

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

Carl James Sohn,)	
Complainant/Appellant,)	
)	ORDER OF DISMISSAL
v.)	
)	Remedial Case 216-4A
Hanmi Presbytery,)	
Respondent/Appellee.)	

On July 12, 2003, the Executive Committee of the General Assembly Permanent Judicial Commission issued a Second Amended Preliminary Order directing the parties to submit briefs in anticipation of a hearing on the jurisdictional questions in this case, as outlined in that order.

The General Assembly Permanent Judicial Commission, acting as the full body, hereby overrules the Second Amended Preliminary Order and concludes that this case should be dismissed for lack of jurisdiction.

The Permanent Judicial Commission of the Synod of Southern California and Hawaii (SPJC) assumed original jurisdiction over a number of cases coming out of the Hanmi Presbytery concerning the Korean Independent Presbyterian Church. In this case the SPJC ruled that a review of the work of an investigating committee had been conducted, pursuant to Complainant's petition for review under D-10.0303a. Under D-10.0303e, once the review process has been completed and no charges are filed, "the matter is concluded." In light of this provision, no further appeal is available in this case.

IT IS THEREFORE ORDERED that this matter be dismissed.

IT IS FURTHER ORDERED, in this matter only, that because the Second Amended Preliminary Order led the parties to believe that briefing and a hearing on the jurisdictional questions would be held before the full Commission, the Commission hereby gives the parties leave to challenge this order of dismissal and to request a jurisdictional hearing should either party so desire.

The following members of the Commission were not present and took no part in this Order: John Dudley, Fred Denson, June Lorenzo, Bruce Gore, and Christopher Yim. Leon Fanniel was recused in this matter.

Dated the 12th day of October, 2003.

Certificate

We certify that the foregoing is a full and correct copy of the Order of Dismissal of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Remedial Case 216-4A, Carl James Sohn, Complainant/Appellant, v. Hanmi Presbytery, Respondent/Appellee, made and announced at Louisville, KY, on October 13, 2003.

Jane E. Fahey, Moderator
Permanent Judicial Commission of the General Assembly

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by UPS Next Day Air, directing C. Laurie Griffith to deposit it in the mail at Louisville, KY, on October 13, 2003.

Carl Sohn, Complainant/Appellant
Christopher Pae, Stated Clerk, Hanmi Presbytery
Margy Wentz, Stated Clerk, Synod of Southern California and Hawaii
General Assembly Permanent Judicial Commission (regular mail)

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to C. Laurie Griffith on October 13, 2003.

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I received a certified copy of the foregoing, that it is a full and final correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.), sitting during an interval between meetings of the General Assembly at Louisville, KY, on October 12 2003, in Remedial Case 216-4A2, Carl James Sohn, Complainant/Appellant, v. Hanmi Presbytery, Respondent/Appellee, and that it is the final judgment of the General Assembly of the Presbyterian Church (U.S.A.) in the case.

Dated at Louisville, KY, on October 13, 2003.

C. Laurie Griffith
Manager of Judicial Process and Social Witness

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

-----)	
Carl James Sohn,)	
Complainant,)	
)	ORDER OF DISMISSAL
v.)	
)	Remedial Case 216-4B
Synod of Southern California and Hawaii,)	
Respondent.)	

On July 12, 2003, the Executive Committee of the General Assembly Permanent Judicial Commission issued a Second Amended Preliminary Order determining that this matter should be treated as a complaint initiating a remedial case against the Synod of Southern California and Hawaii and directing the appointment of a committee of counsel by the Synod. The full General Assembly Permanent Judicial Commission hereby overrules the Second Amended Preliminary Order and concludes that this matter should be dismissed for lack of jurisdiction.

The Permanent Judicial Commission of the Synod of Southern California and Hawaii (SPJC) assumed original jurisdiction over a number of cases coming out of the Hanmi Presbytery concerning the Korean Independent Presbyterian Church. This specific case arose from the filing of disciplinary accusations concerning impropriety in the election of officers. When the Presbytery failed to appoint an investigating committee, the Synod assumed original jurisdiction. In the SPJC decision, it ruled that a remedial complaint against the session was the remedy that should have been pursued, and it dismissed the disciplinary accusation.

The SPJC correctly ruled that the appropriate remedy in this case is a remedial action against the session for an alleged irregularity, and according to the SPJC, such a remedial complaint has been filed. Because this remedial action remains pending below and is not before the Commission, this appeal is not ripe for determination and this Commission lacks jurisdiction. D-13.0301a.

IT IS THEREFORE ORDERED that this case be dismissed.

The following members of the Commission were not present and took no part in this Order: John Dudley, Fred Denson, June Lorenzo, Bruce Gore, and Christopher Yim. Leon Fanniel was recused in this matter.

Dated the 12th day of October, 2003.

Certificate

We certify that the foregoing is a full and correct copy of the Order of Dismissal of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in

Remedial Case 216-4B, Carl James Sohn, Complainant, v. Synod of Southern California and Hawaii, Respondent, made and announced at Louisville, KY, on October 13, 2003.

Jane E. Fahey, Moderator
Permanent Judicial Commission of the General Assembly

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by UPS Next Day Air, directing C. Laurie Griffith to deposit it in the mail at Louisville, KY, on October 13, 2003.

Carl Sohn, Complainant
Margy Wentz, Stated Clerk, Synod of Southern California and Hawaii
General Assembly Permanent Judicial Commission (regular mail)

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to C. Laurie Griffith on October 13, 2003.

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I received a certified copy of the foregoing, that it is a full and final correct copy of the decision of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.), sitting during an interval between meetings of the General Assembly at Louisville, KY, on October 12 2003, in Remedial Case 216-4A, Carl James Sohn, Complainant, v. Synod of Southern California and Hawaii, Respondent, and that it is the final judgment of the General Assembly of the Presbyterian Church (U.S.A.) in the case.

Dated at Louisville, KY, on October 13, 2003.

C. Laurie Griffith
Manager of Judicial Process and Social Witness

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

Carl James Sohn and Hang Mo Koo,)	
Complainants/Appellants,)	
)	ORDER FOR TRIAL
v.)	
)	Remedial Case 216-4C
Synod of Southern California and Hawaii,)	
Respondent/Appellant.)	

On July 12, 2003, the Executive Committee of the General Assembly Permanent Judicial Commission issued a Second Amended Preliminary Order determining that this matter should be treated as a complaint initiating a remedial case against the Synod of Southern California and Hawaii and directing the appointment of a committee of counsel by the Synod.

The General Assembly Permanent Judicial Commission hereby approves the findings in the Second Amended Preliminary Order that this Commission has jurisdiction, that the complainants have standing to file the case, that the complaint was properly and timely filed, and that the complaint states a claim upon which relief can be granted.

The trial in this matter before the Commission is set for February 27, 2004. The trial will be limited to the question whether the Synod's failure to appoint an investigating committee to handle this specific matter was an delinquency.

The following members of the Commission were not present and took no part in this Order: John Dudley, Fred Denson, June Lorenzo, Bruce Gore, and Christopher Yim. Leon Fanniel was recused in this matter.

Dated the 12th day of October, 2003.

Certificate

We certify that the foregoing is a full and correct copy of the Order for Trial of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Remedial Case 216-4C, Carl James Sohn and Hang Mo Koo, Complainants/Appellants, v. Synod of Southern California and Hawaii, Respondent/Appellant, made and announced at Louisville, KY, on October 12, 2003.

Jane E. Fahey, Moderator
Permanent Judicial Commission of the General Assembly

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by UPS Next Day Air, directing C. Laurie Griffith to deposit it in the mail at Louisville, KY, on October 13, 2003.

Carl Sohn/Hang Mo Koo, Complainants/Appellants
Margy Wentz, Stated Clerk, Synod of Southern California and Hawaii
General Assembly Permanent Judicial Commission (regular mail)

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to C. Laurie Griffith on October 13, 2003.

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

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Dated at Louisville, KY, on October 13, 2003.

C. Laurie Griffith
Manager of Judicial Process and Social Witness

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

Shin Sil Park and Jae Eun Sohn,)	
Complainants/Appellants,)	
)	ORDER OF DISMISSAL
v.)	
)	Remedial Case 216-4D
Synod of Southern California and Hawaii,)	
Respondent/Appellee.)	

On July 12, 2003, the Executive Committee of the General Assembly Permanent Judicial Commission issued a Second Amended Preliminary Order determining that this matter should be treated as a complaint initiating a remedial case against the Synod of Southern California and Hawaii and directing the appointment of a committee of counsel by the Synod. The full General Assembly Permanent Judicial Commission hereby overrules the Second Amended Preliminary Order and concludes that the Commission lacks jurisdiction and this case should be dismissed.

The Permanent Judicial Commission of the Synod of Southern California and Hawaii (SPJC) assumed original jurisdiction over a number of cases coming out of the Hanmi Presbytery concerning the Korean Independent Presbyterian Church. This specific case arose from the filing of a disciplinary accusation concerning the removal of complainants as deacons. When the Presbytery failed to appoint an investigating committee, the Synod assumed original jurisdiction. In the SPJC decision, it ruled that a remedial complaint against the session was the remedy that should have been pursued, and it dismissed the disciplinary accusation.

The SPJC correctly ruled that the appropriate remedy in this case is a remedial action against the session for an alleged irregularity, and according to the SPJC, such a remedial complaint has been filed. Because this remedial action remains pending below and is not before the Commission, this appeal is not ripe for determination and this Commission lacks jurisdiction. D-13.0301a.

IT IS THEREFORE ORDERED that this case be dismissed.

The following members of the Commission were not present and took no part in this Order: John Dudley, Fred Denson, June Lorenzo, Bruce Gore, and Christopher Yim. Leon Fanniel was recused in this matter.

Dated the 12th day of October, 2003.

Certificate

We certify that the foregoing is a full and correct copy of the Order of Dismissal of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Remedial Case 216-4D, Shin Sil Park and Jae Eun Sohn, Complainants/Appellants, v. Synod of

Southern California and Hawaii, Respondent/Appellee, made and announced at Louisville, KY, on October 13, 2003.

Jane E. Fahey, Moderator
Permanent Judicial Commission of the General Assembly

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

I certify that I did transmit a certified copy of the foregoing to the following persons by UPS Next Day Air, directing C. Laurie Griffith to deposit it in the mail at Louisville, KY, on October 13, 2003.

Shin Sil Park/Jae Eun Sohn, Complainants/Appellants
Margy Wentz, Stated Clerk, Synod of Southern California and Hawaii
General Assembly Permanent Judicial Commission (regular mail)

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) by delivering it in person to C. Laurie Griffith on October 13, 2003.

Ernest E. Cutting, Clerk
Permanent Judicial Commission of the General Assembly

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Dated at Louisville, KY, on October 13, 2003.

C. Laurie Griffith
Manager of Judicial Process and Social Witness