

**CASE 2015-10**

**JOHN THOMPSON  
VS.  
SOUTH FLORIDA PRESBYTERY**

**DECISION ON BCO 40-5 APPLICATION  
MARCH 3, 2016**

The Standing Judicial Commission (SJC) finds this Case Administratively Out of Order and cannot be put in order (*OMSJC* 9.1.a.) because it deals with proceedings in a judicial case in which a complaint was filed. Accordingly, the case is dismissed pursuant to *OMSJC* 9.2(d). See *BCO* 40-3, “Proceedings in judicial cases, however, shall not be dealt with under review and control when notice of appeal or complaint has been given the lower court.”

The SJC approved this decision on the following roll call vote:

Barker, <i>Concur</i>	Duncan, <i>Concur</i>	Meyerhoff, <i>Concur</i>
Bise, <i>Concur</i>	Evans, <i>Concur</i>	Neikirk, <i>Concur</i>
Burnett, <i>Absent</i>	Fowler, <i>Concur</i>	Nusbaum, <i>Concur</i>
Cannata, <i>Absent, Recused</i>	Greco, <i>Concur</i>	Pickering, <i>Concur</i>
Carrell, <i>Concur</i>	Gunn, <i>Concur</i>	Fowler, <i>Concur</i>
Chapell, <i>Concur</i>	Jones, <i>Concur</i>	Terrell, <i>Concur</i>
Coffin, <i>Concur</i>	Kooistra, <i>Concur</i>	White, <i>Concur</i>
Donahoe, <i>Concur</i>	McGowan, <i>Concur</i>	Wilson, <i>Concur</i>

**CASE 2015-11**

**JOHN B. THOMPSON  
VS.  
SOUTH FLORIDA PRESBYTERY**

**DECISION ON COMPLAINT  
MARCH 3, 2016**

**SUMMARY OF THE FACTS**

A member of Granada Presbyterian Church (and PCA ruling elder not actively serving on a session) was indicted for violating his membership and ordination vows for allegedly inappropriate emails sent to officers and other members of his church, and he pled not guilty. A week prior to the trial, he

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changed his plea and proposed handling the matter as a *BCO* 38-1 case without process and proposed a 23-page “full statement of the facts.” The Session Commission then proposed a different two-page statement, but an agreement was not reached on a 38-1 statement. Prior to trial, the accused was convicted of contumacy for allegedly failing to appear at two citations for *BCO* 38-1 discussions and “refusing to cooperate with lawful proceedings,” and the censure of excommunication was imposed. His subsequent Complaint to the Session was ruled Administratively Out of Order, and his Complaint to Presbytery was denied.

06/06/14 Granada Session charged its Commission for Care (SCC) “to administer discipline, as deemed necessary” regarding Mr. John B. Thompson. He is a PCA ruling elder, but not serving on a session.

01/07/15 Six months later, the Commission adopted the following:

“That RE Jack Thompson be instructed to cease sending emails regarding Granada Presbyterian Church business. (This will be communicated to him in person and contemporaneously in writing at our next planned Commission meeting to take place on Wednesday, January 14, 2015.)”

01/13/15 Mr. Thompson was notified to appear at a Commission meeting the next day.

01/14/15 Commission meeting, with five REs present: Woody Lippincott, Dale Haywood, Ernesto Escoto, Nathan Adler, and Marcos Ruiz. Granada TE Phil Binnie was present as a guest and consultant. Below is an excerpt from the minutes:

Jack Thompson did not appear at the SCC meeting as verbally requested by telephone by RE Lippincott and TE McCloud earlier in the week. The meeting was scheduled to start at 6:45 pm (15 minutes before the start of choir practice) in order to accommodate Thompson. It is noted that while the commission waited for Thompson to appear, he attended choir practice in the same building.

After discussion, the following motion resulted due to the finding of a strong presumption of guilt of the party involved: SCC- 2015-3: That the Granada Session authorize

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the SPC [sic] to proceed with judicial process and to allow the commission to invite a Presbytery member familiar with judicial procedures to act as moderator. Motion passed without objection.

01/23/15

Date the Indictment was signed by prosecutor RE Elwood T. [Woody] Lippincott, Jr., which included the following:

4. On June 17, 2014 commission members [three REs] initiated a meeting in person with JBT and admonished him to stop sending emails regarding GPC business.
5. In contravention of this admonition, JBT continued to initiate emails regarding GPC business.
6. As a result of this contravention, on September 17, 2014, commission members [RE and TE] initiated another meeting in person with JBT. [The senior pastor] was also in attendance. The commission members again admonished JBT to stop sending emails regarding GPC business.
7. In contravention of this admonition, JBT continued to initiate emails regarding GPC business.
8. Since the first meeting of commission members and JBT on June 17, 2014, JBT has initiated in excess of 369 emails regarding GPC business. A number of these emails were sent to, among others, church members who are not Ruling Elders or Teaching Elders, children of church members, the wives of some session members and the elderly mother of at least one church member.
9. The continuing initiation of emails after June 17, 2014 regarding GPC business constitutes multiple clear violations of the vows of membership and eldership taken by JBT, "against the peace, unity and purity of the Church, and the honor and majesty of the Lord Jesus Christ, as the King and Head thereof'.

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- 01/24/15 Indictment was delivered. Mr. Thompson submitted a written plea of “not guilty.” Eventually, a trial was scheduled for July 1.
- 06/23/15 Five months later, and one week prior to the trial, Thompson notified the court he was changing his plea to guilty, not to the charges in the indictment, but rather, guilty to what was in his 23-page document that accompanied his change in plea. He proposed the matter be handled as a *BCO* 38-1 case without process. [For the June 23 date, see ROC 229, paragraph #1, last sentence. Mistakenly, his Complaint to the Session stated this confession was delivered June 25.]
- The Commission then “cited” him to appear at a meeting on June 25 “to approve a full statement of facts in accordance with *BCO* 38-1.” The Commission attached a two-page document it proposed as the appropriate 38-1 statement. (The citation was dated June 22, but apparently was drafted after the court received Mr. Thompson’s June 23 change in plea.)
- 06/25/15 Thompson did not appear. The Commission “cited” him a second time, to appear at a 6/26 meeting “to approve a full statement of facts in accordance with *BCO* 38-1.” The Citation read in part, “If you appear and the parties are not able to approve a full statement of the facts, the case will proceed to trial as scheduled on July 1....”
- 06/26/15 Meeting between Thompson and the Commission. In his Complaint to the Session, Thompson contended he was “ordered not to speak” and contended the Commission said it was “because that is not on the agenda.” Thompson was accompanied by a retired police chief who attested to the accuracy of that contention.
- 06/27/15 Mr. Thompson was served by a process server at his home with a citation to appear at Granada the next day for the purpose of having a “judgment” entered against him.
- 06/28/15 Commission Meeting with four REs present: Woody Lippincott, Marcos Ruiz, Nathan Adler, and Dale Haywood,

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with TE McCloud present as a guest and consultant. Mr. Thompson attended the meeting with his wife. Commission Minutes record:

The Judgment [of excommunication] was read in accordance with *BCO* 36-6.

A trespass warning was also read to Thompson, and he received copies of the Judgment and the trespass warning. Judgment read as follows:

- Whereas the session of Granada Presbyterian Church charged its standing Commission for Care on June 5, 2014, to administer discipline, as deemed necessary, to John Bruce Thompson, a member of Granada Presbyterian Church and a ruling elder in the Presbyterian Church in America, and
- Whereas the Commission for Care served an Indictment on John Bruce Thompson on Jan 24, 2015, and Whereas the accused, John Bruce Thompson, initially submitted a written plea of not guilty to the charges in the Indictment and
- Whereas the accused subsequently submitted a written change of plea from not guilty to guilty and
- Whereas the accused received a Citation to Appear before the commission to approve a Statement of Facts per *BCO* 38-1 and
- Whereas the accused refused to attend as cited and
- Whereas the accused received a second Citation to Appear before the commission to approve a Statement of Facts per *BCO* 38-1 and
- Whereas the accused refused to attend as cited a second time and

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- Whereas the accused, both before and after his guilty plea, has intentionally engaged, and continues intentionally to engage, in the behavior which is the subject of the Indictment and
- Whereas the accused refuses to cooperate with these proceedings and has displayed no sign of repentance as to his contumacy and as to the charges in the Indictment and
- After much admonition and prayer and further endeavor by the court to bring the accused to a sense of his guilt, the accused has persisted in his contumacy and obstinately refuses to hear the Church. Therefore, in the name and by the authority of the Lord Jesus Christ, we, the standing Commission for Care of the session of Granada Presbyterian Church of the Presbyterian Church in America, do pronounce you, John Bruce Thompson, to be excommunicated from the Presbyterian Church in America and cut off from the fellowship of the Church.”

- 07/01/15      The date originally scheduled for the trial, but no trial was held.
- 07/02/15      Called Session meeting. Approved the Judicial Commission’s recommended Judgment and Censure of excommunication.
- 07/06/15      Mr. Thompson filed a 14-page Complaint with the Session. The 14-page Complaint did not allege error in the Session’s trespass warning.
- 07/16/15      Stated Session Meeting. Three TEs and seven REs were present. Below is the only excerpt from the Minutes regarding the Thompson Complaints:

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Item 4: Correspondence - Clerk Haywood distributed a letter sent to the session by several Granada members regarding the Jack Thompson situation. Discussion was deferred until later in the meeting. Also, Thompson's complaints (#'s 6, 7, 8, 9, 10, 11) were ruled administratively out of order, thus not received.

Jul/Aug Mr. Thompson filed several complaints with Presbytery, including this present one.

08/11/15 Presbytery Stated Meeting at Granada. Excerpts from Executive Session Minutes include:

In the matter of John Thompson: TE Matt Dubocq reported 8 complaints were received from former RE of Granada John Thompson. TE Matt Dubocq - on behalf of the MCR [Minister and Church Relations] committee made a motion to rule these complaints (united as one complaint) by John Thompson out of order. TE Phil Binnie, TE Matt Dubocq, and RE Marcos Ruiz (members of the MCR committee) abstained from voting on this motion as they are either members of Granada or involved in the complaint.

A motion was made to amend the motion and substitute "denied" instead of "out of order" in regards to complaints by John Thompson. The motion was passed to deny the complaints of John Thompson. *BCO* 43-2, 43-3 rules these complaints are denied. The session did not err, nor was there any misconduct or delinquency on the part of the Clerk of Presbytery or the Chairman of the MCR. (Note: The Teaching and Ruling Elders of Granada abstained from voting on this this motion and all other motions regarding this case.)

08/12/15 SFL Moderator TE Moran sent Mr. Thompson a letter, which included the following:

The South Florida Presbytery met on August 11, 2015 and considered all of the judicial matters

that you submitted to the clerk of Presbytery. The Presbytery passed the following motion: “Motion to deny the complaints made by John Thompson.” Please find this decision with its accompanying rationale in the document attached.”

A three-page “Judicial Decision” was attached, which contained 11 bullet points under “Reasoning.” (This seems to come from the MCR Committee report. It’s unclear if the Presbytery ever adopted this. The August 11 Minutes don’t reflect adoption, but at the ROC Hearing the Respondent indicated he believed Presbytery had adopted it.) The document included the following as the conclusion:

Under *BCO* 38-1; 43-1, one who cooperates with the court in a case without process has 60 days to file a complaint against the imposed censure. The censure was ratified by the Church Session July 2. The sixty-day deadline for filing such a complaint against the censure would be September 7. That complaint would have to be filed first with the session. Filing with the Presbytery or SJC without first filing with the session and giving the session opportunity to deal with it would be pre-mature.

The difficulty for the complainant to win his complaint regarding the *BCO* 38-1 process is, in the MCRC committee chairman’s opinion, not possible because:

- He did not plead guilty to the charges specified in the indictment as required by *BCO* 38-1.
- He did not agree to the statement of facts as required by *BCO* 38-1.
- He did not agree that his guilty plea and the statement of facts could be used by the court to impose whatever censure the court deemed appropriate. He agreed only to a censure of admonition.
- He walked out of the proceedings (as he had walked out of his disbarment proceedings in 2008).

Since the complainant did not appear for a trial, he does not have the right to appeal (*BCO* 42-2).



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- 08/13/15 Mr. Thompson filed his Complaint with the PCA.
- 09/30/15 SJC Panel received 222-page Record.
- 10/30/15 Mr. Thompson filed many objections to the Record.
- 12/04/15 Panel Hearing on Mr. Thompson's objections to the Record.
- 12/07/15 Panel notified parties of the contents of the final Record.
- 12/22/15 PCA received Complainant's Brief (10 pages).
- 01/05/16 PCA received Respondent's Brief (6 pages).
- 01/20/16 Panel Hearing on the Case in Birmingham, AL.
- 01/26/16 Panel filed its Proposed Decision with the SJC.

### II. STATEMENT OF THE ISSUE

Did the Session Judicial Commission initially err in reaching its June 28, 2015 pre-trial judgment that Mr. Thompson was guilty of contumacy for alleged disregard of two citations or alleged refusal to cooperate with lawful proceedings?

Thereafter, did the Presbytery err on August 11, 2015 in denying a Complaint (*BCO* 43-3) against the Session's actions regarding the Judgment of Guilt and Censure of excommunication on June 28, 2015, July 2, 2015, and July 16, 2015?

### III. JUDGMENT

Yes. The Session's judicial commission procedurally erred, and subsequently the Session and the Presbytery erred in not sustaining the Complaint.

Therefore, the SJC annuls the judgment of guilt for contumacy under *BCO* 32-6 and thus the censure of excommunication. This Judgment also annuls the Session actions on July 2 and July 16, and the Presbytery action on August 11.

This places the matter back to where it was on June 26, 2015 when the Session's judicial commission invited the accused to a meeting to discuss the wording of a proposed confession ("full statement of the facts") with

the view of trying to handle the matter as a *BCO* 38-1 case without process. In other words, he is restored to the status of being a member of Granada PCA under indictment with judicial process pending.

#### IV. REASONING

The SJC is not expressing any opinion on whether the Complainant could have been convicted at a trial for contumacy. We are simply saying that his behavior was not the immediately censurable kind envisioned in *BCO* 32-6.b. For him to be censured for the subjective kind of contumacy, it would need to be proven at trial or confessed.

First, A *BCO* 30 censure cannot be imposed unless guilt is proven by:

1. a mutually-acceptable *BCO* 38-1 confession (case without process);
2. pleading guilty to charges in an indictment;
3. guilt proven at trial;
4. the demonstration of immediately censurable contumacy by willfully ignoring two citations to appear, or refusing to plead, at an arraignment;
5. or, the demonstration of immediately censurable contumacy by refusing to cooperate with lawful proceedings. (*BCO* 32-6)

The Record does not demonstrate 1, 2, 3, or 4 occurred. There was no mutually agreeable 38-1 confession, or a plea of guilty as charged, or a trial. And an accused person is not constitutionally required to appear at a hearing to discuss a proposed *BCO* 38-1 statement of facts. Declining to appear at a 38-1 meeting is not the same as ignoring a citation to appear or plead at the arraignment (*BCO* 32-6). Regardless, the Record indicates the Complainant appeared at the second meeting on June 26 and only left after he was told he was not to speak.

So that brings us to item 5: guilt of the sin of “refusing to cooperate with lawful proceedings.” (See the last Whereas clause in the Commission’s Judgment on June 28, 2015.) While that phrase might appear to be subjective, its location in *BCO* 32-6 and the fact that it is immediately censurable points to it being objective instead. In other words, it’s the kind of refusal to cooperate that renders process impossible – like ignoring two citations for an arraignment or refusing to plead.

While the Record demonstrates the accused was challenging to deal with, the behavior in the Record does not demonstrate the type of “refusing to cooperate with lawful proceedings” that would be *immediately* censurable as *BCO 32-6.b* contumacy. The Collins English Dictionary, for example, defines contumacy in two ways:

- 1) obstinate and wilful rebelliousness or resistance to authority; insubordination; disobedience;
- 2) the wilful refusal of a person to appear before a court or to comply with a court order.<sup>12</sup>

That two-part definition is instructive here because it describes both subjective and objective behavior. The second definition describes the type of objective contumacy envisioned in *BCO 32-6.b*. The first definition describes the type of subjective contumacy of which the Presbytery apparently believed the Record *also* demonstrated the Complainant was guilty. This was clear from the Presbytery Respondent’s answers to questions at the Hearing before the SJC Panel. But the first kind of contumacy is the subjective kind that must be proven at trial, with witnesses and evidence.

Again, the SJC is not expressing any opinion on whether the Complainant could have been convicted at a trial for contumacy. We are simply saying it was not the immediately censurable kind envisioned in *BCO 32-6.b*. For him to be censured for the subjective kind of contumacy, it would need to be proven at trial or confessed.

Second, for a matter to be a *BCO 38-1* case without process, the accused and the court must mutually approve a written statement (confession). Both must agree it is a full statement of the facts. If agreement cannot be reached, there cannot be a *BCO 38-1* case without process. In this case, on June 26, 2015, the two-page statement proposed by the judicial commission was quite different than the 23-page statement proposed by the accused. So, absent an agreement, they should have proceeded to the trial scheduled for a week later.

Further, the SJC interprets the January 23 Indictment as charging Mr. Thompson with persisting in sending unsolicited emails about church business in excessive numbers to church members after being admonished to cease. The admonitions given to Mr. Thompson as

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<sup>12</sup> 12<sup>th</sup> ed., HarperCollins, Glasgow, 2014. <http://www.collinsdictionary.com/dictionary/english/contumacy>

represented in the Indictment could be interpreted as instructing Mr. Thompson not to send any emails regarding church business, not even one composed with temperate language, and with accurate, non-confidential content, and sent to willing recipients with a reasonable frequency. A ban of that scope would be beyond the powers of a Session because that prohibition would have no basis in the general moral regulations of Scripture. The Record does not demonstrate that the Session intended an absolute ban of emails regardless of content. For this reason, the SJC does not judge the Indictment to be unconstitutional.

It should be noted that the Complainant raised the issue of the Session's June 29 trespass warning ("TW") in his Preliminary Brief. However, since the Complainant did not include the TW as a specification of error in his original Complaint as enumerated under "The Wrongful Acts and Delinquencies of Granada," he cannot raise it now with the appellate court in Complaint 2015-11.

After Thompson's oral argument, and because his reference to the TW was so pronounced in his Brief, a Panel member asked him to cite a page number in ROC 86-99 where he complained about the Session's TW (i.e., in his original, 14-page Complaint filed with the Session on July 6). He was unable to provide any citation. He said it might be in the sections of that document that the Panel redacted on October 12 (for intemperance). However, nowhere in the 19 lines of text redacted from two pages in his July 16 Complaint does he complain about the TW, nor does the word "trespass" even appear in those redacted lines. While the TW was one of the documents in the nine pages of attachments to his Session Complaint, that's different than being part of the Complaint. So, the TW is not a matter before the SJC in Case 2015-11. Finally, some procedural omissions of the Presbytery warrant critique, and some actions of the Complainant warrant rebuke.

The Presbytery failed to comply with many important stipulations of *BCO* 43 regarding how an appellate court reviews a Complaint. The Complainant was apparently not able to "present his complaint" (*BCO* 43-5) or "appear before the higher court" (*BCO* 43-7 & 8). There was no "hearing" where he could "present argument" including "the right of opening and closing the argument" (*BCO* 43-9). At the Hearing, the Respondent's answers to questions from the Panel confirmed these omissions. Ordinarily an appellate court should give parties the opportunity to file briefs (*BCO* 43-8). And while the *BCO* does not

explicitly require Presbytery to give the Complainant the opportunity to comment on the Record filed by the Session, it would be prudent to do so. Had Presbytery done these things, this Case might have been resolved much earlier.<sup>13</sup>

The SJC is compelled to note for the record that the Complainant has egregiously violated the rules of decorum in these proceedings (RONR (11th ed.), p. 392-93). This conclusion is sustained in the consideration of the following particulars:

1. The Panel was required to redact (remove) material from 20 pages of his writings in the original Record due to his intemperate language and non-germane accusations. For example, the Panel was required to redact intemperate or accusatory text from 7 of the 23 pages in his proposed *BCO* 38-1 Confession, which was as much an accusatory document as it was a confession.
2. He filed dilatory motions, such as a request for the entire Panel to be disqualified (which the SJC Chairman rejected, without objection from any Commissioner).
3. He inundated the Panel, the SJC Chairman, and the PCA Stated Clerk with emails outside the customary allowances in the SJC Manual (approximately 1,000 to the Stated Clerk alone). This was so abused the Panel had to warn the Complainant that unless such emailing ceased, the Panel might reduce the number of pages he could file in his Preliminary Brief. The Panel Chairman received over 180 emails from Mr. Thompson related to this Case. Further, these emails were frequently intemperate in tone, contained allegations not germane to the case, or were threatening as to consequences of adverse rulings.
4. In addition to the original 222-page Record, Mr. Thompson requested the addition of over 500 pages of documents and material,

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<sup>13</sup> At the Hearing, Presbytery's Respondent indicated a Brief was not invited since Presbytery had already received dozens of communications from the Complainant, many of which Presbytery's Minister and Church Relations Committee regarded as circularizing the court. In addition, the Presbytery meeting was held at Granada Church, which had given the Complainant a no trespass warning. But the appellate court should have found a way to give the Complainant a hearing. A Presbytery judicial commission could have held a hearing at a different location.

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which the Panel was required to review. (He also requested his 250-page autobiography be added to the Record, but he never supplied it.) Then, just three days before the hearing to establish the final Record, he reduced this request to 70 pages. In other words, he wasted much of the Panel's time.

5. In emails and other documents in this Case, he demanded information about the PCA's insurance policy, requested non-existent PCA documents that he insisted existed, and notified the PCA he had written to the IRS with a complaint against Granada and the Presbytery.
6. On January 11, just nine days prior to the Hearing, he emailed 49 Presbytery Clerks (which included a Panel member) and accused a non-involved PCA church of something non-germane to his case and attributed to an SJC officer a position that officer does not hold. He also wrote to the Clerks:

I am hereby asking you to send me other examples of which you are aware in which folks in our denomination have used "church discipline" to treat the freedom we have in Christ to disagree about nonessentials as "sin," in violation of *BCO* 29-1. . . . Such hijacking by some within our denomination of legitimate church discipline for illegitimate ends needs to stop, and I ask for your help in stopping it. Send me your horror stories.

7. On January 15, five days before the Hearing, he sent a nine-page document to the PCA Stated Clerk titled "Offer of Global Settlement." He copied several people and asked the PCA Stated Clerk to forward it to the Panel chairman (and others). At best, this was another unauthorized attempt to add material over the 10-page limit for a Preliminary Brief. But the excerpts below, from the unauthorized document, seem to indicate it was even more than that.

In providing this formal offer to the PCA GA Stated Clerk, Roy Taylor, Thompson asks that it be provided by him to the Panel Chair and to the SJC Chair and to the PCA Administrative Committee, as well as to the PCA's corporate Board of Directors, so that everyone who ought to be in the loop, who in fact is in the loop by virtue of the pendency of this Case and the real risks it raises. . . .

To the extent that any PCA court rubberstamps or ignores or enables or fails to order the revocation of this illegal trespass warning that court draws itself, by negligence at the very least, into civil and other attempts to remedy this hateful wrong.

Should civil litigation be necessary to vacate it, how are this denomination and this Presbytery and this particular church going to convince a judge and a jury. . . .

Thompson cannot compel anyone of you on the other side of this mess to mediate or to even consider this offer. You can be as lemmings and go off the cliff. But resolution is possible through the appreciated efforts of those who might take seriously the notion of peace in this church in this place at this time. If none of you wishes to resolve this, then fine, it will be on you all. I have done all I can do. You cannot say you were not warned and given a life line: “Après moi le déluge.”<sup>14</sup> "Here I stand. I cannot do otherwise.

8. After receiving the Panel’s Decision, he filed 23 post-hearing documents and motions, totaling almost 100 pages, none of which are allowed under the OMSJC. (Parties are limited to a 5-page post-hearing Supplemental Brief.)

In conclusion, because this SJC Decision has “reset” the clock to June 26, 2015, the Indictment is still pending. However, as any other person under indictment, the Complainant has the right to request the Session to transfer his membership to another church. The Session may grant such a request and dismiss him to membership in another church (*BCO* 12-1 and 12-5.a). Or, per the principles of *BCO* 38-3.a, it may decline such a request and “may retain his name on the roll and conduct the case.”

The Panel’s proposed decision was initially drafted by RE Donahoe, and after amendments, was adopted unanimously by the Panel of RE Bise, TE Gunn, and RE Donahoe. Panel alternates were TE Evans and RE Wilson, and they viewed the Hearing via videoconference. The SJC approved the Decision, as further amended on the following roll call vote:

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<sup>14</sup> [French, meaning, “After me, the deluge.”]

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Barker, <i>Concur</i>	Duncan, <i>Concur</i>	Meyerhoff, <i>Concur</i>
Bise, <i>Concur</i>	Evans, <i>Concur</i>	Neikirk, <i>Concur</i>
Burnett, <i>Absent</i>	Fowler, <i>Concur</i>	Nusbaum, <i>Concur</i>
Cannata, <i>Absent, Recused</i>	Greco, <i>Concur</i>	Pickering, <i>Concur</i>
Carrell, <i>Concur</i>	Gunn, <i>Concur</i>	Fowler, <i>Concur</i>
Chapell, <i>Concur</i>	Jones, <i>Concur</i>	Terrell, <i>Concur</i>
Coffin, <i>Concur</i>	Kooistra, <i>Concur</i>	White, <i>Concur</i>
Donahoe, <i>Concur</i>	McGowan, <i>Concur</i>	Wilson, <i>Concur</i>

**CASE 2015-12**

**TE TOLIVAR WILLS  
VS.  
METRO ATLANTA PRESBYTERY**

**DECISION ON COMPLAINT  
MARCH 3, 2016**

**I. SUMMARY OF THE FACTS**

- 06/29/15 Metro Atlanta Presbytery (MAP) meets at a called meeting and decides to dissolve Grace North Atlanta (GNA) as an affiliate of MAP and the Presbyterian Church in America.
- 07/16/15 RE Randy Weekly, RE Steve Flesher, and TE Tolivar Wills file a complaint against the action taken by MAP on 6/29/15 to dissolve GNA.
- 09/15/15 MAP declares the complaint filed by RE Weekly, RE Flesher, and TE Wills on 7/16/15 to be administratively out of order.
- 09/18/15 TE Tolivar Wills files a complaint with the Standing Judicial Commission (SJC) of the PCA against the action taken by MAP on 9/15/15. The complaint is “against the decision of Metropolitan Atlanta Presbytery (MAP) taken at its Stated Meeting on September 15, 2015 in declaring administratively out of order the Complaint filed on July 16, 2015, to wit: That the Complaint is Administratively Out of Order because it lacked a signature.”