

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

CHRISTY ANN MARTIN,

Petitioner,

v.

JOHN FREDRICK MARTIN,

Respondent.

On Petition for a Writ of Certiorari to the
Mississippi Court of Appeals

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

A Mississippi chancery court held Petitioner in civil contempt and sentenced her to six months' incarceration, suspended on payment, for failing to satisfy a \$21,040.72 civil money judgment originating as a property-damages suit in county court. The court made no express finding as to Petitioner's present ability to pay, placed the burden on Petitioner to disprove ability, and delegated to opposing counsel the authority to "automatically" trigger incarceration upon any missed installment. Two Justices of the Mississippi Supreme Court voted to grant certiorari.

The questions presented are:

1. Whether the Due Process and Equal Protection Clauses of the Fourteenth Amendment, as applied in *Bearden v. Georgia*, 461 U.S. 660 (1983), and *Turner v. Rogers*, 564 U.S. 431 (2011), forbid a State from incarcerating an indigent judgment debtor for nonpayment of a private civil money judgment without a judicial inquiry into, and an express on-the-record finding of, present ability to pay.
2. Whether relabeling a civil money judgment as "contempt"—thereby exposing the debtor to imprisonment otherwise foreclosed by the constitutional prohibition on debtors' prisons—violates the Fourteenth Amendment when ordinary civil-

collection remedies (execution, garnishment, and enrollment of judgment) remain fully available.

3. Whether a state-court order that shifts the burden of proof on ability to pay to the debtor, and that authorizes opposing counsel to obtain a warrant of incarceration without a contemporaneous hearing, satisfies the minimum procedural safeguards required by *Turner*.

PARTIES TO THE PROCEEDING

Petitioner is Christy Ann Martin, defendant/counter-plaintiff below and appellant in the Mississippi Supreme Court.

Respondent is John Fredrick Martin, plaintiff/counter-defendant below and appellee in the Mississippi Supreme Court.

RELATED PROCEEDINGS

Martin v. Martin, No. 2018-272 (Warren Cnty. Miss. Chancery Ct.) (Order for Contempt entered Feb. 5, 2024).

Martin v. Martin, No. 2024-CA-00222 (Miss. Ct. App.) (affirmed June 24, 2025).

Martin v. Martin, No. 2024-CT-00222-SCT (Miss.) (petition for writ of certiorari denied Feb. 3, 2026; JJ. Griffis and Branning voting to grant).

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Christy Ann Martin respectfully petitions this Court for a writ of certiorari to review the judgment of the Supreme Court of Mississippi.

INTRODUCTION

This case is about whether a state court may put an indigent woman in jail (i.e., a criminal punishment) for six months because she could not pay \$21,040.72 for carpet, storage fees, and other property damages awarded in a civil suit by her ex-husband imposed as a civil judgment. Put another way, can a chancery court wield its contempt power as a sword to become a private collection agency for ordinary civil money judgments? The Fourteenth Amendment, in its plain terms and as applied by this Court, means that no one in America may be incarcerated merely because she cannot pay.

Below, the Warren County Chancery Court in Mississippi answered this question in the affirmative. It ordered the Petitioner—an unemployed single mother of a young child, with no assets to execute against—to serve six months in the custody of the Franklin County Sheriff unless she immediately delivered a \$7,135.00 lump sum followed by monthly installments of \$3,567.50. The court ordered her to make these payments without any express finding of her ability to pay, and, instead, shifted the burden of disproving ability to her. Rather than recognizing her

sacrifice in staying home to care for her child, it treated her stay-at-home-parenting as proof of willful avoidance of the payments. Moreover, it delegated the authority to “automatically” submit an order of incarceration upon any missed payment to her ex-husband’s counsel—with no requirement of a hearing, judicial review, or an ability-to-pay determination. Quite simply, that is not civil contempt; it is a debtors’ prison by another name. *See* App. 17a–21a.

The Mississippi Supreme Court denied review by a divided vote. Two Justices—Justices Griffis and Branning—voted to grant. App. 1a-2a. That division is telling, because the decision below cannot be squared with this Court’s repeated holdings that the Fourteenth Amendment forbids jailing the indigent for unpaid money. *See Turner v. Rogers*, 564 U.S. 431, 131 S. Ct. 2501, 180 L. Ed. 2d 452 (2011); *Bearden v. Georgia*, 461 U.S. 660, 103 S. Ct. 2064, 76 L. Ed. 2d 221 (1983); *Tate v. Short*, 401 U.S. 395, 91 S. Ct. 668, 28 L. Ed. 2d 130 (1971); *Williams v. Illinois*, 399 U.S. 235, 90 S. Ct. 2018, 26 L. Ed. 2d 586 (1970). It also cannot be squared with the Mississippi Supreme Court’s own decision in *In re Nichols*, 749 So. 2d 68 (Miss. 1999), which vacated a nearly identical contempt order as “violat[ing]” Mississippi’s constitutional prohibition on imprisonment for debt. *Id.* at 72.

The question is not academic. Across the country, indigent litigants—overwhelmingly women, low-wage workers, and people of color—face incarceration every day in state family, chancery, and civil courts

for unpaid money obligations. The Department of Justice, the American Bar Association, the ACLU, and multiple federal district courts have documented the problem. *See, e.g., Fees and Fines: The Criminalization of Poverty* (Dec. 16, 2019), https://www.americanbar.org/groups/government_public/resources/public-lawyer/archive/fees-fines-criminalization-poverty (last accessed April 25, 2026); Fines & Fees Justice Ctr., *A Debtor's Prison: Fines and Fees Create Debilitating Cycle of Incarceration* (Feb. 20, 2018) <https://finesandfeesjusticecenter.org/articles/debtors-prison-court-fees/> (last accessed April 25, 2026); *In For a Penny: The Rise of America's New Debtors' Prisons* (October 4, 2010), <https://www.aclu.org/publications/penny-rise-americas-new-debtors-prisons> (last accessed April 25, 2026). This Court's intervention is needed to restore the constitutional floor that *Bearden* and *Turner* established.

The Petition should be granted.

OPINIONS BELOW

The Mississippi Supreme Court's order denying certiorari is unpublished, and is reproduced at App. 1a. The Mississippi Court of Appeals' opinion affirming the chancery court is published opinion 2024-CA-00228-COA and is reproduced at App. 3a. The Chancery Court of Warren County's Order for Contempt is published in Book 342, page 365 of the records of the Chancey Court of Warren County, and in the Mississippi Electronic Case Management System as

Document No. 217 in Case Number 75CH1:18-cv-00272, and is reproduced at App. 17a.

JURISDICTION

The Mississippi Supreme Court denied the petition for writ of certiorari on February 3, 2026. App. 1a. This Court has jurisdiction under 28 U.S.C. § 1257(a). The petition is timely under Rule 13.

CONSTITUTIONAL PROVISIONS INVOLVED

The Fourteenth Amendment to the United States Constitution provides, in relevant part: “No State shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

Article 3, Section 30 of the Mississippi Constitution provides: “There shall be no imprisonment for debt.”

STATEMENT OF THE CASE

A. The Underlying Civil Suit for Property Damages.

Respondent John Fredrick (“Rick”) Martin sued Petitioner Christy Ann Martin (“Christy”) for divorce in the Chancery Court of Warren County, Mississippi, in November 2018. During the pendency of the

divorce, Rick also filed a separate civil action in the County Court of Warren County seeking monetary damages that he claimed resulted from Christy's departure from the marital home—namely, storage fees, carpet replacement costs, and similar items. That civil suit (No. 19.0567) was later transferred and consolidated with the divorce proceeding.

On September 8, 2021, the chancery court entered a Final Judgment of Divorce and, on November 23, 2021, an Amended Final Judgment. The court awarded Rick a \$21,040.72 money judgment on his property-damage claims, directing Christy to make payment within twelve months. This money judgment did not concern alimony, child support, or any order to convey property; rather, it was a civil money judgment of the kind ordinarily enforced by execution, garnishment, or enrollment of judgment under Mississippi law.

B. The Contempt Petition and Trial.

Twelve months passed, and Rick never enrolled the judgment. Nor did he ever seek an execution, garnishment, or levy. Instead, on December 19, 2022, he filed a Petition for Citation of Contempt explicitly seeking to have Christy incarcerated “until she paid the entirety of \$21,040.72 plus legal interest thereon.”

Christy opposed the petition on constitutional grounds. She testified that she lacked the funds to pay the judgment, and that she had voluntarily foregone full-time employment during the relevant period in

order to care for the parties' young child at home. She presented no concealed assets, no hidden income, and no fraudulent conveyances. She argued that incarcerating her to collect a civil money judgment would violate the Fourteenth Amendment and Article 3, § 30 of the Mississippi Constitution, and that Rick's proper remedy was ordinary civil execution.

C. The Order for Contempt.

On February 5, 2024, the chancery court entered its Order for Contempt. App. 17a. The court:

- a) held Christy in civil contempt for "failing to pay the sum of \$21,040.72";
- b) ordered her to pay an additional \$7,500.00 in attorney's fees;
- c) sentenced her to six months in the custody of the Franklin County Sheriff;
- d) suspended the sentence on condition of a \$7,135.00 payment by March 1, 2024, with monthly installments of \$3,567.50 thereafter; and
- e) authorized Rick's counsel to "automatically submit to the Court an order for incarceration" upon any missed payment. App. 21a.

The court made no express finding that Christy possessed the present ability to pay the lump-sum amount or the monthly installments. It did not inventory her assets, income, liabilities, or realistic earning capacity. Instead, it dismissed her evidence as

“inconsistent with the law and the facts,” reasoned that she “could” work because she had worked in the past and was in “good health overall,” and placed the burden of proving inability on her. App. 18a–19a.

D. The Appeal.

Christy appealed, arguing that incarceration for nonpayment of a civil money judgment contravenes the precedent set forth in *Bearden*, *Turner*, and the Mississippi Supreme Court’s decision in *In re Nichols*. The Mississippi Court of Appeals affirmed. App. 5a. On February 3, 2026, the Mississippi Supreme Court denied certiorari by a divided vote; Justices Griffis and Branning voted to grant. App. 1a. From this denial, Petitioner filed the instant Petition for Certiorari.

ARGUMENT: CERTIORARI SHOULD BE GRANTED

This Court should grant the instant petition for four reasons. First, the decision below squarely conflicts with *Bearden*, *Turner*, *Williams*, and *Tate*, which together prohibit the States from jailing the indigent for unpaid money obligations absent a searching ability-to-pay inquiry. Second, the decision deepens an entrenched conflict among state and federal courts over whether and how civil contempt may be used to collect private money judgments. Third, the question is nationally important and recurring. Fourth, the case is

an ideal vehicle: the federal question was squarely raised and preserved, the record is clean, and the state grounds do not obscure the federal issue.

I. The Decision Below Squarely Conflicts with This Court’s Controlling Precedent on Jailing the Indigent for Unpaid Debts.

For more than a half-century, this Court has held that the Due Process and Equal Protection Clauses forbid the States from incarcerating persons solely because they cannot afford to pay money. This is true whether the money is a criminal fine (as in *Williams* and *Tate*), a probation condition (*Bearden*), or a child-support obligation (*Turner*). The decision below ignores this line of cases.

In *Williams v. Illinois*, this Court held that a State may not “subject[] a prisoner to imprisonment beyond the statutory maximum solely by reason of his indigency.” 399 U.S. at 242. *Tate v. Short* extended the rule to fine-only offenses, stating, “[T]he Constitution prohibits the State from imposing a fine as a sentence and then automatically converting it into a jail term solely because the defendant is indigent.” 401 U.S. at 398. These cases established the bedrock principle that one’s economic status cannot transform a monetary obligation into a jailable one.

Bearden v. Georgia then crystallized the rule for post-judgment enforcement, instructing that before a court may revoke probation and imprison a person for failure to pay, it “must inquire into the reasons

for the failure to pay.” 461 U.S. at 672 (emphasis added). Furthermore, the court must determine whether the failure was “willful” or merely was the product of a genuine inability notwithstanding “bona fide efforts.” *Id.* Where inability is shown, “it is fundamentally unfair to revoke probation automatically,” and the court must “consider alternative measures of punishment other than imprisonment.” *Id.* at 673. Only if no alternative will serve the State’s legitimate interests in “punishment and deterrence” may incarceration follow. *Id.* at 675-676.

Turner v. Rogers, 564 U.S. 431, applied these principles to civil contempt for failure to pay child support—an area where the State’s interest is at its zenith. Even there, *Turner* required, as a minimum constitutional floor: (1) notice that ability to pay is the critical question; (2) a fair opportunity to present evidence on ability to pay; (3) use of forms or other devices to elicit financial information; and (4) an *express* judicial finding regarding ability to pay. *Id.* at 447–48. Anything less “create[s] an unacceptable risk of erroneous deprivation of ... liberty.” *Id.* at 448-449.

Here, the Order below complied with none of these requirements. It contains no express finding of present ability to pay. In addition to failing to conduct no inquiry whatsoever into her ability to pay, it reversed the burden, requiring Christy to prove her inability rather than Rick to prove willfulness of her failure to pay. Rather than reflecting any genuine inquiry, the Order merely cites Christy’s past work

history and current good health as surrogates for a real ability-to-pay inquiry (and disregarding her work as a stay-at-home caregiver for a minor child). The chancery court did so even though *Bearden* rejected that substitute. *See* 461 U.S. at 673-674. Furthermore, it handed the sheriff's warrant to opposing counsel, who may unilaterally trigger incarceration upon any missed payment without any hearing at all.

If *Turner* demands those procedures before the State may jail a father for unpaid child support—an obligation with a superior moral and legal claim—then *a fortiori* those procedures are required before a state court may jail an ex-wife for unpaid carpet replacement. The constitutional case is *stronger*, not weaker, where the State's asserted interest is the collection of an ordinary civil money judgment between private parties.

This Court's broader debtors'-prison jurisprudence reinforces the point. *Fuller v. Oregon*, 417 U.S. 40, 54 S. Ct. 2116, 40 L. Ed. 2d 642 (1974), approved recoupment only where safeguards against imprisonment for inability to pay were in place. *Id.* at 54. That is, a State's imposition of an obligation to pay may only pass constitutional muster if it "impose[s] an obligation only upon those with a foreseeable ability to meet it, and to enforce that obligation only against those who actually become able to meet it without hardship." *Id. M.L.B. v. S.L.J.*, 519 U.S. 102, 117 S. Ct. 555, 136 L. Ed. 2d 473 (1996), reaffirmed that wealth-based deprivations of liberty trigger

heightened constitutional scrutiny. (Mississippi could not deny M.L.B. appellate review of a decree terminating her parental rights due to her poverty, which made her unable to pay the cost of obtaining the record on appeal). More recently, in *Timbs v. Indiana*, 139 S. Ct. 682, 203 L. Ed. 2d 11 (2019), this Court emphasized that the Excessive Fines Clause reflects a deep constitutional tradition against abuses by state actors who weaponize monetary obligations against the indigent: “In short, the historical and logical case for concluding that the Fourteenth Amendment incorporates the Excessive Fines Clause is overwhelming. Protection against excessive punitive economic sanctions secured by the Clause is, to repeat, both ‘fundamental to our scheme of ordered liberty’ and ‘deeply rooted in this Nation’s history and tradition.’” *Id.* at 689 (quoting *McDonald v. Chicago*, 561 U.S. 742, 767, 130 S. Ct. 3020, 177 L. Ed. 2d 894 (2010) (internal quotation marks omitted; emphasis deleted). The decision below offends each of those traditions.

II. The Decision Below Deepens an Entrenched Conflict Among State High Courts and Federal Courts on the Use of Civil Contempt to Enforce Money Judgments.

State and federal courts are divided on the proper constitutional limits of civil contempt to enforce private money judgments.

The Mississippi Supreme Court and several other state high courts have held that civil contempt

cannot be used to imprison a debtor for a private money judgment. In *In re Nichols*, 749 So. 2d 68, 72 (Miss. 1999), the Mississippi Supreme Court vacated a contempt order imprisoning the defendant for failure to pay a private settlement, holding that “to imprison Nichols for the non-payment of this judgment would violate Article 3, § 30 of the Mississippi Constitution.” The creditor, the court said, was “free to collect the judgment by execution, garnishment or any other available lawful means so long as it does not include imprisonment.” *Id.* (emphasis added). The Mississippi Court of Appeals has taken the same view, confining coercive contempt to specific performance, support, and conveyance orders. *See, e.g., Doss v. Doss*, 949 So. 2d 71 (Miss. Ct. App. 2006); *Wright v. Wright*, 737 So. 2d 408, 411–12 (Miss. Ct. App. 1998). Other state high courts have reached the same conclusion under analogous state-constitutional bars on imprisonment for debt. *See, e.g., Carter v. Grace Whitney Props.*, 939 N.E.2d 630, 638 (Ind. Ct. App. 2010), *trans. denied* (using contempt to enforce a civil money judgment violates Ind. Const. Art. I, § 22 absent fraud or family-support nexus); *Ex parte Hall*, 854 S.W.2d 656, 658 (Tex. 1993) (a divorce-decree money obligation is enforceable by contempt only where statutorily authorized as support, lest the State imprison for debt); *Bowen v. Bowen*, 471 So. 2d 1274, 1275 (Fla. 1985) (respondent was “improperly incarcerated for civil contempt” where there was no showing of present ability to pay child support in arrears); *Ex parte Yates*,

387 S.W.2d 377, 378 (Tex. 1965) (vacating as void the portion of a divorce-decree contempt order remanding the obligor to the sheriff's custody until he "purges himself by payment of all arrears," under Tex. Const. Art. I, § 18).

The decision below departs from *In re Nichols* by recasting a consolidated county-court civil money judgment as a divorce-decree obligation suitable for coercive contempt. The Mississippi Court of Appeals treated the label "Final Judgment of Divorce" as dispositive, even though the substance of the obligation (damages for carpet and storage initially sought in a separate civil action) was purely a civil tort-style award. That labeling sleight-of-hand, if allowed to stand, obliterates the rule *In re Nichols* established for any plaintiff willing to consolidate his civil-damages claim with a family case.

Federal courts have invalidated analogous schemes under the Fourteenth Amendment. *Rodriguez v. Providence Community Corrections, Inc.*, 155 F. Supp. 3d 758 (M.D. Tenn. 2015), concluded in the context of a motion for a preliminary injunction that plaintiffs were likely to succeed on the merits of their claim that jailing them for probation violation without an ability-to-pay inquiry violated the Fourteenth Amendment. The Fifth Circuit in *ODonnell v. Harris County*, 892 F.3d 147 (5th Cir. 2018), recognized the Fourteenth Amendment infirmity of wealth-based detention regimes. More recently, in *Cain v. White*, 937 F.3d 446 (5th Cir. 2019), the Fifth Circuit affirmed

summary judgment against a parish scheme that jailed indigent debtors for nonpayment of court-imposed financial obligations without any inquiry into ability to pay, holding that the practice violated both the Due Process and Equal Protection Clauses of the Fourteenth Amendment.

At the same time, several other States authorize coercive incarceration for noncompliance with the monetary terms of a divorce or property-settlement decree, treating any breach of an equitable-distribution order as contemptable without regard to whether the underlying obligation is, in substance, an ordinary debt. *See, e.g.*, 23 Pa. Cons. Stat. § 3502(e)(7) (authorizing the chancery court to commit a noncompliant party to county jail for up to six months for failure to comply with an equitable-distribution order); Mass. Gen. Laws Ch. 215, § 34A (broad civil-contempt power to enforce noncompliance with divorce judgments, including monetary aspects); *Pugh v. Pugh*, 472 N.E.2d 1085, 1088-89 (Ohio 1984), and Ohio Rev. Code § 2705.02 (contempt sanction available for disobedience of any court order, willful intent not required). The decision below aligns Mississippi with this latter group, even though the Mississippi Constitution's anti-imprisonment-for-debt clause and this Court's decisions in *Bearden* and *Turner* require otherwise. The conflict is mature, important, and impossible to reconcile at the State level. Only this Court can resolve it.

III. The Question Is Exceptionally Important, Recurring, and Cleanly Presented.

The resurgence of modern debtors' prisons is a well-documented national problem. The Department of Justice's Mar. 14, 2016, 2016 Dear Colleague Letter to state courts warned against entrenched practices that unconstitutionally punish the poor. <https://southeuclidcourt.com/wp-content/uploads/2014/04/Fines-and-Fees-Dear-Colleague-Letter-3-14-16.pdf> (last accessed April 25, 2026). The American Civil Liberties Union, the Brennan Center, and the Fines & Fees Justice Center have each documented thousands of incarcerations each year for unpaid civil and criminal financial obligations. *See, e.g.*, <https://www.brennancenter.org/topics/criminal-justice/changing-incentives/fees-fines> and <https://finesandfeesjusticecenter.org/> (last accessed April 25, 2026). Academic studies estimate that many hundreds of thousands of Americans are subject to warrants or incarceration for unpaid money at any given time.

The issue is particularly acute in state chancery, family, and equity courts, which exercise broad contempt powers with relatively little procedural formality and with limited appellate supervision. Civil contempt orders of the kind at issue here are routinely entered against indigent litigants—often *pro se* and without any meaningful ability-to-pay inquiry. The victims are disproportionately women, stay-at-home

caregivers, and low-income wage earners. The pattern is not an isolated aberration, but, rather, a structural feature of state practice that *Bearden* and *Turner* were supposed to cure.

The constitutional question is outcome-determinative and cleanly presented. The chancery court here expressly predicated its contempt order on the \$21,040.72 civil money judgment. The federal question was raised, argued, and decided below. No independent state-law ground obscures review. Two Justices of the Mississippi Supreme Court voted to grant certiorari. This is precisely the vehicle this Court has long said it prefers: a preserved, outcome-determinative federal question arising from a final state-court judgment. Sup. Ct. R. 10(b)–(c).

IV. This Case Is an Ideal Vehicle.

Several features make this case particularly attractive for review:

- a) **Clean federal question.** Christy raised the debtors’-prison argument before the chancery court and on appeal. The Mississippi courts reached and decided the constitutional question on the merits. No procedural hurdle stands in the way of review.
- b) **No state-law off-ramp.** The judgment below rests on a straightforward application of state-court contempt power to a civil money judgment. There is no alternative non-

federal ground on which this Court could decide the case.

- c) **Square conflict with this Court's precedent.** The Order makes no express finding of ability to pay, places the burden on the debtor, and authorizes warrantless incarceration on counsel's unilateral motion. Each of those features violates *Turner*.
- d) **Dissenting votes below.** Two Justices of the Mississippi Supreme Court voted to grant certiorari, confirming that the question is substantial and divides the state's own high court. App. 1a.
- e) **Ongoing liberty interest.** Petitioner remains under an active order of incarceration suspended on payment. The constitutional injury is live, ongoing, and capable of repetition absent this Court's intervention.

CONCLUSION

For the foregoing reasons, the Petition for a Writ of Certiorari should be granted.

Respectfully submitted,

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APPENDIX

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(Rule 14.1(g) & (i)(v))

APPENDIX F — Petition for Writ of Certiorari to the Supreme Court of Mississippi (Filed Nov. 21, 2025) 25a

APPENDIX A

**Order of the Supreme Court of Mississippi
Denying Petition for Writ of Certiorari**

Serial: 261243

IN THE SUPREME COURT OF MISSISSIPPI

No. 2024-CT-00222-SCT

CHRISTY ANN MARTIN Appellant/Petitioner

v.

JOHN FREDRICK MARTIN Appellee/Respondent

ORDER

This matter is before the Court on the Petition for Writ of Certiorari filed by Christy Ann Martin. After due consideration, the Court finds that the petition should be denied.

IT IS THEREFORE ORDERED that the Petition for Writ of Certiorari filed by Christy Ann Martin is denied.

SO ORDERED, this the 2nd day of February, 2026.

/s/ Michael K. Randolph

MICHAEL K. RANDOLPH, CHIEF JUSTICE

TO DENY: RANDOLPH, C.J., KING AND
COLEMAN, P.JJ., ISHEE AND SULLIVAN, JJ.

TO GRANT: GRIFFIS AND BRANNING, JJ.

*Filed February 3, 2026 — Office of the Clerk,
Supreme Court / Court of Appeals.*

APPENDIX B

**Order of the Mississippi Court of Appeals
Denying Motion for Rehearing**

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00222-COA Pages: 1

**Supreme Court of Mississippi
Court of Appeals of the State of Mississippi
Office of the Clerk**

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November 18, 2025

This is to advise you that the Mississippi Court of Appeals rendered the following decision on the 18th day of November, 2025.

Court of Appeals Case # 2024-CA-00222-COA

Trial Court Case # 75CH1:18-cv-00272-BLR

Christy Ann Martin v. John Fredrick Martin

The motion for rehearing is denied.

NOTICE TO CHANCERY/CIRCUIT/COUNTY COURT CLERKS: If an original of any exhibit other than photos was sent to the Supreme Court Clerk and should now be returned to you, please advise this office in writing immediately.

Please note: Pursuant to MRAP 45(c), amended effective July 1, 2010, copies of opinions will not be mailed. Any opinion rendered may be found by visiting the Court's website at <https://courts.ms.gov> and selecting the appropriate date the opinion was rendered under the category "Decisions."

APPENDIX C

**Opinion of the Mississippi Court of Appeals
Affirming Order of Contempt**

**IN THE COURT OF APPEALS OF THE STATE
OF MISSISSIPPI**

NO. 2024-CA-00222-COA

CHRISTY ANN MARTIN APPELLANT

v.

JOHN FREDRICK MARTIN APPELLEE

DATE OF JUDGMENT: 02/05/2024

TRIAL JUDGE: HON. BENNIE L. RICHARD

**COURT FROM WHICH APPEALED: WARREN
COUNTY CHANCERY COURT**

**ATTORNEY FOR APPELLANT: JASON EDWARD
CAMPBELL**

ATTORNEY FOR APPELLEE: CALEB E. BROWN

**NATURE OF THE CASE: CIVIL — DOMESTIC
RELATIONS**

DISPOSITION: AFFIRMED — 06/24/2025

MOTION FOR REHEARING FILED:

BEFORE WILSON, P.J., McDONALD AND
WEDDLE, JJ.

WEDDLE, J., FOR THE COURT:

¶1. The Warren County Chancery Court entered an order finding that Christy Ann Martin (Christy) willfully failed to pay her ex-husband, John Fredrick Martin (Rick), \$21,040.72 that had been awarded to Rick in the parties' final divorce judgment. After holding Christy in contempt for failing to comply with the divorce judgment, the chancellor ordered her to be incarcerated for six months but suspended the incarceration on the condition that Christy make timely payments to Rick to satisfy the monetary award.

¶2. On appeal, Christy argues that (1) the chancellor erred by holding her in contempt for failing to pay the monetary judgment; (2) the chancellor erred by finding she had the financial ability to pay the monetary judgment; and (3) incarceration was an improper contempt sanction for the nonpayment of the monetary judgment.

¶3. Upon review, we find no error in the chancellor's findings that Christy was in contempt of

the divorce judgment and that she failed to prove her inability to comply. We also find no error in the chancellor's use of the contempt powers available to him to enforce Christy's compliance with his prior order. As a result, we affirm the chancellor's order holding Christy in contempt.

FACTS

¶4. The parties were married in March 2018 but separated the following month. They reconciled in August 2018 but again separated in November 2018, with Rick filing a complaint for an irreconcilable-differences divorce. Christy was pregnant at the time of the parties' November separation.

¶5. In February 2019, Rick filed his first amended divorce complaint requesting a divorce on the ground of habitual cruel and inhuman treatment or, alternatively, irreconcilable differences. Rick also requested DNA testing to confirm whether he was the father of Christy's unborn child.

¶6. Following confirmation of Rick's paternity and the birth of the parties' minor child, Rick filed a second amended divorce complaint in October 2019 asserting

adultery as an additional fault-based ground for divorce.

¶7. Rick provided the chancellor with the county court's order requiring that all the furnishings remain in the storage facility until the chancellor "render[ed] a final ruling on the equitable distribution and disposition of said property."

¶8. Rick asked that the chancellor order Christy to reimburse him for the cost of moving his furnishings back to the marital home and asserted over \$15,000 in damage to his personal property and the marital home.

¶9. Following a hearing, the chancellor entered a temporary order on January 24, 2020. The chancellor awarded Christy temporary custody of the parties' minor child, granted Rick visitation, and ordered Rick to pay temporary child support.

¶10. On May 11, 2020, Rick filed a third amended divorce complaint.

¶11. Rick provided information regarding the \$32,154.57 in expenses he had incurred to transport

the household furnishings back to the marital home and repair the damage caused.

¶12. In May 2020, the county court matter was transferred to chancery court and consolidated with the parties' divorce proceedings. The chancellor entered a final judgment on September 8, 2021. The parties had withdrawn all fault-based grounds for divorce and agreed to an irreconcilable-differences divorce.

¶13. In reaching the custody determination, the chancellor analyzed the relevant Albright factors. *Albright v. Albright*, 437 So. 2d 1003, 1005 (Miss. 1983).

¶14. As to the parties' employment, the chancellor remarked on Christy's lack of gainful employment for the five years prior to the marriage and during the marriage and that she had not worked consistently since the parties' separation.

¶15. The chancellor found both parties were in good health, with that factor slightly favoring Christy (38) over Rick (55) due to the age difference between Rick and the parties' one-year-old daughter.

¶16. The chancellor next considered the stability of each party's home environment and employment. After vacating the marital home, Christy and the parties' daughter had moved in with Christy's mother, stepfather, niece, and son from a previous relationship.

¶17. The chancellor found the custody determination to be "a very close call[,]” but ultimately awarded legal custody to both parties, primary physical custody to Christy, and visitation to Rick. Rick was ordered to pay \$935 per month in child support.

¶18. The chancellor also ordered alternation of the income-tax credit. As to Rick's claims for property damage, the chancellor found that Rick had presented sufficient proof "to establish that Christy intentionally and knowingly damaged Rick's personal property" and awarded Rick a total judgment of \$21,040.72, payable within twelve months.

¶19. Christy moved to alter or amend. The chancellor entered an amended final judgment on November 24, 2021 reflecting that the parties were to alternate claiming their daughter for income-tax

purposes; all other material provisions of the original final judgment remained in effect.

¶20. On April 21, 2023, the chancellor found Christy had committed parental alienation and held her in contempt, ordering her to pay \$6,000 in attorney's fees.

¶21. On May 11, 2023, Rick filed another contempt petition. After a hearing, the chancellor denied modification of custody but warned Christy of consequences.

¶22. On February 5, 2024, the chancellor held a hearing on Rick's newest contempt petition. Christy paid the \$6,000 attorney-fee sanction the morning of the hearing. As to the \$21,040.72 award, Christy had been aware of it for years but had still failed to make any payments.

¶23. After holding Christy in contempt, the chancellor awarded Rick \$7,500 in attorney's fees and ordered Christy incarcerated for six months — suspended on the condition that Christy pay \$7,135 by March 1, 2024 and continue regular payments until the balance was satisfied. Christy appeals.

DISCUSSION

¶24. On appeal, Christy asserts that her monetary obligation to Rick constitutes an ordinary civil judgment, that contempt is not the proper remedy for an ordinary money judgment, and that incarceration was an improper contempt sanction.

¶25. Our caselaw holds “that contempt is not a proper mechanism for execution upon [an ordinary] money judgment pursuant to Mississippi Rule of Civil Procedure 69(a)” *Pierce v. Sorrells*, 376 So. 3d 1257, 1262 (¶15) (Miss. Ct. App. 2024). “[T]he primary purpose of a civil-contempt order is to enforce compliance with a court order.” *Bozant v. Nguyen*, 296 So. 3d 254, 261 (¶12) (Miss. Ct. App. 2020). Upon review, we disagree with Christy’s contention that the chancellor held her in contempt for failing to pay a mere ordinary civil judgment.

¶26. Although Rick initially filed in county court, the chancellor consolidated the matter with the divorce proceedings and considered Rick’s proof of damage to the marital home and personal property, awarding \$21,040.72 in damages.

¶27. The chancellor incorporated Rick’s award into the divorce judgment and placed conditions on Christy’s duty to satisfy the obligation.

¶28. We conclude that her financial obligation to Rick is distinguishable from a mere ordinary civil judgment. The chancellor vested the provision with the full force of a lawful court order subject to enforcement through his coercive contempt powers. Cf. *Bozant*, 296 So. 3d at 261-62 (¶13); *Allred v. Allred*, 735 So. 2d 1064, 1069 (¶¶18-20) (Miss. Ct. App. 1999).

¶29. Although our caselaw authorizes the chancellor to compel compliance with a divorce judgment through contempt, we still must determine if sufficient evidence supported the willfulness finding.

¶30. Christy raises no dispute that she failed to pay. The record demonstrates by “substantial credible evidence” that Christy failed to comply with a prior court order. The burden then shifted to Christy to prove “an inability to pay, that the default was not willful, that the provision violated was ambiguous, or that performance was impossible.” *Siders v. Zickler*, 312 So. 3d 1224, 1230 (¶¶18-19) (Miss. Ct. App. 2021).

¶31. Christy testified she had worked from home only a little as an insurance agent and elected to spend the majority of her time as a stay-at-home mother.

¶32. Christy testified she relied mainly on child support, residual insurance income, and money from her mother and stepfather, with whom she lived.

¶33. The chancellor concluded Christy's claims of financial inability lacked credibility, citing her repeated prior contemptuous conduct.

¶34. "The chancellor, by his presence in the courtroom, is best equipped to ... determine the credibility of the witnesses." *Morland v. Morland*, 396 So. 3d 501, 507 (¶10) (Miss. Ct. App. 2024). We find sufficient credible evidence supported the chancellor's determination that Christy possessed present ability to pay but voluntarily, and willfully, chose not to.

¶35. Contempt sanctions available to a chancellor include "fine, imprisonment, both, or neither." *Gebetsberger v. East*, 627 So. 2d 823, 826 (Miss. 1993). "[W]hat sanction to impose for contempt belongs to the chancery court's sound discretion." *McPhail v. McPhail*, 357 So. 3d 602, 614 (¶66) (Miss. 2023).

¶36. Similar circumstances were addressed in *Paxton v. Paxton* (*Paxton I*), 222 So. 2d 834, 835 (Miss. 1969).

¶37-40. Upon review, the supreme court agreed the chancellor had not erred in finding contempt and ultimately did not disturb the use of incarceration as a remedy. *Paxton v. Paxton* (*Paxton II*), 305 So. 2d 106, 107 (Miss. 1974).

¶41. Mississippi caselaw clearly demonstrates that incarceration is among the available sanctions in civil contempt actions. *Gebetsberger*, 627 So. 2d at 826. We affirm the chancellor’s use of incarceration to compel compliance.

¶42. The supreme court has emphasized that an “[i]nability to pay to avoid incarceration is a continuing defense.” *Riser v. Peterson*, 566 So. 2d 210, 211 (Miss. 1990). “[A] LITIGANT IS ALWAYS ENTITLED TO OFFER EVIDENCE OF INABILITY TO PAY AS A DEFENSE, NOT TO THE CONTEMPT, but to the incarceration.” *Id.* at 212 (emphasis in original).

CONCLUSION

¶43. Finding no error in the chancellor's determination that Christy was in willful contempt of the divorce judgment's requirement to pay Rick \$21,040.72, we affirm the chancellor's order of contempt.

¶44. AFFIRMED.

**BARNES, C.J., CARLTON AND WILSON, P.JJ.,
WESTBROOKS, McDONALD, LAWRENCE,
McCARTY, EMFINGER AND ST. PÉ, JJ.,
CONCUR.**

APPENDIX D

**Order for Contempt — Chancery Court of
Warren County, Mississippi**

FILED — February 5, 2024 — Beverly Johnson,
Chancery Clerk

**IN THE CHANCERY COURT OF WARREN
COUNTY, MISSISSIPPI**

JOHN FREDRICK MARTIN
PLAINTIFF/COUNTER-DEFENDANT
VS. CAUSE NO: 2018-272

CHRISTY ANN MARTIN
DEFENDANT/COUNTER-PLAINTIFF

ORDER FOR CONTEMPT

THIS DAY this cause came for hearing on the Petition for Contempt filed by the Plaintiff/Counter-Defendant, John Fredrick Martin (“Rick”) against the Defendant/Counter-Plaintiff, Christy Ann Martin (“Christy”) alleging that Christy failed to pay sums owed to Rick pursuant to the Final Judgment for Divorce and separate Order for Contempt entered herein and the Court having heard oral testimony from each of the respective parties and other

witnesses is of the opinion that the following relief being the same should be granted. It is therefore,

ORDERED, ADJUDGED AND DECREED:

1. That the Court issued a bench ruling on December 10, 2020, resulting in a written order being filed September 8, 2021, which was subsequently amended on November 24, 2021, ordering Christy to pay \$21,040.72 to Rick as a part of the Final Judgment for Divorce within one year. The Court also entered an Order of Contempt against Christy on April 21, 2023, ordering Christy to pay \$6,000.00 to Rick as attorney fees based on her prior contemptuous conduct. The Court notes that Christy has known about the initial Final Judgment for Divorce for more than three years. Despite her knowledge of these court orders, Christy failed to make any payments to comply with the order of this Court. While the Court is sensitive to a person's hardship and inability to pay, the Court is not convinced that Christy could not have shown some good faith basis to pay. Christy's argument that she does not have the ability to pay is inconsistent with the law and the facts of this case. Specifically, there is no inability to pay when Christy voluntarily chose to

be unemployed since the divorce was entered on December 20, 2020. Christy stated that she has no money and no job due to her desire to keep the minor child at home until the child reaches the age of five. However, this still does not rise to the level of inability to pay given that Christy has a work history, has indicated that she can work when she chooses to work and is in good health overall. Nothing has been presented to this Court which shows that Christy is prohibited or unable to work.

2. That based on Christy's repeated contemptuous conduct in the past, the Court admonished Christy that if she intentionally failed to comply with this Court's order, she would be incarcerated and that any such incarceration could lead to more serious consequences up to a modification of custody. The Court acknowledges that since the inception of the divorce proceedings and in other orders herein, there have been consistent findings that Christy's conduct has been willful, contemptuous, contumacious and deliberate. The conduct in this case is not much different. The Court is not deceived by Christy's

sophisticated testimony or her calm demeanor but focuses more on her conduct.

3. That Christy is hereby found to be in contempt for failing to pay the sum of \$21,040.72 within one year in accordance with this Court's Final Judgment for Divorce. The Court finds that Christy's conduct was willful, contumacious and deliberate and therefore, grants Rick's request for attorney's fees in the amount of \$7,500.00. The Court finds that the attorney fees are reasonable considering the aggravated expenses of repeated continuances, evading service of process and gamesmanship exhibited by Christy.

4. The Court further recognizes that Christy presented a check in the amount of \$6,000.00 to Rick on the morning of trial. This payment was made to satisfy Christy's prior obligation to pay Rick for attorney's fees from a prior contempt entered on April 21, 2023.

5. Based on this finding of contempt, the Court orders that Christy be incarcerated for a period of six months. However, the Court hereby suspends this order of incarceration on the condition that Christy makes a payment of \$7,135.00 no later than March 1,

2024. The balance of \$21,405.72 owed by Christy shall be paid on the first day of each month in the amount of \$3,567.50 until paid in full. All payments shall be submitted to Rick's attorney, Tonya Franklin, in the form of a money order dated for the first day of each month. If Christy fails to make any payment as ordered herein, Counsel for Rick shall automatically submit to the Court an order for incarceration directing the Franklin County Sheriff's Department or other law enforcement agency to immediately take Christy Ann Martin into custody until such time as Christy complies with this Court's order. This period of incarceration shall not exceed six months.

6. The Court again admonishes Christy that the suspension of the order of incarceration herein is conditional upon her timely compliance with the payment schedule set forth above.

**SO ORDERED, ADJUDGED AND DECREED,
this the 5th day of February, 2024.**

/s/ Bennie L. Richard

HON. BENNIE L. RICHARD, CHANCELLOR

Agreed as to form by:

TRAVIS T. VANCE, JR., MSB #6045

914 Grove Street

Vicksburg, Mississippi 39183

Telephone: 601-638-0046

APPENDIX E

Constitutional and Statutory Provisions Involved

United States Constitution, Amendment XIV, § 1 (in relevant part):

“No State shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

Mississippi Constitution, Article 3, § 30:

“There shall be no imprisonment for debt.”

28 U.S.C. § 1257(a):

“Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the

Constitution or the treaties or statutes of, or
any commission held or authority exercised
under, the United States.”

incarceration of Appellant for failure to pay a civil money judgment in the amount of \$21,040.72, which originated from a tort-based damages action consolidated into the divorce cause. The Court of Appeals further affirmed the contempt finding despite undisputed evidence of Appellant's inability to pay.

II. ISSUES PRESENTED FOR REVIEW

1. That the opinion of the Court of Appeals of the State of Mississippi is contrary to the United States Constitution and the Mississippi Constitution.
2. Whether the Court of Appeals erred by affirming incarceration for failure to pay a civil money judgment, in direct conflict with Article 3, Section 30 of the Mississippi Constitution and controlling Mississippi Supreme Court precedent distinguishing ordinary debt from support-based obligations enforceable by contempt.
3. Whether the Court of Appeals erred by affirming incarceration for contempt while

disregarding undisputed proof of inability to pay, contrary to Mississippi Law.

III. UNDERLYING FACTS AND PROCEDURAL HISTORY

Christy Ann Martin (“Christy”) and John Fredrick “Rick” Martin married in March 2018 and separated just one month later. After a brief reconciliation, they again separated in November 2018. Christy was pregnant at the time. Rick filed for divorce, later amending his complaint to include paternity, custody, and property-related issues. DNA testing confirmed Rick’s biological relationship to the child. During litigation, Rick alleged damage to the marital home and personal property, asserting over \$15,000 in losses. A county court action addressing those claims was consolidated into the divorce case.

A temporary order entered January 24, 2020, awarded Christy temporary physical custody and required each party to gather their property from storage. On September 8, 2021, the chancery court entered a final judgment granting an irreconcilable differences divorce. Christy was awarded primary physical custody. Rick was granted visitation and ordered to

pay child support. The chancellor denied alimony and found Christy willfully caused property damage. As a result, Rick was awarded \$21,040.72, payable by Christy within twelve (12) months. Christy moved to alter or amend. The Court only corrected a tax exemption provision. The monetary judgment remained unchanged.

Over the next several years, the parties returned to court repeatedly. Christy was held in contempt for interference with visitation, with attorney fee awards entered against her in 2023. On February 5, 2024, the chancellor conducted a further review of compliance with the prior orders. Christy paid the \$6,000 attorney-fee sanction the morning of the hearing but had paid nothing toward the \$21,040.72 property-damage judgment that had been outstanding since 2021. The chancellor found Christy in willful contempt, concluding she had chosen not to work despite having the ability to do so. The Chancellor then imposed six months' incarceration, suspended on the condition that she make payments, including \$7,135 by March 1, 2024. Christy appealed.

On June 24, 2025, the Court of Appeals affirmed the contempt finding and incarceration sanction of the Warren County Chancery Court. Subsequently, Christy timely filed for rehearing and the Court of Appeals denied the Motion for re-hearing on November 18, 2025.

IV. REASONS FOR GRANTING THE WRIT (M.R.A.P. 17)

That the Supreme Court of Mississippi should grant the writ requested herein. This Court has long distinguished nonpayment of alimony/child support, which is enforceable by contempt, from nonpayment of ordinary civil debt, which is not punishable by incarceration. The Court of Appeals failed to conduct that required distinction and instead affirmed incarceration for nonpayment of a money judgment arising from a civil damages action, not a support-based obligation. This conflict with binding precedent alone warrants certiorari under Rule 17.

The decision undermines constitutional protections against imprisonment for debt. Article 3, Section 30 of the Mississippi Constitution expressly prohibits imprisonment for debt. The Court of Appeals affirmed

incarceration despite: the judgment consisting solely of money damages, not support; and no finding that the debt arose from a category to which the constitutional bar does not apply. The decision expands contempt power to ordinary debt collection and, if left unreviewed, creates statewide consequences in domestic litigation where tort-based claims may be consolidated with divorces. Review is warranted under Rule 17 due to the significant constitutional issue.

Even assuming contempt authority existed, the decision conflicts with established precedent regarding inability to pay. A contempt judgment cannot stand when the contemnor proves inability to comply. This Court has consistently held that inability to pay is a complete defense. The record reflects: Appellant had no income sufficient to file tax returns; lacked savings, credit, or accounts of her own; lived with her parents and relied on borrowed funds; and her only source of funds was intermittent back-child-support payments.

The Court of Appeals affirmed incarceration while ignoring undisputed evidence of inability to pay, in

direct conflict with controlling precedent, warranting review under Rule 17.

V. ARGUMENT IN SUPPORT OF THE WRIT

In a most unconstitutional manner, the Warren Chancery Court was affirmed in entering an order for incarceration against Christy for not paying an amount of money damages by the Court of Appeals. The decision effectively permits a Chancery Court to convert an ordinary civil damages award into a contempt-enforceable “support-like” obligation, and incarcerate a party despite a proven inability to pay. Further, the Court of Appeals’ opinion fails to analyze the origin and nature of the debt. The Court of Appeals treats consolidated civil-tort damages as equivalent to support obligations — child support and alimony. Finally, the opinion expands contempt power beyond the limits recognized by this Court, making it unconstitutional.

The Court of Appeals cites *McPhail v. McPhail*, 357 So. 3d 602, 614 (¶66) (Miss. 2023) for the proposition that a chancellor has discretion in selecting contempt sanctions. However, the Court of Appeals failed to apply the controlling limitation found in *McPhail* —

that incarceration in civil contempt is permissible only when the contemnor has the present ability to purge the contempt, meaning the sanction must remain coercive and never punitive. In *McPhail*, the Supreme Court emphasized that contempt sanctions must compel compliance, not punish, and that the chancellor must ensure the contemnor has the actual ability to comply before imposing incarceration. Lack of present ability prevents incarceration as a lawful remedy. Yet here, the Court of Appeals assumed ability to pay based merely on general capability for employment, rather than evidence of actual present financial capacity, and approved incarceration where the purge path was financially speculative and not supported by specific findings of ability to pay. This contradicts *McPhail*'s requirement that incarceration must cease the moment coercion becomes impossible, a principle embedded in *McPhail* and recognized through *Riser*. *Riser v. Peterson*, 566 So. 2d 210, 211 (Miss. 1990).

Under the instant ruling of the Court of Appeals, any parent who is unemployed, even for legitimate reasons, becomes jailable for not paying a property

judgment, even if they have no current ability to produce funds, and that is precisely the constitutional danger McPhail prohibits. Where the Court of Appeals treated discretion as unbounded, McPhail makes clear it is strictly conditioned on the contemnor's present purge ability. The failure to enforce this safeguard creates significant constitutional error and a statewide rule allowing punitive imprisonment under civil contempt.

That the Court of Appeals has misapplied, and/or attempted to modify the applicability of *Riser v. Peterson*, 566 So. 2d 210, 211 (Miss. 1990). In the opinion in the instant case, the Court of Appeals found that:

“The supreme court previously has emphasized that an ‘[i]nability to pay to avoid incarceration is a continuing defense as imprisonment does not accomplish the [remedial] purpose of the civil contempt decree.’ *Riser v. Peterson*, 566 So. 2d 210, 211 (Miss. 1990). Although ‘a litigant may be incarcerated for civil contempt for failure to pay a judgment[,] THAT LITIGANT IS ALWAYS ENTITLED TO

OFFER EVIDENCE OF INABILITY TO PAY AS A DEFENSE, NOT TO THE CONTEMPT, but to the incarceration.’ *Id.* at 212 (emphasis in original). Thus, as the Riser court explained, ‘even if [a party] was already committed to jail, she would still be entitled to be discharged on proof of inability to pay’ should she present sufficient evidence of her present financial inability to pay at a future hearing on the issue.” (¶19 Ct. App. Opinion).

The opinion minimizes this protection by suggesting continued litigation alone justifies keeping incarceration as an enforceable threat. Such erosion of Riser’s safeguard invites unconstitutional results, including, but not limited to, incarceration becoming punitive rather than coercive, individuals remaining jailed despite proven inability, and other unconstitutional inequities. This is precisely the concern the Supreme Court highlighted in *Paxton I* and *II*, yet the Court of Appeals bypassed that caution and affirmed incarceration without requiring contemporaneous evidence of present ability. *Paxton v. Paxton* (*Paxton II*), 305 So. 2d 106, 107 (Miss. 1974);

Paxton v. Paxton (Paxton I), 222 So. 2d 834, 835 (Miss. 1969). Only this Court can resolve the contradiction between Riser's constitutional limits and the broader contempt authority upheld here.

VI. CONCLUSION

If left undisturbed, the opinion authorizes the use of incarceration as a debt-collection mechanism whenever a civil damages judgment happens to arise in a domestic setting. This invites instability and unpredictability in chancery practice and is precisely the type of important legal question contemplated by Rule 17. Therefore, the Appellant respectfully requests that this Honorable Court grant certiorari, review the Court of Appeals' decision, and reverse the contempt judgment of the Chancery court.

Respectfully submitted this 21st day of November, 2025.

/s/ Jason E. Campbell

Jason E. Campbell (MSB #103792)

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Attorney for Appellant

CERTIFICATE OF SERVICE

I, Jason E. Campbell, certify that I have this day served a copy of the foregoing Petition for Writ of Certiorari on all counsel of record via the Court's electronic filing system, which automatically notifies all registered CM/ECF participants.

RESPECTFULLY SUBMITTED, this the 21st day of November, 2025.

BY: /s/ Jason E. Campbell

Jason E. Campbell, MSB No. 103792