



No.

26-5576



ORIGINAL

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IN THE  
Supreme Court of the United States

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SHARI LYNN OLIVER,

*Petitioner,*

v.

MATTHEW WARREN OLIVER,

*Respondent.*

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On Petition for a Writ of Certiorari to the  
Supreme Court of Michigan

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PETITION FOR A WRIT OF CERTIORARI

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Shari Lynn Oliver, *Pro se*  
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FILED

JUL 16 2026

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

## QUESTIONS PRESENTED

- I. Whether the Due Process Clause permits a State to continue exercising coercive authority affecting the parent-child relationship while declining to meaningfully adjudicate a parent's preserved constitutional and jurisdictional objections to the validity and enforceability of the underlying family-court orders.
- II. Whether the Due Process Clause requires a State to provide meaningful adjudication of preserved constitutional objections before continuing to exercise coercive governmental authority affecting the fundamental liberty interest of parents in the care, custody, and control of their children.
- III. Whether the Due Process Clause is satisfied when a State continues exercising coercive governmental authority affecting protected liberty interests after the procedures for obtaining judicial adjudication of preserved constitutional objections have proved unavailable or ineffective in practice.

## **PARTIES TO THE PROCEEDINGS**

Shari Lynn Oliver – Petitioner; no stock ticker symbol.

Matthew Warren Oliver – Respondent; no stock ticker symbol.

## **RULE 29.6 STATEMENT**

Because no petitioner is a corporation, a corporate disclosure statement is not required under Supreme Court Rule 29.6.

## **RELATED CASES**

The following proceedings are directly related to this case within the meaning of Rule 14.1(b)(iii):

### **Michigan Supreme Court**

*Shari Lynn Oliver v. Matthew Warren Oliver.* No. 169510.

(appeal from No. 377781)

Order denying application for leave to appeal entered February 27, 2026.

Motion for reconsideration denied April 23, 2026.

### **Michigan Court of Appeals**

*Shari Lynn Oliver v. Matthew Warren Oliver.* No. 377781.

(appeal from No. 2020-880855-DM)

Order denying application for leave to appeal entered December 29, 2025.

### **Oakland County Circuit Court, Family Division**

*Shari Lynn Oliver v. Matthew Warren Oliver.* No. 2020-880855-DM.

Uniform Child Support Order entered March 10, 2025.

Opinion and Order Regarding Child Support entered September 17, 2025.

Uniform Child Support Order entered September 23, 2025.

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Pursuant to Rule 34.6 of the Rules of this Court, certain personal identifiers, including the names and birthdates of minor children, have been redacted from the appendix copy of the March 10, 2025 Uniform Child Support Order. These redactions do not alter the substance of the record.

To avoid unnecessary duplication, documents appearing multiple times in the state-court record are reproduced only once in this Appendix. Where an exhibit has been omitted because it is reproduced elsewhere in the Appendix, the omission does not alter the substance of the record.

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## OPINIONS BELOW

The unpublished order of the Michigan Supreme Court entered February 27, 2026, denying Petitioner's application for leave to appeal, motion for interim relief and stay of enforcement, and motion to supplement the record, is reproduced at App. 1a. The unpublished order denying Petitioner's motion for reconsideration, entered April 23, 2026, is reproduced at App. 2a.

The unpublished order of the Michigan Court of Appeals entered December 29, 2025, denying Petitioner's application for leave to appeal and two motions to stay, is reproduced at App. 3a.

The Opinion and Order of the Oakland County Circuit Court, Family Division, entered September 17, 2025, is unpublished and is reproduced at App. 4a. Also reproduced in the appendix are the September 23, 2025 Order Granting Respondent's Motion for Entry of the Uniform Child Support Order and Waiving Oral Argument (App. 29a); the September 23, 2025 Uniform Child Support Order implementing that opinion (App. 31a); the March 10, 2025 Uniform Child Support Order that Petitioner challenged throughout the proceedings (App. 37a); the July 18, 2025 Order Imposing Filing Bond (App. 42a); the November 20, 2025 Support Enforcement Order (App. 81a); and the January 15, 2026 Bench Warrant (App. 84a).

## JURISDICTION

The Michigan Supreme Court denied Petitioner's application for leave to appeal on February 27, 2026. Petitioner timely filed a motion for reconsideration, which was denied on April 23, 2026. Copies of both orders appear at Appendix A. Petitioner submitted the original Petition for a Writ of Certiorari within 90 days of the denial of reconsideration, as provided by Rule 13.3 of the Rules of this Court. The original Petition was postmarked July 16, 2026, and received by the Clerk on July 22, 2026. The Petition was returned solely for correction of a content requirement under Rule 14.1(b), and this corrected Petition is being resubmitted pursuant to Rule 14.5 within the time specified by the Clerk.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This Petition involves the Due Process Clause of the Fourteenth Amendment to the United States Constitution, which provides:

"No State shall . . . deprive any person of life, liberty, or property, without due process of law . . ."

U.S. Const. amend. XIV, § 1.

This Petition also involves Title IV-D of the Social Security Act, including 42 U.S.C. §§ 651, 654(4), and 666, particularly subsections (a)(7) and (b), which establish the federal-state child-support enforcement framework and authorize participating States to employ specified enforcement mechanisms subject to constitutional limitations. Relevant portions of those provisions are reproduced in Appendix D.

## INTRODUCTION

This Petition concerns the constitutional minimum procedures required before a State may continue exercising coercive authority affecting the parent-child relationship. Although this case arises from child-support proceedings, the constitutional injury alleged is not merely financial. Petitioner alleges that the State continued exercising coercive governmental authority pursuant to family-court orders affecting her ability to maintain and preserve the parent-child relationship and to seek modification of restrictions affecting that relationship, despite the absence of any meaningful judicial adjudication of her preserved constitutional and jurisdictional objections.

The Due Process Clause requires more than procedures that exist on paper. It requires procedures capable of providing meaningful judicial adjudication before the State continues imposing coercive consequences affecting protected liberty and property interests. This Petition asks whether due process is satisfied when a State provides mechanisms for challenging family-court orders in theory, yet those mechanisms prove unavailable or ineffective in practice while enforcement continues. The Fourteenth Amendment guarantees not merely theoretical access to judicial review, but procedures that remain genuinely available before the State continues exercising coercive governmental authority.

Petitioner does not ask this Court to review custody determinations, recalculate child-support obligations, resolve disputed factual issues, or determine whether Petitioner ultimately should prevail on the underlying domestic-relations

claims. Instead, this Petition presents a threshold constitutional question: whether the Fourteenth Amendment permits a State to continue exercising coercive authority affecting fundamental parental liberty interests where a parent has repeatedly presented preserved constitutional and jurisdictional objections, but no court has meaningfully adjudicated those objections before enforcement continues.

The challenged enforcement affects not merely financial obligations but the parent-child relationship itself. The liberty interest protected by the Fourteenth Amendment encompasses a parent's ability to maintain, preserve, and, where appropriate, seek restoration of the familial relationship with his or her children. Continued governmental action affecting that relationship without meaningful judicial adjudication of preserved constitutional objections therefore implicates one of the oldest and most fundamental liberty interests recognized by this Court.

This question arises in the context of the nationwide child-support enforcement system established under Title IV-D of the Social Security Act. Through that cooperative federal-state framework, States exercise substantial coercive governmental authority, including wage garnishment, tax refund interception, license suspension, contempt sanctions, and incarceration. Because those enforcement mechanisms may burden fundamental parental liberty interests as well as protected property and liberty interests, the constitutional adequacy of the procedures governing their exercise presents an issue of exceptional national importance.

The constitutional injury alleged in this case is not merely an unfavorable state-court decision. Rather, Petitioner alleges that the State continued enforcing family-court orders while preserved constitutional and jurisdictional objections concerning their validity, enforceability, and the procedures used to exercise state authority remained without meaningful judicial adjudication. Those same constitutional questions were repeatedly presented throughout the state proceedings but, according to Petitioner, were never addressed on their merits before enforcement continued.

This case presents a suitable vehicle for resolving an important constitutional question. The Court need not decide custody, child-support calculations, witness credibility, or disputed factual matters. It need only determine whether the Due Process Clause permits a State to continue exercising coercive governmental authority affecting the parent-child relationship while preserved constitutional objections remain without meaningful judicial adjudication.

This Court should grant review to clarify the constitutional minimum procedures required before States continue exercising coercive governmental authority affecting fundamental parental liberty interests.

## STATEMENT OF THE CASE

### A. Nature of the Proceedings

This case arises from Michigan family-court proceedings involving child custody, child support, and the continuing exercise of coercive governmental authority affecting Petitioner's fundamental liberty interest in the care, custody, and control of her children. Although the immediate proceedings concern enforcement of a child-support obligation, Petitioner alleges that the State's continued exercise of coercive governmental authority pursuant to the challenged orders directly burdens her ability to maintain and preserve the parent-child relationship, and seek modification of restrictions affecting that relationship while preserved constitutional objections remain unresolved.

This Petition does not seek review of the underlying custody or child-support determinations as matters of state domestic-relations law. Nor does it ask this Court to resolve disputed factual questions, reweigh evidence, or determine whether Petitioner ultimately should prevail on the merits of the underlying custody or support proceedings.

Instead, this case presents a threshold constitutional question. Petitioner alleges that the State continued exercising coercive governmental authority affecting her fundamental liberty interests through child-support enforcement mechanisms and contempt proceedings after she repeatedly presented colorable constitutional and jurisdictional objections that no court meaningfully adjudicated before enforcement continued.

The constitutional injury alleged is therefore not merely an adverse outcome in state court. Rather, Petitioner alleges that the Due Process Clause was violated because the procedures intended to secure judicial review existed formally but proved unavailable or ineffective in practice while the State continued exercising coercive governmental authority.

### **B. Proceedings Giving Rise to This Petition**

The underlying proceedings originated in the Michigan Circuit Court, Family Division, and involved custody, parenting time, and child-support proceedings arising from the parties' divorce. Petitioner resided outside Michigan throughout the proceedings. The divorce proceedings began in 2020, and, except for an initial in-person proceeding, Petitioner participated in the trial-court proceedings remotely. After relocating from Ohio to Utah in November 2021, Petitioner continued participating remotely while residing outside Michigan.

The divorce judgment awarded Respondent sole legal and physical custody of the minor children, limited Petitioner's parenting time and imposed conditions on her ability to exercise that relationship, including restrictions requiring supervised visitation in Michigan. Petitioner alleges that these restrictions substantially limited her ability to maintain regular in-person contact with her children. Petitioner challenged the procedures underlying those determinations, including alleged reliance on disputed factual assertions, the use of evidence that was not disclosed or made part of the record, and the absence of findings supporting the

restrictions imposed. Petitioner alleges that those objections were not meaningfully adjudicated before the State continued enforcing orders affecting her relationship with her children.

On December 21, 2023, the parties entered a stipulated Uniform Child Support Order establishing Petitioner's child-support obligation at zero dollars. That order remained the operative support order until March 2025, when the trial court entered a new Uniform Child Support Order requiring Petitioner to pay \$1,727 per month.

Petitioner objected that the March 2025 order was entered without lawful procedural authority and challenged both the procedures through which the order was entered and the constitutional adequacy of the mechanisms used to enforce it. Petitioner alleges that the State thereafter continued exercising coercive governmental authority affecting both protected property interests and her fundamental liberty interest in the parent-child relationship while her constitutional and jurisdictional objections remained unresolved.

Petitioner alleges that the trial court continued enforcing the challenged child-support obligation without meaningfully adjudicating her preserved constitutional and jurisdictional objections. Although the trial court later entered the September 17, 2025 Opinion and Order and the September 23, 2025 Uniform Child Support Order modifying the amount of support, Petitioner maintains that those orders likewise were entered without adjudicating her repeatedly asserted constitutional and jurisdictional objections concerning the authority to enter and

enforce the challenged support orders and the procedures employed throughout the proceedings. Petitioner therefore alleges that the September orders continued, rather than cured, the asserted constitutional violations while the State continued exercising coercive governmental authority without a judicial determination of those threshold issues.

### **C. Petitioner's Constitutional Objections Were Repeatedly Presented**

Throughout the proceedings, Petitioner consistently asserted that continued enforcement violated the Fourteenth Amendment because no court had provided meaningful judicial adjudication of her threshold constitutional and jurisdictional objections.

Those objections included challenges to the authority to enter and continue giving effect to the challenged child-support orders, allegations of fraud upon the court, objections to the procedures employed to adjudicate disputed issues affecting protected liberty and property interests, and requests that constitutional issues be resolved before continuing enforcement.

Petitioner does not contend merely that the lower courts reached incorrect constitutional conclusions. Rather, Petitioner alleges that no court ever reached the merits of her constitutional objections despite their repeated presentation.

Petitioner thereafter presented those same constitutional questions to the Michigan Court of Appeals and subsequently to the Michigan Supreme Court. Both

courts denied leave to appeal without opinion, leaving the constitutional objections unresolved while enforcement continued.

#### **D. Procedural Barriers Impeded Meaningful Adjudication of Petitioner's Constitutional Objections**

As the State's exercise of coercive governmental authority intensified, Petitioner's practical ability to obtain meaningful judicial adjudication of her constitutional objections steadily diminished. Although Petitioner had participated remotely in the Michigan proceedings for several years while residing outside Michigan, in 2025 the court began requiring personal appearances for significant proceedings despite Petitioner's repeated representations that she lacked the financial ability to travel from Utah to Michigan. Petitioner requested continued remote participation and other reasonable accommodations, explaining that travel expenses were beyond her means.

On March 10, 2025, the trial court entered a Uniform Child Support Order requiring Petitioner to pay \$1,727 per month based on an attributed annual income of \$100,000. Petitioner alleges that she had no income when the order was entered and had never earned the annual income attributed to her. The order followed a motion seeking modification of child support that had been filed in a closed related case rather than in the active divorce proceeding. Petitioner challenged both the authority to enter the order under those circumstances and the constitutional adequacy of the procedures through which it was entered and enforced. The March 10, 2025 order was also made effective February 1, 2025, even though the motion

seeking modification was not filed until February 4, 2025, and was filed only in the closed related case.

On June 3, 2025, Petitioner filed a motion seeking reconsideration, clarification, a stay of enforcement, and related relief, including an alternative request that the trial judge disqualify herself. The motion also advised the trial court that Petitioner had filed a related federal civil action asserting constitutional claims arising from the same underlying proceedings. Although the trial court acknowledged that the filing was a motion for reconsideration containing a request for disqualification, it entered an order on June 26, 2025 addressing only the disqualification request. Petitioner alleges that the motion's remaining requests—including reconsideration, clarification, and a stay—were never adjudicated while the State continued exercising coercive governmental authority. Petitioner further represents that the federal action was subsequently dismissed on procedural grounds without reaching the merits and that the dismissal is presently on appeal.

On July 7, 2025, the trial court approved Petitioner's affidavit of indigency and granted a fee waiver after Petitioner reported \$0 income and significant consumer debt. Approximately two weeks later, on July 18, 2025, the court ordered Petitioner to post a \$1,500 bond before filing further pleadings or noticing any pending motions for hearing. At that time, Petitioner had pending requests for judicial relief, including a motion to modify custody, a motion to compel discovery concerning the opposing party's failure to provide requested financial documentation and discovery responses, unresolved requests for reconsideration,

clarification, and a stay of enforcement, and a motion to adjourn or strike the scheduled evidentiary hearing pending resolution of those matters. Petitioner alleges that the bond requirement prevented adjudication of those pending matters and foreclosed additional requests for judicial relief while the State continued exercising coercive governmental authority and constitutional objections remained unresolved.

On July 30, 2025, Petitioner submitted a second affidavit of indigency with her motion for reconsideration of the July 18, 2025 filing-bond order, reporting \$0 income and increased debt. Under the applicable procedures, Petitioner was required either to pay filing fees or obtain an approved fee waiver before additional pleadings and motions could be accepted for filing. On August 7, 2025, the trial court denied Petitioner's renewed request for a fee waiver and request to proceed without posting the filing bond. Although the court reviewed the proposed motion for reconsideration as an attachment to that request, the motion itself was not accepted for filing. Petitioner alleges that the court's conclusion that her gross household income exceeded 125 percent of the federal poverty guidelines was inconsistent with the financial information before it, which reflected no income, and that the combined effect of the filing bond and the denial of further fee-waiver relief rendered meaningful judicial review practically unavailable.

Petitioner further alleges that, separate from the bond requirement itself, several notices, objections, and constitutional submissions were rejected by the clerk's office or not docketed until after the proceedings to which they related.

Petitioner alleges that those filing barriers exceeded the requirements of the bond order and prevented timely presentation of objections for judicial consideration before additional enforcement proceedings occurred.

Following these procedural developments, the trial court conducted a September 11, 2025 evidentiary hearing and thereafter entered a September 17, 2025 Opinion and Order and a September 23, 2025 Uniform Child Support Order reducing the monthly support obligation to \$1,408. Petitioner alleges, however, that she continued to have no income, that no documentary evidence supporting the income attributed to her was admitted, and that the resulting support obligation remained beyond her ability to pay. Petitioner alleges that the court excluded her timely submitted financial documentation after sustaining an objection raised at the hearing, notwithstanding a scheduling order requiring evidentiary objections to be raised beforehand. Petitioner further alleges that no documentary evidence verifying either party's financial information was admitted at the hearing and that the resulting support determination rested primarily on unsupported assertions rather than admitted evidence. Petitioner maintains that the September orders continued the challenged obligation without adjudicating her preserved constitutional and jurisdictional objections.

Following continued enforcement, the Friend of the Court<sup>1</sup> scheduled contempt proceedings concerning Petitioner's alleged nonpayment of child support.

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<sup>1</sup> The Michigan Friend of the Court is the county agency responsible for administering and enforcing child-support obligations under Michigan law as part

At the November 20, 2025 show-cause hearing, conducted remotely before a Friend of the Court referee, Petitioner began presenting jurisdictional, procedural, and constitutional objections to enforcement, including objections to the validity of the underlying support orders and the pending appellate proceedings. The referee did not reach those objections on the merits, and after Petitioner advised the referee that she had no present ability to pay the ordered support, the referee adjourned the matter for further proceedings before the trial court. Petitioner was thereafter required to appear in person despite repeatedly advising the court that she lacked the financial ability to travel from Utah. Petitioner alleges that the objections raised during the contempt proceedings remained unresolved while enforcement continued.

Viewed collectively, Petitioner alleges that the challenged orders, exclusion of financial evidence, filing bond, delayed or rejected filings, and restrictions on remote participation prevented meaningful presentation and judicial adjudication of her preserved constitutional objections before the State continued exercising increasingly coercive governmental authority affecting the parent-child relationship.

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of the State's Title IV-D child-support enforcement program established under 42 U.S.C. §§ 651-669b.

### **E. Continuing Coercive Enforcement**

While Petitioner's constitutional objections remained unresolved, the State continued exercising coercive governmental authority pursuant to the challenged child-support orders through Michigan's Title IV-D child-support enforcement system. Petitioner alleges that the September 2025 orders continued enforcement of the challenged support obligation without adjudicating the constitutional and jurisdictional objections she had repeatedly raised. Enforcement thereafter included child-support collection measures, contempt proceedings, wage withholding, and ultimately the issuance of a bench warrant after Petitioner was unable to appear personally despite repeatedly advising the court that indigency prevented interstate travel.

Petitioner therefore alleges that, as the State's coercive enforcement mechanisms became progressively more severe, the procedural mechanisms ordinarily available to obtain judicial review became progressively less available. By the time contempt proceedings and a bench warrant were initiated, Petitioner alleges she could no longer realistically obtain judicial adjudication because she lacked the financial ability to post the court-imposed filing bond, travel across the country for required court appearances, or otherwise obtain meaningful judicial review before enforcement continued.

Petitioner further alleges that her wages are presently being garnished while child-support arrearages continue to accumulate, notwithstanding her assertion that she lacks the present ability to satisfy the ordered support obligation. The

challenged enforcement proceedings therefore remain ongoing, and the constitutional injury alleged has not ceased.

#### **F. Preservation of the Questions Presented**

The constitutional questions presented in this Petition were consistently preserved throughout the state proceedings.

Petitioner repeatedly raised constitutional and jurisdictional objections before the trial court, sought appellate review in the Michigan Court of Appeals, and thereafter presented those same constitutional questions to the Michigan Supreme Court.

Rather, it seeks review of constitutional questions that were repeatedly presented but that Petitioner alleges were never meaningfully adjudicated before the State continued exercising coercive governmental authority affecting Petitioner's fundamental liberty interest in the care, custody, and control of her children.

This case therefore presents a suitable vehicle for resolving the Questions Presented because the constitutional injury alleged is the absence of meaningful adjudication itself, rather than disagreement with particular factual findings or the ultimate merits of the underlying domestic-relations dispute.

## REASONS FOR GRANTING THE PETITION

This Petition presents recurring constitutional questions concerning the minimum procedures required by the Due Process Clause before a State may continue exercising coercive governmental authority pursuant to family-court orders affecting the fundamental liberty interest of parents in the care, custody, and control of their children. The Questions Presented ask whether due process is satisfied when procedures for adjudicating constitutional challenges exist in theory but prove unavailable or ineffective in practice before coercive enforcement continues.

Petitioner does not ask this Court merely to correct alleged legal error in a state family-court proceeding. Rather, this Petition presents a broader constitutional question of exceptional public importance: whether a State satisfies the Due Process Clause when it continues exercising coercive governmental authority affecting the fundamental liberty interest of parents in the care, custody, and control of their children without first providing meaningful judicial adjudication of preserved constitutional and jurisdictional objections.

This question arises in the context of the nationwide child-support enforcement system established under Title IV-D of the Social Security Act, through which state courts and executive agencies exercise substantial coercive governmental authority. That authority includes mechanisms such as wage garnishment, tax refund interception, license suspension, contempt sanctions, and incarceration. Because these enforcement mechanisms affect millions of parents

and children nationwide and directly implicate both fundamental parental liberty interests and protected property and liberty interests, the constitutional adequacy of the procedures governing their exercise presents an issue of exceptional national importance.

This case presents a narrow but recurring constitutional question: whether due process is satisfied when a State provides procedures for adjudicating constitutional objections in theory, yet continues exercising coercive governmental authority after those procedures have proved unavailable or ineffective in practice. The Constitution requires not merely procedures on paper, but procedures capable of providing meaningful judicial adjudication before the State continues exercising coercive authority affecting the parent-child relationship.

**I. Fundamental Parental Liberty Interests May Not Be Burdened Through Continuing Coercive Governmental Authority Without Meaningful Procedural Safeguards.**

This Court has repeatedly recognized that parents possess a fundamental liberty interest in the care, custody, and control of their children. *Troxel v. Granville*, 530 U.S. 57 (2000). That liberty interest encompasses the parent's ability to maintain familial association and participate in decisions concerning the upbringing of his or her children. Because state action burdening that interest implicates a fundamental liberty protected by the Fourteenth Amendment, the State must provide constitutionally adequate procedures before continuing to exercise coercive governmental authority affecting the parent-child relationship.

The Due Process Clause does not merely require procedures to exist in theory. Rather, due process requires notice, a meaningful opportunity to be heard, and adjudication by a neutral decisionmaker before governmental deprivation of protected liberty interests. *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Goldberg v. Kelly*, 397 U.S. 254 (1970). In the specific context of child-support enforcement, this Court has likewise recognized that due process requires meaningful procedural safeguards before the State may employ contempt proceedings that threaten an individual's liberty. *Turner v. Rogers*, 564 U.S. 431 (2011).

Petitioner also raised concerns regarding whether the procedures employed provided a sufficiently neutral and impartial forum for adjudication of her constitutional objections before enforcement continued. Petitioner alleges that the Title IV-D child-support enforcement framework contains institutional incentives connected to the establishment and collection of support obligations, raising concerns regarding whether affected parties receive a meaningful opportunity to challenge enforcement before a neutral decisionmaker. The question presented is not whether any individual judicial officer acted with subjective bias, but whether due process permits continued coercive enforcement where a litigant raises colorable constitutional objections and alleges that the structure of the adjudicatory process creates institutional incentives while those objections remain unresolved.

Petitioner repeatedly sought adjudication of constitutional and jurisdictional objections to the challenged family-court orders, including challenges to the court's authority to enter and enforce the underlying support order, allegations of fraud

upon the court, and requests for judicial consideration of disputed factual and legal issues necessary to resolve those objections. Despite those requests, no court meaningfully adjudicated Petitioner's threshold constitutional objections before the State continued exercising coercive governmental authority through contempt proceedings and other collection measures.

Although this Court has repeatedly recognized both the fundamental liberty interest of parents in the care, custody, and control of their children and the procedural safeguards required before the State may burden protected liberty interests, it has not addressed whether those principles permit a State to continue exercising coercive governmental authority affecting the parent-child relationship after a parent has repeatedly presented, but never obtained, meaningful adjudication of colorable constitutional objections to the validity and enforceability of the underlying family-court orders.

That unresolved constitutional question is presented here: whether the Due Process Clause permits a State to continue exercising coercive governmental authority affecting the fundamental liberty interest of parents in the care, custody, and control of their children while declining to provide meaningful judicial adjudication of a litigant's colorable constitutional and jurisdictional objections to the validity and enforceability of the underlying family-court orders.

The answer to that question will affect not only child-support proceedings, but all state proceedings in which governmental authority affects fundamental parental liberty interests and the parent-child relationship.

## II. Constitutional Procedures Must Be Meaningful in Practice, Not Merely Available in Theory.

The Due Process Clause guarantees an opportunity to be heard "at a meaningful time and in a meaningful manner." *Mathews*, 424 U.S. at 333.

Likewise, this Court has recognized that access to judicial proceedings affecting constitutionally protected parental interests and family relationships may not be conditioned upon financial barriers that effectively deny meaningful judicial determination. See *Boddie v. Connecticut*, 401 U.S. 371 (1971); *Little v. Streater*, 452 U.S. 1 (1981); *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996).

Petitioner alleges that every procedural avenue ordinarily available to challenge the State's exercise of judicial authority proved unavailable or ineffective in practice. The trial court declined to adjudicate constitutional objections; financial barriers prevented necessary motion practice; the only evidentiary hearing conducted failed to provide meaningful consideration of Petitioner's evidence or constitutional objections; appellate review ended with unexplained denials of leave; yet the State continued exercising coercive governmental authority through increasingly severe measures. This case therefore asks whether procedures satisfy due process merely because they exist formally within a state's judicial system, or whether they must remain genuinely available before coercive enforcement proceeds.

If constitutional claims affecting protected liberty interests cannot be meaningfully presented and adjudicated before enforcement continues, those procedural protections risk becoming illusory rather than real.

### **III. The Constitution Requires Meaningful Procedural Safeguards Before the State Exercises the Coercive Powers Authorized Through the Title IV-D Child-Support Enforcement System.**

This case presents recurring questions concerning the constitutional adequacy of procedures employed within the nationwide child-support enforcement framework established under Title IV-D of the Social Security Act. Congress has authorized a cooperative federal-state system through which state courts and executive agencies administer child-support obligations through extensive governmental authority affecting property interests, personal liberty, and the fundamental liberty interests of parents in the care, custody, and control of their children.

Through that cooperative framework, States may employ powerful enforcement mechanisms, including wage garnishment, tax refund interception, license suspension, civil contempt, criminal referral, and incarceration. The breadth of those coercive powers underscores, rather than diminishes, the constitutional importance of meaningful procedural safeguards before those powers are exercised. The Due Process Clause does not lose force because enforcement occurs in the domestic-relations context.

This Court has repeatedly recognized that the exercise of coercive governmental authority requires constitutionally adequate procedures. In *Turner v. Rogers*, 564 U.S. 431 (2011), the Court held that due process requires meaningful procedural safeguards before civil contempt proceedings may result in incarceration for failure to satisfy child-support obligations. Likewise, this Court has long

recognized that due process requires adjudication before a decisionmaker free from constitutionally impermissible incentives or conflicts that create an unacceptable risk of bias. *Tumey v. Ohio*, 273 U.S. 510 (1927); *Ward. v. Village of Monroeville*, 409 U.S. 57 (1972); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

Petitioner does not ask this Court to invalidate Title IV-D or to reconsider Congress's decision to establish a cooperative child-support enforcement system. Rather, Petitioner submits that the nationwide enforcement authority conferred through that system makes meaningful constitutional procedures indispensable. When governments exercise broad coercive authority burdening the fundamental liberty interests protected by the Fourteenth Amendment, the Constitution requires procedures that are capable of providing a meaningful judicial determination before continuing to exercise coercive governmental authority—not procedures that exist formally but prove unavailable or ineffective in practice.

Petitioner alleges that the State continued exercising extensive enforcement authority while repeatedly declining to provide a meaningful adjudication of Petitioner's threshold constitutional objections. Those allegations illustrate the broader constitutional question presented: whether the Due Process Clause permits the continued exercise of the coercive powers authorized through the Title IV-D framework after the procedures intended to adjudicate constitutional challenges have allegedly proved unavailable or ineffective in practice.

Because Title IV-D governs child-support enforcement through a nationwide cooperative federal-state system affecting millions of parents and children, the

constitutional adequacy of those procedures presents a recurring question of exceptional federal importance warranting this Court's review.

**IV. Constitutional Minimum Procedures Are Essential to Preserve the Rule of Law.**

The Due Process Clause presupposes that the exercise of governmental power affecting protected liberty interests remains subject to meaningful judicial adjudication. Constitutional guarantees cannot depend solely upon the formal existence of procedural mechanisms if those mechanisms prove unavailable or ineffective before the State continues exercising coercive governmental authority.

This Petition presents a threshold constitutional question concerning the constitutional requirement of meaningful judicial adjudication of preserved constitutional objections before the State continues exercising coercive governmental authority affecting the parent-child relationship. Petitioner does not ask this Court to supervise the ordinary administration of state family courts or to review routine custody or child-support determinations. Rather, Petitioner asks whether the Fourteenth Amendment permits continuing governmental coercion while preserved constitutional objections remain without judicial determination.

This Court recognized at the Nation's founding that "[i]t is emphatically the province and duty of the Judicial Department to say what the law is." *Marbury*, 5 U.S. (1 Cranch) at 177. That principle has continuing constitutional significance. The judicial function is not fulfilled when substantial constitutional objections are

repeatedly presented yet never meaningfully adjudicated before governmental coercion continues.

The importance of that question extends beyond the facts of this case. State courts throughout the Nation routinely exercise significant coercive governmental authority affecting the parent-child relationship, including authority to restrict parenting time and impose conditions on familial contact, while also employing enforcement mechanisms such as wage garnishment, property seizure, license suspension, contempt sanctions, and incarceration. The constitutional legitimacy of those powers depends upon procedures that remain genuinely capable of providing meaningful judicial adjudication before those powers continue to be exercised against fundamental parental liberty interests.

Because the Questions Presented concern the constitutional minimum procedures required before a State continues exercising coercive governmental authority affecting one of the oldest and most fundamental liberty interests recognized by this Court, they warrant this Court's review.

**V. The Questions Presented Are Squarely Presented, Repeatedly Preserved, and Outcome Determinative.**

This case presents an appropriate vehicle because the constitutional injury alleged is the absence of meaningful judicial adjudication itself. Petitioner does not ask this Court to determine whether the lower courts correctly resolved the underlying domestic-relations disputes. Rather, Petitioner alleges that she repeatedly presented threshold constitutional and jurisdictional objections, yet no

court meaningfully adjudicated those objections before the State continued exercising coercive governmental authority affecting her fundamental liberty interest in the care, custody, and control of her children.

Petitioner preserved these constitutional objections throughout the proceedings by presenting them to the trial court, the Michigan Court of Appeals, and the Michigan Supreme Court. The Questions Presented therefore do not ask this Court to resolve disputed facts, review custody determinations, calculate support obligations, or determine whether Petitioner ultimately should prevail on the underlying claims. They ask whether the Fourteenth Amendment permits a State to continue exercising coercive governmental authority affecting protected liberty interests while preserved constitutional objections remain without meaningful judicial determination.

Resolution of that question is outcome determinative. If the Due Process Clause requires meaningful judicial adjudication before continuing coercive governmental authority may be exercised, then Petitioner's preserved constitutional objections must receive that adjudication before enforcement may continue. If not, States may continue exercising coercive authority affecting fundamental parental liberty interests despite the absence of any judicial determination of preserved constitutional objections.

Because the challenged enforcement proceedings remain ongoing, and because Petitioner alleges continuing deprivation of protected liberty and property interests through those enforcement mechanisms, this case provides an appropriate

vehicle for clarifying the constitutional minimum procedures required before States continue exercising coercive governmental authority affecting fundamental parental liberty interests.

## CONCLUSION

This Petition presents a recurring constitutional question concerning the minimum procedures required before a State may continue exercising coercive governmental authority affecting the fundamental liberty interest of parents in the care, custody, and control of their children. The Fourteenth Amendment does not permit constitutional protections to exist only in theory. It requires procedures that remain genuinely capable of providing meaningful judicial adjudication of preserved constitutional objections before the State continues imposing coercive consequences affecting protected liberty and property interests.

The judiciary is the institution entrusted with resolving constitutional claims and ensuring that governmental power remains subject to law. When preserved constitutional objections are repeatedly presented yet no court provides meaningful judicial adjudication before the State continues exercising coercive governmental authority, the procedural protections guaranteed by the Due Process Clause risk becoming theoretical assurances rather than effective safeguards of constitutional rights.

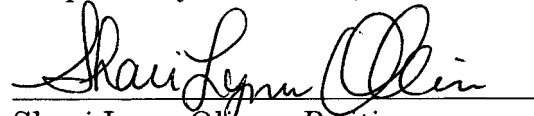
This case does not ask the Court to determine custody, calculate child support, resolve disputed facts, or review the correctness of underlying family-court decisions. It asks whether the Fourteenth Amendment permits a State to continue exercising coercive governmental authority affecting the parent-child relationship after the procedures intended to adjudicate preserved constitutional objections have allegedly proved unavailable or ineffective in practice.

The constitutional question presented is not whether a parent ultimately should prevail on those objections. It is whether due process permits the State to continue exercising coercive governmental authority affecting fundamental parental liberty interests while those objections remain without meaningful judicial adjudication.

This Court should grant review to clarify the constitutional minimum procedures required before States continue exercising coercive governmental authority affecting fundamental parental liberty interests.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Shari Lynn Oliver", is written over a horizontal line.

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Date: September 8, 2026