

Presbyterian Church (U.S.A.)
General Assembly Permanent Judicial Commission

Presbytery of Blackhawk)	
Complainant)	
)	
v.)	Remedial Case 204-4
The Synod of Lincoln Trails)	
Respondent)	

This is a remedial case which has come before this Commission on a Complaint filed by the Presbytery of Blackhawk against a decision of the Permanent Judicial Commission of the Synod of Lincoln Trails (Synod PJC). The Complaint alleges certain irregularities in Synod PJC's handling of the appeal of a disciplinary case originating in the Presbytery of Blackhawk.

The General Assembly Permanent Judicial Commission has reviewed the materials submitted. The Commission has determined that the Complainant has not stated "a claim upon which relief can be granted" (D-6.1200a). The Complainant has raised issues normally addressed through an "appeal" process. Because Complainant does not have standing to appeal (D-13.0100b), the Complaint attempts to address these issues by the device of a remedial process. This Commission has determined that Complainant's specifications of irregularity deal with conclusions reached after considering evidence and assumptions about the weight of evidence rather than with errors in procedure or decisions made contrary to accepted practice.

Opportunity was provided to all parties to challenge a preliminary opinion along the above indicated lines. No challenge was offered.

Order

IT IS THEREFORE ORDERED on this 16th day of May, 1992, that this case not be heard by the General Assembly Permanent Judicial Commission.

James MacKellar and Alberta Mercado were not present and took no part in the proceedings.