

**Buonaiuto v. Pby of Long Island,
Remedial Case No. 199-2,**

**MR. FRANK BUONAIUTO
Complainant-Appellant
vs.
PRESBYTERY OF LONG ISLAND
Respondent-Appellee**

This matter came before the Commission pursuant to an appeal filed by the complainant-appellant, Frank Buonaiuto, from a decision of the Permanent Judicial Commission of the Synod of the Northeast. The General Assembly's Permanent Judicial Commission met to consider this matter on May 22-23, 1987, in Atlanta, Georgia.

The record shows that the complainant received his copy of the decision of the Permanent Judicial Commission of the Synod of the Northeast on October 30, 1986. The complainant mailed his notice of appeal on December 2, 1986. This notice of appeal was received by the stated clerk of the Synod of the Northeast on December 5, 1986. Section D-13.0400 of the *Book of Order* states that appeals shall be filed within thirty days after a copy of the judgment has been received. The appeal was not filed within thirty days, therefore, this Commission is without jurisdiction to hear it.

The record also shows that the complainant has no standing to file this case because he is not a member of the Presbytery of Long Island. (D-6.0500b.)

Further, a prior case involving the same subject matter and dispute was recently decided against the complainant by the General Assembly's Permanent Judicial Commission (Remedial case No. 198-5).

It is therefore ordered that the appeal of complainant--appellant, Frank Buonaiuto, be dismissed.

The Rev. Robert Craghead and Elder Evelyn Reddin were absent and did not participate in the decision.