

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

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| Presbyterian Church (U.S.A.), by the Presbytery of Cincinnati, |) | |
| |) | |
| Complainant, Appellant, |) | ORDER FOR DISMISSAL |
| |) | |
| v. |) | |
| |) | Disciplinary Case 216-16 |
| A. Stephen Van Kuiken, |) | |
| Respondent, Appellee. |) | |
| | | |

History

This disciplinary case came before this Commission on an appeal filed by the Complainant/Appellant, Presbyterian Church (U.S.A.) by the Presbytery of Cincinnati, against a decision of the Permanent Judicial Commission of the Synod of the Covenant dated April 30, 2004.

A. Stephen Van Kuiken was found guilty of conducting Christian marriage ceremonies for same sex couples by the Permanent Judicial Commission of the Presbytery of Cincinnati on April 21, 2003, and was censured with a rebuke.

Van Kuiken appealed the determination of guilt and censure to the Permanent Judicial Commission of Synod of the Covenant (SPJC). The SPJC heard the appeal on April 29, 2004, and reversed the determinations of guilt on April 30, 2004.

The General Assembly Permanent Judicial Commission finds that the Commission has jurisdiction, that the Appellant 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.

The Commission has now been officially informed that the Respondent/Appellee has renounced the jurisdiction of the Presbyterian Church (U.S.A.) under G-6.0501. The receipt of a renunciation removes the jurisdiction of the Commission to conduct any further proceedings.

Order

IT IS ORDERED, that the appeal be dismissed.

IT IS FURTHER ORDERED, that the Stated Clerk of the Synod of the Covenant 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 Presbytery of Cincinnati 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.

The following members of the Commission were not present and took no part in this Order: June Lorenzo, and Mildred Morales.

Dated the ____ day of _____, 2004.

Certificate

We certify that the foregoing is a full and correct copy of the Decision and Order of the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) in Remedial Case 216-16, Presbyterian Church (U.S.A.) by the Presbytery of Cincinnati, Complainant/Appellant, v. A. Stephen Van Kuiken, Respondent/Appellee, made and announced at Louisville, Kentucky, on _____, 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 _____, 2004.

Drew S. Diehl, Prosecuting Committee, Presbytery of Cincinnati,
David E. Montgomery, Counsel for Accused, A. Stephen Van Kuiken,
Janis Adams, Stated Clerk, Presbytery of Cincinnati
George W. Baird, Stated Clerk, Synod of the Covenant,
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 _____, 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 Remedial Case 216-16, Presbytery of Cincinnati, Complainant/Appellant, v. A. Stephen Van Kuiken, 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, Kentucky, on _____, 2004.

C. Laurie Griffith
Manager of Judicial Process and Social Witness