

**Hardwick, Jr. v. Williams, Jr. and
Session, Pearsall Memorial Church,
Remedial Case No. 200-4,**

**JESSE C. HARDWICK, JR.
Complainant/Appellant**

vs.

**DR. ARTHUR WILLIAMS, JR.
AND THE SESSION OF PEARSALL
MEMORIAL PRESBYTERIAN CHURCH
OF WILMINGTON, NORTH CAROLINA
Respondents/Appellees**

The above captioned matter came before the Permanent Judicial Commission of the General Assembly, Presbyterian Church (U.S.A.) pursuant to an appeal filed by Mr. Jesse C. Hardwick, Jr. from a decision rendered by the Permanent Judicial Commission of the Synod of North Carolina.

The executive committee of the Permanent Judicial Commission of the General Assembly in its order of July 17, 1987, deemed that the appeal was abandoned by virtue of the fact that the appellant had not filed a brief with the Office of the General Assembly within the time allowed.

Subsequent to the order, the appellant claimed that the brief had indeed been mailed within the time allowed and submitted a certified mail receipt in proof of this fact. Greenbrier Presbytery, acting on behalf of Arthur Williams, acknowledged that it had received a copy of the brief within the time allowed.

The commission accordingly received the brief and discussed the merits of the case. The *Book of Order* states (D-5.0100, 1a) "Decisions of the synod shall be final in all cases except those affecting the doctrine of the church or the interpretation of the constitution of the church." After due deliberation the commission concurred with the Permanent Judicial Commission of the Synod of North Carolina that none of the alleged errors in the brief and the appeal affect the doctrine of the church or the interpretation of the constitution of the church.

Accordingly, the Permanent Judicial Commission of the General Assembly does not have jurisdiction in this matter.

It is therefore ordered that the appeal of Mr. Hardwick be dismissed.

The Rev. James Angell and the Rev. Milton Carothers, members of the commission, were not present and took no part in the proceedings.