

**THE PERMANENT JUDICIAL COMMISSION
OF THE GENERAL ASSEMBLY
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

SAN MATEO Korean Presbyterian Church)
Complainant/Appellant)

REMEDIAL CASE 209-8

v.

)
Presbytery of SAN FRANCISCO)
Respondent/Appellee)

This remedial case has come before this Commission on a preliminary order issued by the Moderator and Clerk of the Commission recommending dismissal of the appeal. The full Commission has considered the materials submitted by the parties and the record of the case and finds that despite its styling as a remedial case, the record shows that it is an attempted appeal of a disciplinary case. This cannot be done under our Rules of Discipline (Evans v. Presbytery of Lake Michigan, *Minutes*, 11995, 121). In addition, the only party who can appeal a disciplinary case is the accused. D-13.0100b*

Accordingly, this Commission ORDERS that the appeal be dismissed.

Stephen Taber, member of the Commission from the Presbytery of San Francisco, took no part in the deliberations or decision of the case. D-4.0400b.

Dated this 9th day of February, 1997.

*In adopting amendments to the Form of Government and Rules of Discipline, the 208th General Assembly (1996) affirmed this Commission's request that all cases filed before the adoption of the amendments be adjudicated in accordance with the Rules of Discipline then in effect. Therefore, we consider this case in accordance with the 1995-1996 version of the Rules of Discipline. All references in this decision shall be to the 1995-1996 Rules of Discipline.