3d 66
- Est. of Banks v. Banks, 2009 ME 34, ¶¶ 6, 9, 968 A.2d 525
- Boland v. Belair, 2025 ME 31, ¶¶ 9, 11, 14, 334 A.3d 682
- Keep v. Indorf, 2024 ME 14, ¶¶ 1, 19-27, 314 A.3d 141
- Hawley v. Murphy, 1999 ME 127, ¶ 8, 736 A.2d 268
- Hilltop Cmty. Sports Ctr., Inc. v. Hoffman, 2000 ME 130, ¶ 22 n.3, 755 A.2d 1058
- Boyer v. Boyer, 1999 ME 128, ¶ 6, 736 A.2d 273
- Howard v. Howard, 2010 ME 83, ¶ 10, 2 A.3d 318

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