

APPENDIX T

made. Also on July 23, those REs voluntarily resigned from the Session and the Session dissolved their calls per their request. Since the underlying dispute has been settled and the charges dismissed, the Complaint alleging errors in that process is moot. This Decision was recommended by the SJC Officers and the SJC approved the Decision by vote of 23-0 on the following roll call vote. Ruling Elders indicated by ^R.

Bankson	<i>Concur</i>	Eggert ^R	<i>Concur</i>	Neikirk ^R	<i>Concur</i>
Bise ^R	<i>Concur</i>	Ellis	<i>Concur</i>	Pickering ^R	<i>Concur</i>
Carrell ^R	<i>Concur</i>	Garner	<i>Concur</i>	Ross	<i>Concur</i>
Coffin	<i>Concur</i>	Greco	<i>Concur</i>	Sartorius	<i>Concur</i>
Donahoe ^R	<i>Concur</i>	Kooistra	<i>Concur</i>	Terrell ^R	<i>Concur</i>
Dowling ^R	<i>Concur</i>	Lee	<i>Concur</i>	Waters	<i>Concur</i>
M. Duncan ^R	<i>Concur</i>	Lucas	Absent	White ^R	<i>Concur</i>
S. Duncan ^R	<i>Concur</i>	McGowan	<i>Concur</i>	Wilson ^R	<i>Concur</i>

CASE Nos. 2022-17, 18, and 19

MR. PETER BENYOLA

v.

CENTRAL FLORIDA PRESBYTERY

DECISION ON COMPLAINTS

March 2, 2023

The SJC finds the above-named Complaints are administratively out of order, and cannot be put in order, because Mr. Benyola is no longer a member of any congregation of the PCA, and thus lacks standing in these Cases.

This Decision was recommended by the SJC Officers and the SJC approved the Decision by vote of 23-0 on the following roll call vote.

Bankson	<i>Concur</i>	Eggert ^R	<i>Concur</i>	Neikirk ^R	<i>Concur</i>
Bise ^R	<i>Concur</i>	Ellis	<i>Concur</i>	Pickering ^R	<i>Concur</i>
Carrell ^R	<i>Concur</i>	Garner	<i>Concur</i>	Ross	<i>Concur</i>
Coffin	<i>Concur</i>	Greco	<i>Concur</i>	Sartorius	<i>Concur</i>
Donahoe ^R	<i>Concur</i>	Kooistra	<i>Concur</i>	Terrell ^R	<i>Concur</i>

MINUTES OF THE GENERAL ASSEMBLY

Dowling ^R	<i>Concur</i>	Lee	<i>Concur</i>	Waters	<i>Concur</i>
M. Duncan ^R	<i>Concur</i>	Lucas	Absent	White ^R	<i>Concur</i>
S. Duncan ^R	<i>Concur</i>	McGowan	<i>Concur</i>	Wilson ^R	<i>Concur</i>

CASE No. 2022-20

MR. DEREK WILSON et al.

v.

PACIFIC NORTHWEST PRESBYTERY

DECISION ON COMPLAINT

March 2, 2023

The Case is judicially out of order and is not able to be put in order because the avowed Complaint filed with the Session of Covenant Presbyterian Church was not a complaint “against some act or decision of a court of the Church.” (*BCO* 43-1) [ROC 6-9]. The Complaint alleges errors related to actions taken in a congregational meeting. Under our rules, “. . . a congregation meeting is not a court of the Church, and the *BCO* has no provision that allows a Complaint against congregational actions” (Judicial Case 2021-12 *Complaint of Christian Michelson and Stuart Michelson v. Northwest Georgia Presbytery*, Feb. 1, 2022).

The concerned members were not and are not without recourse. The members could have informed Presbytery, under *BCO* 13-9(f) and 40-5, of what, in their view, was an unconstitutional limitation on voting in the Congregational Meeting. Presbytery’s response to that report would have been an action of a court, which, in turn, could be subject to complaint. Further, since this Complaint is out of order, it is possible that the matter could be raised in the review of the records of Session and/or Presbytery if the issue is raised in their minutes. The Complaint is dismissed.

The Proposed Decision was drafted by TE Coffin and RE Wilson and approved by the Panel. The SJC approved the Decision by vote of 20-2 on the following roll call. Ruling Elders indicated by^R.