

**Kennedy v. Pby of Shenango,
Remedial Case No. 197-7,**

Order Dismissing Appeal

**THE REV. JOHN E. KENNEDY
Complainant-Appellant**

vs.

**THE PRESBYTERY OF SHENANGO,
Respondent-Appellee**

This matter comes before the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) pursuant to Notice of Appeal filed by the Rev. John E. Kennedy II, Complainant-Appellant. The record discloses that subsequent to the filing of his complaint against the presbytery, the Appellant accepted a call as an associate pastor in the General Synod of the Associate Reformed Presbyterian Church. As a result of this action, the Moderator and Clerk of the Permanent Judicial Commission of the Synod of the Trinity dismissed Appellant's complaint pursuant to the *Book of Order* D-5.0300, which states that jurisdiction in judicial process ends when a church officer or member renounces the jurisdiction of the church.

In his appeal, the Appellant cites an irregularity by the Permanent Judicial Commission of the Synod of the Trinity in not entertaining his appeal, in hastening to a decision to remove the case from the docket, and in obstructing justice.

We believe that the action of the Moderator and Clerk of the Permanent Judicial Commission of the Synod of the Trinity was proper and that this Commission does not have jurisdiction to entertain the Appellant's complaint, due to Complainant-Appellant's transfer outside the jurisdiction of the Presbyterian Church (U.S.A.).

This order, issued February 17, 1985, by the entire Permanent Judicial Commission of the General Assembly, confirms the interim order issued January 21, 1985. The appeal is hereby dismissed.