

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

Barton J. HEISERMAN)
Complainant)
)
v.)
)
PRESBYTERIAN BOARD OF PENSIONS)
Respondent)

This remedial case has come before the General Assembly Permanent Judicial Commission on a preliminary order issued by the Moderator and Clerk of the Commission recommending dismissal of the complaint.

Pursuant to D-6.0307, the Committee has examined the complaint dated February 23, 1998, to determine the threshold questions of jurisdiction. Based upon the complaint itself, it was determined that the complaint was timely filed, but that the Complainant does not have standing to file a complaint against the Presbyterian Board of Pensions, an entity of the General Assembly. Section D-6.0202b(3) is specific about who may file, and against whom a complaint may be filed.

The full Commission has considered the materials submitted by the Complainant during its August 8, 1998, meeting and concurred with the recommendation to dismiss the complaint because the Complainant lacked standing to file the complaint.

It is therefore ordered that the complaint be dismissed.

Christine Levister and Ferdinand Pharr, former members of the Commission, having resigned from the Commission, were not present for the meeting of the Commission and, accordingly, took no part in the deliberations or decision of the case.

Dated this 8th day of August, 1998.