

MINUTES OF THE GENERAL ASSEMBLY

Barker, <i>Concur</i>	Duncan, <i>Concur</i>	Meyerhoff, <i>Concur</i>
Bise, <i>Concur</i>	Evans, <i>Concur</i>	Neikirk, <i>Concur</i>
Burnett, <i>Absent</i>	Fowler, <i>Concur</i>	Nusbaum, <i>Concur</i>
Cannata, <i>Absent, Recused</i>	Greco, <i>Concur</i>	Pickering, <i>Concur</i>
Carrell, <i>Concur</i>	Gunn, <i>Concur</i>	Fowler, <i>Concur</i>
Chapell, <i>Concur</i>	Jones, <i>Concur</i>	Terrell, <i>Concur</i>
Coffin, <i>Concur</i>	Kooistra, <i>Concur</i>	White, <i>Concur</i>
Donahoe, <i>Concur</i>	McGowan, <i>Concur</i>	Wilson, <i>Concur</i>

CASE 2015-12

**TE TOLIVAR WILLS
VS.
METRO ATLANTA PRESBYTERY**

**DECISION ON COMPLAINT
MARCH 3, 2016**

I. SUMMARY OF THE FACTS

- 06/29/15 Metro Atlanta Presbytery (MAP) meets at a called meeting and decides to dissolve Grace North Atlanta (GNA) as an affiliate of MAP and the Presbyterian Church in America.
- 07/16/15 RE Randy Weekly, RE Steve Flesher, and TE Tolivar Wills file a complaint against the action taken by MAP on 6/29/15 to dissolve GNA.
- 09/15/15 MAP declares the complaint filed by RE Weekly, RE Flesher, and TE Wills on 7/16/15 to be administratively out of order.
- 09/18/15 TE Tolivar Wills files a complaint with the Standing Judicial Commission (SJC) of the PCA against the action taken by MAP on 9/15/15. The complaint is “against the decision of Metropolitan Atlanta Presbytery (MAP) taken at its Stated Meeting on September 15, 2015 in declaring administratively out of order the Complaint filed on July 16, 2015, to wit: That the Complaint is Administratively Out of Order because it lacked a signature.”

II. STATEMENT OF THE ISSUE

Is Complaint 2015-12 properly before the SJC?

III. JUDGMENT

No. The Complaint is Administratively Out of Order.

IV. REASONING AND OPINION

Complaint 2015-12 is against the action taken by MAP on 9/15/15.

BCO 43-2 states that “A complaint shall first be made to the court whose act or decision is alleged to be in error.”

MAP has not had the opportunity to respond to the Complaint regarding their action on 9/15/15, to wit: declaring the July 16, 2015 Complaint to be Administratively Out of Order.

If the Complainant desires to pursue this Complaint, he must file this Complaint with MAP within 30 days from notification of this Decision. (*OMSJC* 9.2(c))

This Opinion was drafted by RE Nusbaum and edited and adopted by the Panel, and amended and approved by the SJC on the following roll call vote:

Barker, <i>Concur</i>	Duncan, <i>Dissent</i>	Meyerhoff, <i>Concur</i>
Bise, <i>Concur</i>	Evans, <i>Dissent</i>	Neikirk, <i>Concur</i>
Burnett, <i>Absent</i>	Fowler, <i>Concur</i>	Nusbaum, <i>Concur</i>
Cannata, <i>Absent</i>	Greco, <i>Concur</i>	Pickering, <i>Concur</i>
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Chapell, <i>Concur</i>	Jones, <i>Concur</i>	Terrell, <i>Concur</i>
Coffin, <i>Concur</i>	Kooistra, <i>Concur</i>	White, <i>Recused</i>
Donahoe, <i>Dissent</i>	McGowan, <i>Concur</i>	Wilson, <i>Concur</i>