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

Presbytery of SAN JUAN	**)**	
Complainant	**)**	
v.		**Remedial Case 209-10**
PRESBYTERIAN CHURCH (U.S.A.)	**)**	
FOUNDATION	**)**	
Respondent	**)**	

This remedial complaint of the Presbytery of San Juan against the Presbyterian Church (U.S.A.) Foundation has come before this Commission as a case of original jurisdiction. Pursuant to D-6.0309, the Moderator and other members of the General Assembly Permanent Judicial Commission held a pretrial conference with the Complainant and Respondent. The members present made a preliminary determination that the complaint was not timely filed (D-6.0307c), that it failed to state a claim upon which relief may be granted (D-6.0307d), and that it should therefore be dismissed.

Upon review of the record and pleadings of the parties at its February 9, 1997, meeting, the Permanent Judicial Commission concurred with the recommendation to dismiss the complaint for failure to state a claim and because the complaint was not timely filed.

IT IS THEREFORE ORDERED that the complaint be dismissed.

Stephen Taber and Ruby Rodriguez , members of the Commission, recused themselves and took no part in the deliberations or decision of this case. D-4.0400b.

Dated this 9th day of February, 1997.