

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

Session of Serone Church, formerly known as)	
Korean Independent Presbyterian Church,)	
Complainant, Appellant,)	
)	ORDER OF DISMISSAL
v.)	
)	
Shin Sil Park,)	Disciplinary Case 216-12
Respondent, Appellee.)	

This disciplinary case came before this Commission on an appeal filed by the Complainant/Appellant, Session of Serone Church formerly Korean Independent Presbyterian Church against a decision of the Permanent Judicial Commission of the Synod of Southern California and Hawaii dated November 22, 2003.

The General Assembly Permanent Judicial Commission approved the findings of the Executive Committee that the General Assembly Permanent Judicial Commission has jurisdiction, that the complainant has standing to file the appeal, that the appeal papers were properly and timely filed, and that the appeal states one or more of the grounds for appeal set forth in D-13.0106.

By letter dated April 21, 2004, the Complainant/Appellant requested that the appeal be withdrawn on the basis that the member had been restored to membership and office. The Commission subsequently received written verification of the action of the session. The counsel for the Respondent/Appellee objected to the dismissal of the appeal. However, this Commission has determined that there is no further judicial relief that can be granted to Shin Sil Park. The Synod Permanent Judicial Commission decision notes that the Synod Permanent Judicial Commission found that the process followed by the Session of Serone Church was fatally flawed and that Hanmi Presbytery failed to properly fulfill its role. It is unfortunate that the church members in this and related cases had to appeal to the Synod and, ultimately, to the General Assembly Permanent Judicial Commissions to achieve justice and correction of the irregularities of the Session and the Presbytery found by the Synod in its decision.

IT IS ORDERED, that the appeal be dismissed.

IT IS FURTHER ORDERED, that the Stated Clerk of the Synod of Southern California and Hawaii report this decision to the Synod at its first meeting after receipt, that the Synod enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

IT IS FURTHER ORDERED, that the Stated Clerk of the Hanmi Presbytery report this decision to the Presbytery at its first meeting after receipt, that the Presbytery enter the full

decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

IT IS FURTHER ORDERED, that the Clerk of Session of Serone Church report this decision to the Session at its first meeting after receipt, that the Session enter the full decision upon its minutes, and that an excerpt from those minutes showing entry of the decision be sent to the Stated Clerk of the General Assembly.

The following members were not present and took no part in the Order: June Lorenzo, and Mildred Morales. Leon Fanniel was recused in this matter.

Dated the 15th day of May, 2004.

Certificate

We certify that the foregoing is a full and correct copy of the Order for Dismissal of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Disciplinary Case 216-12, Session of Serone Church, formerly known as Korean Independent Presbyterian Church v. Shin Sil Park, made and announced at Louisville, Kentucky, on May 15, 2004.

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, Kentucky, on May 17, 2004.

Carl James Sohn, Counsel for Shin Sil Park
Byung Chil Kim, Clerk of Session, Serone Church
Bryan Hance, Counsel for Serone Church
Christopher Pae, Stated Clerk, Hanmi Presbytery
Margaret 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 May 16, 2004.

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, Kentucky, on May 15, 2004, in Disciplinary Case 216-12, Session of Serone Church, formerly known as Korean Independent Presbyterian Church v. Shin Sil Park, and that it is the final judgment of the General Assembly of the Presbyterian Church (U.S.A.) in the case.

Dated at Louisville, Kentucky, on May 16, 2004

C. Laurie Griffith
Manager of Judicial Process and Social Witness