

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

The Session of the Concord Liberty Presbyterian Church)
(U.S.A.),)
Complainant,)
))
v.)
))
The Office of the General Assembly of the Presbyterian)
Church (U.S.A.); The Theological Task Force on Peace,)
Unity and Purity of the Church to the 217th General)
Assembly (2006), a Committee of the General Assembly)
of the Presbyterian Church (U.S.A.); and Clifton)
Kirkpatrick, Stated Clerk of the General Assembly of the)
Presbyterian Church (U.S.A.),)
))
----- Respondents.)

ORDER FOR DISMISSAL

Remedial Case 217-14

This remedial case came before this Commission on a Complaint of original jurisdiction filed by the Complainant, The Session of the Concord Liberty Presbyterian Church (U.S.A.), against The Office of the General Assembly of the Presbyterian Church (U.S.A.); The Theological Task Force on Peace, Unity and Purity of the Church to the 217th General Assembly (2006), a Committee of the General Assembly of the Presbyterian Church (U.S.A.); and Clifton Kirkpatrick, Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.), dated November 18, 2005, and filed with the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.) on November 21, 2005. Respondents filed an Answer to the Complaint and a Motion to Dismiss the Statement of Complaint on December 16, 2005.

The Executive Committee of the Permanent Judicial Commission of the General Assembly issued a Preliminary Order and Order for Dismissal on December 19, 2005. There has been no request by the Complainant to petition the full Permanent Judicial Commission for a hearing on the Order for Dismissal on jurisdictional grounds.

The General Assembly Permanent Judicial Commission finds that the Commission has jurisdiction, that the Complainant has standing to file the Complaint, and that the Complaint was properly and timely filed. The Commission finds, however, that the Complaint fails to states a claim upon which relief can be granted. The report of the Theological Task Force on Peace, Unity and Purity is only a recommendation to the 217th General Assembly (2006), and has no force or effect without further consideration and action by the General Assembly. Therefore, the recommendations proposed in that report, which the Complaint challenges as “irregularities,” do not constitute “actions” that are subject to remedial attack at this time. See D-2.0202a.

The Permanent Judicial Commission dismisses the Complaint in the above-captioned matter on the grounds that the Complaint fails to state a claim upon which relief can be granted.

Dated the 12th day of February, 2006.

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