

REV. MICHAEL TERRA

**DOCUMENTS PRODUCED BY THE ARCHDIOCESE OF LOS ANGELES 2013
PURSUANT TO JCCP 4286 SETTLEMENT AGREEMENT**

Vicar for Clergy Database

Clergy Assignment Record (Detailed)

Rev Michael S. Terra*Current Primary Assignment*

<i>Birth Date</i>	1/6/1951	<i>Age:</i>	62
<i>Birth Place</i>	San Luis Obispo, California, USA	<i>Deanery:</i>	22
<i>Diaconate Ordination</i>			
<i>Priesthood Ordination</i>	5/27/1978		
<i>Diocese Name</i>	Archdiocese of Los Angeles		
<i>Date of Incardination</i>	5/27/1978		
<i>Religious Community</i>			
<i>Ritual Ascription</i>	Latin		
<i>Ministry Status</i>	Dismissed from Clerical State		
<i>Canon State</i>	Diocesan Priest	<i>Incard Process</i>	<input type="checkbox"/>
<i>Begin Pension Date</i>			
<i>Seminary</i>	St. John's Seminary, Camarillo		
<i>Ethnicity</i>	American (USA)		

Fingerprint Verification and Safeguard Training

Date Background Check
Virtus Training Date

Assignment History

<i>Assignment</i>	<i>Beginning Date</i>	<i>Completion Date</i>
Dismissed from Clerical State, Rescript from the Congregation for the Doctrine of the Faith, Protocol N. 658/2004.	2/8/2008	
Inactive Leave	8/1/1991	2/8/2008
St. Mary Medical Center, Long Beach Chaplain, Active Service	4/2/1989	7/31/1991
St. Matthew Catholic Church, Long Beach Associate Pastor (Parochial Vicar), Active Service	9/29/1986	4/1/1989
St. Patrick Catholic Church, North Hollywood Associate Pastor (Parochial Vicar), Active Service	11/10/1983	9/28/1986
St. Rose of Lima Catholic Church, Simi Valley Associate Pastor (Parochial Vicar), Active Service	7/16/1982	11/9/1983
St. Athanasius Catholic Church, Long Beach Associate Pastor (Parochial Vicar), Active Service	7/15/1981	7/15/1982
San Roque Catholic Church, Santa Barbara Associate Pastor (Parochial Vicar), Active Service	6/19/1978	7/14/1981

Last Terra Title Rev. First Michael Middle S.
 Birthplace U.S. San Luis Obispo, Californ Year 1951 DOB REDACTED Age 51
 Ordained 78 Seminary St. John's, Camarillo, CA
 Order Incardinated X Diocese
 Diocesan X Religious Living/Working Inactive X Rite
 Institution Assigned 91
 Address1 Address2
 City State Zip Country
 Home Work Private FAX
 Status Inactive-Leave
 Comment DO NOT GIVE OUT: REDACTED

Date Entered 8/02/91 Date Assigned 8/01/91
 Deanery 0 Title3 Father Title4(Dean) T5 Salutation Mike
 Will X Retired in Rectory C X SS# REDACTED P.P. General Mail

Appointments

San Roque, Santa Barbara - Associate 06/19/78
 St. Anthanasius, Long Beach - Associate 07/15/81
 St. Rose of Lima, Simi Valley - Associate 07/16/82
 St. Patrick, North Hollywood - Associate 11/10/83
 St. Matthew, Long Beach - Associate 09/29/86
 St. Mary Medical Center, Long Beach - Chaplain 04/02/89
 Inactive-Leave 08/01/91

Cox, Msgr. Craig A.

To: Bishop T. J. Curry
Subject: RE:

REDACTED

Thank you very much. Indeed, I would want this woman to contact us. Doctor^{REDACTED} and I (or monsignor Loomis) would meet with anyone who had this sort of involvement with Mike Terra.

I will look over his file to see what is there.

Thanks.

Craig

-----Original Message-----

From: Bishop T. J. Curry [mailto:REDACTED]
Sent: Monday, March 25, 2002 10:03 AM
To: REDACTED
Subject:

Dear Craig:

REDACTED REDACTED and his REDACTED came to see me this morning to tell me that in 1981, Mike Terra, who was then an associate at San Roque, told them he had had a relationship with a sixteen year old girl who was a member of the youth club of which they were the directors. He did not tell them details. REDACTED had a conversation with the girl at the time and asked if she needed counseling. She said she did not.

The woman in question now lives in Orange and was a member of the parish where REDACTED^{REDACTED} was pastor. His removal brought the matter back to her, and she met with the REDACTED and her parents in REDACTED to discuss the issue. It emerged then that she had had a sexual relationship with Terra that lasted for a year. Apparently he broke it off. She also has met another woman who went to Bishop High School who says Mike Terra sent her red roses for her sixteenth birthday.

Much of the abuse took place in the rectory, and at the time, REDACTED and Bishop Shubsta were living there. They believe Terra was removed very quickly in 1981, so they are asking if anyone knew if there was a problem.

They recommended that the woman in question see you, and they gave her your address and phone. They did not give me her name.

I told them that I had dealt fairly extensively with Mike Terra and that there were issues with his ministry but that in my experience all the issues were ministerial. I was not aware of any sexual problems.

There concern was that if the woman came to you she would get straight answers, and I assured them that she would.

I asked them to write up what they told me and send it to you, and they promised to do so.

Please let me know if there is anything else I can do to help with this matter.

+TC

Cox, Msgr. Craig A.

From: Cox, Msgr. Craig A.
Sent: Monday, March 25, 2002 12:57 PM
To: Curry, Bishop Thomas J.
Subject: Mike Terra

Tom,

There was no C-file for Mike. I just ordered that one be created with the info you gave me in your email.

I reviewed the entirety of his personnel file. There were no complaints of misconduct with adults or young people. The file reflects an unusual spirituality and lack of maturity, but no signs of any ill treatment of people. He basically wanted to do his own ministry his own way.

Please have Deacon ^{REDACTED} get to me as soon as possible.

Craig

45095

REDACTED

April 30, 2002

Cardinal Roger M. Mahony
 Archdiocese of Los Angeles
 3424 Wilshire Blvd.
 Los Angeles, CA 90010

Re: REDACTED and REDACTED v. Archdiocese of Los Angeles, REDACTED
 REDACTED Michael Terra, et al.

Dear Cardinal Mahony:

We represent REDACTED in the matter of the serious and permanent injuries and damages sustained by REDACTED (previously REDACTED) and REDACTED REDACTED as a result of the molestation of REDACTED by Michael Terra. The molestations occurred during the years 1980 and 1981 when REDACTED was 15 and 16 years old. The molestations occurred over a period of more than one year while REDACTED was a minor and Michael Terra was a priest at San Roque in Santa Barbara. REDACTED's life and that of her husband, as well as their lives together, have been severely and adversely affected as a result of the molestations. REDACTED first became aware of the fact of the molestations and their connection to her lifetime of suffering within the last few months, her memory having been triggered initially by the recent, public disclosures of other molestations.

Prior to writing this letter, we have undertaken an investigation which has disclosed some preliminary, but important, facts. The molester, Michael Terra, presently resides in the area of REDACTED in a trailer. He was transferred among various parishes both before and after San Roque. The Archdioceses and/or the local parishes misrepresented the reasons for the transfers. The molester was involved in other incidents with minors at San Roque at or about the time that he was molesting REDACTED. He was terminated by San Roque and transferred elsewhere but the reason for his termination was withheld from the parishioners. Before leaving San Roque the molester made a partial, albeit apparently incomplete, confession regarding REDACTED to other adult members of the San Roque church who were friendly with REDACTED. Although these individuals did not contact or speak with REDACTED at the time regarding the communications, they have since acknowledged the receipt of the information at that time. There is, therefore, corroboration of the occurrence of the molestations. One of them is a deacon in the church.

Unfortunately, by now you are sufficiently familiar with the effects of molestation on the victims, the lifetime of problems caused by molestation, the very basic destruction of the victim's trust and the long-term residual effects of the molestation on victims and their families. Nevertheless, I was shocked by news reports from Rome last week implying that the church may treat molestation of an older minor differently than it may treat molestation of a younger minor,

45094

REDACTED

REDACTED

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
April 30, 2002
Page 2

including more lenient treatment of the molester, and hope that you are not an adherent of such a distinction. It implies a continuing appalling ignorance regarding the effect of molestation on each and every young victim. Our client is a living testament to the egregious lifetime injuries suffered by a 15 year old victim of molestation. Her condition, her pain, her confusion, her disrupted family life testify to the breadth and permanence of the injuries.

Please contact the undersigned as soon as possible. The REDACTED prefer resolution to litigation but are prepared to pursue their legal remedies.

REDACTED

REDACTED

Enclosures

45094A

BRIEF

SPECIES FACTI:

Michael S. Terra was born on January 6, 1951. He was ordained to the priesthood for service in the Archdiocese of Los Angeles on May 27, 1978.

His pastoral assignments were these:

06/19/78: Parochial Vicar, San Roque Parish, Santa Barbara, California.
 07/15/81: Parochial Vicar, St. Athanasius Parish, Long Beach, California.
 07/16/82: Parochial Vicar, St. Rose of Lima Parish, Simi Valley, California.
 11/10/83: Parochial Vicar, St. Patrick Parish, North Hollywood, California.
 09/29/86: Parochial Vicar, St. Matthew Parish, Long Beach, California.
 04/02/89: Chaplain, St. Mary's Medical Center, Long Beach, California.

In 1991, against the wishes of the Cardinal Archbishop, Father Terra declared his intention to enter a full-time combination of healing ministry and contemplation. In that same year, after refusing to accept a regular assignment, Father Terra was placed on inactive leave from priestly ministry. Since that time he has had little or no contact with the Archdiocese, and has refused all invitations to regularize his status.

In 2003 REDACTED) and her husband REDACTED initiated civil action against the Archdiocese of Los Angeles, claiming that REDACTED was sexually molested by Father Terra while she was still a minor, resulting in serious psychological harm. As the allegation fell under Articles 3 and 4 of Sacramentorum sanctitatis tutela, The Cardinal Archbishop, in November 2004, submitted a report to the Congregation For the Doctrine of the Faith. At the same time, he requested an exception to the prescription of any possible offenses against Canon 1395, should it be deemed necessary to initiate judicial action against Father Terra. In response, The Congregation has requested relevant documentation and the Cardinal's personal VOTUM. (June 13, 2005, Prot.N..658/2004-21301)

THE LAW:

Sexual abuse of a minor includes sexual molestation or exploitation and other behavior by which an adult uses a minor as an object of sexual gratification. The transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or

interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment. (Canon 1395,#2)

The delict of which Father Terra is accused is alleged to have occurred c. 1980-1981. A requirement in law then was that the victim be "a minor under the age of sixteen years". (Canon 1395 #2)

THE ALLEGATION:

The files pertaining to Father Michael Terra maintained in the archives of the Archdiocese of Los Angeles contain a document entitled, Claimant Questionnaire: (Jane Roe et al. v. Doe Number one, et al ^{REDACTED}) This document identifies ^{REDACTED} ^{REDACTED} and her husband ^{REDACTED} as plaintiffs proceeding in a civil action against the Archdiocese of Los Angeles for damages sustained by ^{REDACTED} as a result of the alleged molestation of her by Michael Terra.

In her answers to this questionnaire, ^{REDACTED} states that she was born on June 29, 1964. (Section 1, General Information). She alleges that in about 1980 to 1981 she was sexually abused by Michael Terra (Section IV, A. i) while Michael Terra served as Parochial Vicar at San Roque Parish, Santa Barbara. Her allegation reads in part:

"Other instances happened at the Botanical Gardens in Santa Barbara. We would go there to take walks and he would reach out and hold my hand as we were walking. At some point during the walk he would find a secluded spot and sit me down on the ground or bench or one time it was a rock. He would then begin kissing me, always with his tongue all over the place in my mouth. He would begin touching me all over my body and the touching progressed to where he would unbutton or take off my shirt and fondle and kiss and suck on my breasts for lengthy periods of time. His hands would also be all over the rest of my body. One time I remember he tried to take off my shorts, but wasn't successful. This and similar occurrences happened at the Botanical Gardens quite a few times over the course of the molestation.

The molestation would also occur in the confessional at San Roque church in Santa Barbara. He would have me come to confession late Saturday afternoon. Inside the confessional he would hear my confession. When it was over, he would begin kissing and touching me. He would right there in the confessional, unbutton my shirt and fondle and kiss and touch my breasts. He would be dressed in the vestments while doing this. This happened many times as well.

These incidents also occurred at the beach in Santa Barbara and on one occasion we went to a remote beach in Ventura. At the beach he would find a remote spot and usually again begin kissing me and touching me as above. He would then lay me down on the ground and get on top of me and rub himself against me over and over to the point of ejaculation.

These occurrences happened many times as well. One time he took me to the beach to take my picture. After he took the picture he began molesting me. He was lying on top of me rubbing himself against me until he ejaculated. When he was finished he stood up and I noticed that he had a big wet spot on the front of his pants. He just untucked his shirt. On that day my parents had invited him to my house for dinner. He just drove me there with his shirt untucked and sat at our dinner table with his pants still wet from the molestation. I was terrified. These occurrences at the beach happened many times". (1V. B. ii)

This complaint contains all of the elements of the delict of Canon 1395 #2. The alleged perpetrator was a cleric, the alleged offense is against the sixth commandment, the victim was a minor under the age of 16. There is no obvious cause to question the presumption of imputability.

RELEVANT DOCUMENTATION ON HAND:

1. Correspondence between Father Michael Terra and officials of the Archdiocese regarding his refusal to accept an assignment acceptable to the Archbishop.
2. By letter to Msgr. Craig Cox, Vicar for Clergy for the Archdiocese of Los Angeles, received March 11, 2003, Father Terra acknowledged that he was served a summons alleging child abuse.
3. On March 25, 2002, REDACTED and his wife REDACTED reported to Bishop Thomas Curry, Regional Bishop for the Santa Barbara Region, that in 1981, Father Michael Terra, who was then Parochial Vicar at San Roque Parish, told them that he had a relationship with a sixteen year old girl. He did not tell them the details. Much of the abuse took place in the rectory REDACTED and Bishop Thaddeus Shubsta (now deceased) were living at the rectory at that time.
4. An excerpt from an article in a local newspaper, The News Press, dated September 27th. 2004, drawing the attention of the public to the complaint against Father Terra.

FURTHER LINES OF INVESTIGATION:

As the civil litigation is still in progress, further investigation, even of a preliminary nature may be inopportune. Further lines of investigation would be:

1. An attempt to ascertain if Father Terra will freely petition Our Holy Father for a return to the lay state? If not, will he maintain his innocence?
2. Conduct a more detailed interview with REDACTED and his wife REDACTED with regard to their knowledge of the details of the matter at hand.
3. Make inquiry from REDACTED as to his knowledge about the matter.

Questions for discussion with Craig.

1. Discuss the handbook for canonical processes on reporting to CDF. It seems to assume that the preliminary investigation has been done in all cases and the matter is being referred with opinions and recommendations of the investigator and the ordinary based on those findings. Importance is placed on appropriate decrees. Should we rectify this in our cases? Cf. pp 11 ff.
2. Specifically in the Terra case, the Cardinal's letter specifically states that he proposes to have a preliminary investigation conducted.
3. Given the evidence in the case about Terra's high motives with regard to healing ministry, I think any attempt at ex officio dismissal would fail. They would see this as indicative of the presence of a priestly vocation, albeit misguided.

Terra

Michael Terra: Born 01/06/51: Ordained May 1978.

Information from Claimant questionnaire Oct 15 2003.

Complainant, REDACTED, previously REDACTED born REDACTED, 1964.
Complains that she has had problems in relating to her husband sexually because of molestation experience.

Terra was associate at San Roque at the time. Molested on a consistent basis over the course of a year. (bi-weekly?)

Witnesses: Tried to kiss her sister; sent a dozen roses to a friend on her 16th birthday: "In talking with my family and a few friends about what had happened to me, I learned that he had been inappropriate with REDACTED and had sent roses to another friend".

REDACTED and REDACTED came to see REDACTED and said that Fr. Mike told them about the relationship prior to leaving the parish in 1981.

Much of the abuse took place at the rectory. REDACTED and bishop Shubsda lived there at that time..

He was in San Roque from June 1978 to June 1981. Complainant would have been age 14 to 17.

Complainant sought counseling from various sources.

This allegation was reported in the News Press on 9/27/04.

OCT 31 1986

TERRA, Rev. Michael

5/27/78

ON CHANGE LIST

<u>Date</u>	<u>Place</u>	<u>Assignment</u>
6/19 /78	San Roque, Sta. Barbara	Associate
7/15/81	St. Anthanasius, Long Beach	Associate
7/16/82	St. Rose of Lima, Simi Valley	Associate
11/10/83	St. Patrick, No. Hollywood	Associate
9/29/86	St. Matthew, Long Beach	Associate

REDACTED

10-10-86
C

DANIEL
FREEMAN
MARINA
HOSPITAL

A Carondelet Health Care Corp.
4650 Lincoln Blvd.
Marina del Rey, CA 90292
(213) 823-8911



February 25, 1989

Rev. Msgr. Thomas J. Curry
Vicar for Clergy
Archdiocese of Los Angeles
1531 W. Ninth Street
Los Angeles, CA 90015-1194

Dear Monsignor Curry:

I am currently seeking a full time chaplain for our Daniel Freeman Marina Hospital. In so doing, I met unexpectedly with a Father Michael Terra yesterday who presented himself with a letter from you approving his seeking this type of ministry.

In interviewing Father Terra, I sensed a bit of instability on his part coupled with the fact that he does not wish to live in a rectory. This latter fact could present a problem for the hospital from a departmental/financial standpoint were I to hire him. I would appreciate any information you might wish to offer that would have bearing on this matter.

Other than the afore mentioned concern, I find Father Terra to be a friendly and personable young priest.

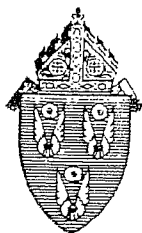
I would be interested in any other of our diocesan priests who would be seeking to pursue hospital chaplaincy ministry. I do not require CPE certification, but do require the personal qualifications for such work.

Thank you for your interest and concern in assisting to meet the needs of priest chaplains in our Catholic hospitals.

Sincerely,
REDACTED

F Michael Terra

COPY



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
REDACTED

March 3, 1989

REDACTED

Daniel Freeman Marina Hospital
4650 Lincoln Blvd.
Marina del Rey, CA 90292

Dear REDACTED :

Thank you for your letter of February 25, 1989 regarding Father Michael Terra. Father Terra earlier this year asked if he might be allowed to enter hospital ministry, and the Archdiocese agreed. We very much want him to take a course in CPE, and Father Terra is agreeable to that. He has not adjusted well to the demands of parish ministry, and after several parochial appointments, it seems clear he is not suited to that work or cannot find the resources in himself to cope with it.

Father Terra has not encountered relational problems with either priest or people in his assignments. He is a quiet, pleasant, and agreeable person. Neither has he experienced substance abuse or other difficulties. The difficulty with parish work is simply that he does not appear to be able to get it done.

With regard to living in a rectory, if his not doing so would present a problem for you, I would recommend that you present that fact to him and explain that were he not to find a residence in a parish, you could not employ him.

His pastor for the last number of years has been REDACTED pastor of St. Matthew's, Long Beach, and I encourage you to contact him for a recommendation.

I do hope this information will be of assistance to you, and I very much want to be of assistance to the Catholic hospitals in finding Chaplains.

Sincerely yours in Christ,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

F. Michael Terra

MEMORANDUM

DATE: April 2, 1989
 FROM: REDACTED
 TO: _____
 RE: Father Michael Terra

As of April 2, 1989, Father Michael Terra was assigned to St. Mary Medical Center in Long Beach. He was formerly at St. Matthew, Long Beach as an Associate.

REDACTED

*News fated as of 4/1/89
 on 12/14/89. St. Mary had
 does not include chaplains
 in health plan*

REDACTED
 REDACTED

ST. MATTHEW'S CHURCH

672 TEMPLE AVENUE
LONG BEACH, CALIFORNIA 90814-1297
(213) 439-0931

Oct. 8, 1991

REDACTED

Dear

The attached was received by a parishioner a couple of days ago.

I mailed you a copy of a letter I sent Mike Terra, saying the Mass here in October is OK, but no more Masses here until he works out something with you.

What now - REDACTED does have faculties - is it OK for him to say healing Masses here (and, I guess elsewhere)? on future dates?

! It is a great mystery!

My best,
REDACTED

HEALING HANDS MINISTRY



SEPTEMBER 27, 1991

Dear Friends of the Healing Hands Ministry,

Father Mike Terra has been led by God to the full-time healing ministry. He has therefore accepted a temporary inactive leave in the Archdiocese of Los Angeles, so as to carry out the work God is calling him to do. Be assured that Father Mike remains a priest in good standing in the Archdiocese.

During the time of this temporary leave, REDACTED will be celebrating Healing Masses. REDACTED and Father Mike have worked together in the Healing Ministry for several years.)

We invite you to join REDACTED at the next Healing Mass:

Tuesday, October 15, 1991

7:30 P.M.

St. Matthew's Church

7th and Temple

Long Beach

If you wish to reach Father Mike or REDACTED please write to:

P.O. Box 2020

Lucerne Valley, CA 92356

MEMORANDUMOctober 19, 1991

TO: Cardinal Mahony

FROM: Father Timothy Dyer ✓

RE: Fr. Michael Terra

I met with Fr. Terra and REDACTED in September. The appointment was occasioned by a request for clarification from REDACTED concerning Fr. Terra's ministry. Fr. Terra had presented a schedule of "Healing Masses" to be celebrated at various parishes in the Long Beach area -- including St. Matthew's.

Fr. Terra, when he came in person, spoke in much the same style as the letter you received (though at much greater length!) about his call from God to enter a full-time combination of healing ministry and contemplation. I explained to him that while I respected his personal, spiritual experiences; he could not determine his own assignment apart from his Archbishop nor engage in what would amount to "free-lancing" in priestly ministry. He was quite agreeable and promised not to continue public celebration of the sacraments inasmuch as he has no faculties. He said he would take this matter to prayer and consider coming to you about the possibility of a return to ministry in an assignment that would allow him freedom to do some healing ministry of which you would approve. I told him that while I encouraged him to see you about returning to ministry, that I was sure you would have many questions about such "healing ministry" and that you would perhaps ask him to submit his spiritual experiences to the judgment of a proven spiritual director like REDACTED to discern their validity. At any rate he wrote to me a few weeks after our meeting -- saying that for the time being he had decided not to approach you about a return to active ministry and that he would abide by the restrictions consequent to "inactive" status. I believe his letter to you, particularly the last two paragraphs in which he reiterates his acceptance of his present status, is simply meant to communicate to you personally what he has discussed with me. I think there is some hope in this -- that he wants to maintain communication with you.

Also attached is the most recent missive to REDACTED. I have spoken to him and he does not believe there is any harm in allowing REDACTED to proceed (unaccompanied by Fr. Terra) with a healing Mass at St. Matthew's. I am planning to call REDACTED to revise his flyer which is bound to confuse people with its description of Fr. Terra as both on "inactive leave" as well as "a priest in good standing". I will wait to hear what you think of his continuing such Masses before calling him.

Please see me - Thanks!

+ RMR

10-22-91

44915



COPY

F Michael Terra

REDACTED

Archdiocese of Los Angeles

1531
West Ninth
StreetLos Angeles
California
90015-1194

February 20, 1992

Rev. Michael Terra
P O Box 2020
Lucerne Valley, CA 92356

Dear Michael:

Thank you for your letter of February 5. I think it is beneficial to keep up contact on a regular basis, and so I am happy to hear from you at this time even though there has been little change in your situation.

You know that it is my desire to serve you in any way possible as you pray and begin to make decisions that would lead you back to active ministry.

Please keep me in your prayers as I do you in mine.

God bless you.

In Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

44899



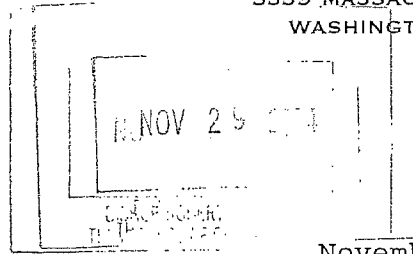
APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

25.834

No.

This No. Should Be Prefixed to the Answer

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3687



November 21, 2004

Dear Monsignor Cox:

I acknowledge your kind letter of November 16, 2004,
with enclosures.

Rest assured that the correspondence concerning
Reverend Michael S. Terra, including a check in amount \$500.00
for the taxa, will be duly forwarded through the diplomatic
pouch to His Eminence, Joseph Cardinal Ratzinger, Prefect,
Congregation for the Doctrine of the Faith.

With cordial regards and best wishes, I remain

Sincerely yours in Christ,

Archbishop Gabriel Montalvo
Apostolic Nuncio

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241



FILE

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

November 16, 2004

Archbishop Gabriel Montalvo, J.C.D.
Apostolic Nunciature
3339 Massachusetts Avenue, N.W.
Washington, DC 20008

RE: Reverend Michael S. Terra

Your Excellency:

Enclosed, please find a letter from Cardinal Roger M. Mahony to Cardinal Joseph Ratzinger at the Congregation of the Doctrine of the Faith, regarding Reverend Michael S. Terra. With his letter are copies of the completed summary pages requested by the Congregation. All materials are submitted in triplicate.

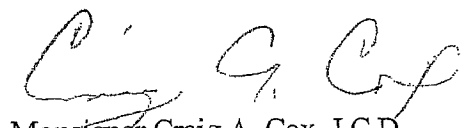
Cardinal Mahony is seeking the assistance of the Congregation for the Doctrine of the Faith in this matter.

Would you please be so kind as to forward this to the Congregation on our behalf?

Also enclosed is a check made out to the Congregation of the Doctrine of the Faith to cover the usual *taxa* in such matters.

Thank you very much for your kind attention to this matter. May God continue to bless you!

Yours in Christ,



Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

enclosures

176243

Check Date: 16.Nov.2004

ACCLA

Check No.

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
514 VC	15.Nov.2004	00118808	500.00	0.00	500.00

Vendor Number		Name		Total Discounts	
0000002838		Congregation For The Doctrine		\$0.00	
Check Number	Date		Total Amount	Discounts Taken	Total Paid Amount
	16.Nov.2004		\$500.00	\$0.00	\$500.00



The Roman Catholic Archbishop of Los Angeles
 (A Corporation Sole)
 3424 Wilshire Blvd.
 Los Angeles, California 90010-2241
 (213) 637-7691

Wachovia Bank, N.A.
 Greenville, South Carolina
 In Cooperation with & Payable If Desired at
 Wells Fargo Bank, N.A.
 4759-613201 67-11532

176243

Date
 November 16, 2004

Pay Amount
 \$ 500.00***

Pay ****FIVE HUNDRED AND XX / 100 US DOLLAR****

To The
 Order Of

REDACTED

CONGREGATION FOR THE DOCTRINE
 of the Faith
 Piazza Del S Offizio II
 00120 Vatican City

REDACTED



Archdiocese of Los Angeles

Office of
the Archbishop
(213)637-7288

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

16 November 2004

His Eminence
Joseph Cardinal Ratzinger, Prefect
Congregation for the Doctrine of the Faith
Piazza Del S. Ufficio, 11
00120 VATICAN CITY

Re: Rev. Michael S. Terra

Your Eminence:

It is with deep regret that I submit this report on alleged violations that fall under Articles 3 and 4 of *Sacramentorum sanctitatis tutela*, which involve a priest of this Archdiocese, Rev. Michael S. Terra. As it has not been opportune as of yet to determine certain essential facts of the matter, I am reporting this case prior to the deadline of 21 November 2004 in order to preserve the ability of initiating a canonical process of dismissal from the clerical state if the determined facts should so warrant.

There is one complainant in the matter, a female who has filed a civil lawsuit and who catalogs a litany of sexually abusive behavior over a year-long period against Father Terra, some of which occurred in the context of sacramental confession. It is presently uncertain whether the alleged abuse began before or after the complainant's sixteenth birthday on REDACTED 1964.

A complicating factor is that Father Terra has withdrawn from active ministry since 1991. He insisted on being assigned to a ministry of charismatic healing on a full-time basis rather than as an adjunct to an assignment as a hospital chaplain or parochial vicar. Having refused the offer of several assignments, he simply departed. He has maintained the most minimal of contact with the Archdiocese and has ignored all invitations to regularize his status. He has also expressed no interest in voluntarily seeking a return to the lay state.

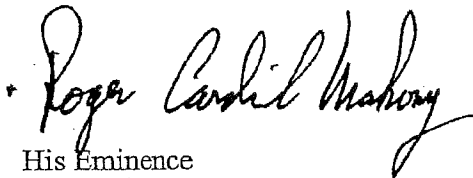
In view of this circumstance, even if a formal investigation of the matter found no actionable delict with which Father Terra could be charged, it is certain that he could not be restored to ministry.

I propose to have a preliminary investigation conducted with a view to determining whether a full judicial trial or an administrative process according to canon 1720 would be the more appropriate manner of handling the case. One point to be ascertained is whether Father Terra will maintain his innocence.

As a precaution, I request that an exception to the prescription of any offenses against canon 1395, should such be determined to have occurred, be granted.

Entrusting this matter to your discretion and awaiting your instruction on how to proceed, I remain

Fraternally yours in Christ,

A handwritten signature in black ink, reading "Roger Cardinal Mahony". The signature is written in a cursive, flowing style with a large initial 'R'.

His Eminence
Cardinal Roger M. Mahony
Archbishop of Los Angeles

DIOCESE	Los Angeles in California
NAME OF ORDINARY	Cardinal Roger M. Mahony
CDF PROT. N. (if available)	
NAME OF CLERIC	Rev. Michael S. Terra

PERSONAL DETAILS OF THE CLERIC	Date of Birth	6 January 1951	Age	53
	Ordination	27 May 1978	Years of ministry	13
ORIGINAL DIOCESE OF INCARDINATION		Los Angeles in California		
MINISTRY IN/TRANSFER TO OTHER DIOCESE				
CONTACT ADDRESS OF THE CLERIC		REDACTED		
PROCURATOR (include original signed mandate)				
CONTACT ADDRESS OF THE PROCURATOR				
ASSIGNMENTS				
Year	Parish	Location	Appointment	
1978	San Roque	Santa Barbara, California	Parochial Vicar	
1981	St. Athanasius	Long Beach, California	Parochial Vicar	
1982	St. Rose of Lima	Simi Valley, California	Parochial Vicar	
1983	St. Patrick	North Hollywood, California	Parochial Vicar	
1986	St. Matthew	Long Beach, California	Parochial Vicar	
1989	St. Mary Medical Center	Long Beach, California	Chaplain	
1991			Inactive Leave of Absence	
ACCUSATIONS AGAINST THE CLERIC				
Year	Victim	Age	Imputable Acts	Denunciation
1980- 1981	REDACTED	15- 16	French kissing, fondling, disrobing the minor, kissing her breasts, lying on top of her and rubbing himself to the point of ejaculation. Activities allegedly occurred weekly or bi-weekly over a period of about one year. Some of this activity occurred in the confessional.	3/2002

CIVIL PROCEEDINGS AGAINST THE CLERIC			
Year	Type/Case	Conviction	Sentence (include copies of civil documents)
2003	Civil lawsuit for damages (BC284282)	Pending	
MEASURES ADOPTED BY THE DIOCESE			
Year			
1991	Father Terra was placed on Inactive Leave. This, however, was not related to any charges of sexual misconduct but because Father Terra insisted on a particular ministry and refused to accept any other assignment proposed by the Archbishop.		
SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC			
Father Terra has received no salary since he refused an assignment in 1991. In 2003 a loan was extended to him for legal expenses.			
RESPONSE/RECOURSE MADE BY THE CLERIC			
Year			
BISHOP'S VOTUM			
Father Terra has ignored all past suggestions to resolve his status. Further investigation is required. Even if the charges of sexual abuse of a minor and solicitation could not be proved, he could not be returned to ministry. Given that he has not chosen to petition for a dispensation from the obligations of the clerical state, for the good of the Church he should be dismissed. If he refuses to cooperate with the investigation, a dismissal would have to be by way of the administrative process of canon 1720.			

7
REDACTED

JANE ROE, et al. v. DOE NUMBER ONE, et al. BC 284282

Claimant Questionnaire

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

March 24, 2003

Michael Terra
Box 2020
Lucerne Valley, CA 92356

Dear Mike:

This is to acknowledge your letter of March 9, 2003. It is good to hear from you, though I regret the occasion that necessitated your contact.

I would be happy to meet with you to discuss the matter. I do not know if you have occasion to come into Los Angeles on a regular basis. If so, we can use such an occasion to meet. I would also be happy to meet you at the parishes in Claremont or Pomona or some other location that would ease the distance you would need to drive.

Please phone me at **REDACTED** to arrangement something. Tentatively, I could probably meet you this Friday around 12:30 – 12:45 in Pomona/Claremont, but if that does not work out for you, we can schedule some other time.

I look forward to seeing you. Please know that you are in my prayers.

Your brother in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

3/9/03

REV. CRAIG COX

DEAR CRAIG:

ON FEBRUARY 7, 2003 I RECEIVED SOME VERY DISTURBING NEWS. I WAS SERVED A SUMMONS ALLEGING CHILD ABUSE.

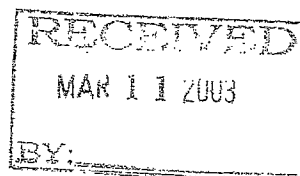
THIS IS A CHURCH CLASS ACTION SUIT, OF WHICH I AM ONE OF ONE HUNDRED ACCUSED DEFENDANTS. CASE NUMBER: BC28428.

I AM SEEKING HOLY MOTHER CHURCH'S ADVICE AND COUNCIL, AS TO WHAT IF ANY LEGAL ACTION I NEED TO TAKE AT THIS TIME.

I CAN BE REACHED AT MY ADDRESS:
 REDACTED, REDACTED REDACTED REDACTED REDACTED

ALTHOUGH I HAVE NO PHONE, GIVEN A PHONE NUMBER AND SPECIFIC TIME, I CAN ACCESS A PHONE TO MAKE A CALL.

I THANK YOU FOR YOUR ASSISTANCE. THIS ALSO MUST BE A MOST DIFFICULT TIME FOR YOU — MY THOUGHTS AND PRAYERS ARE WITH YOU.



SINCERELY,
 Michael Terra

REDACTED

April 30, 2002

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Blvd.
Los Angeles, CA 90010

Re: REDACTED v. Archdiocese of Los Angeles, Cardinal
Roger M. Mahony, Michael Terra, et al.

Dear Cardinal Mahony:

We represent REDACTED in the matter of the serious and permanent injuries and damages sustained by REDACTED and REDACTED as a result of the molestation of REDACTED by Michael Terra. The molestations occurred during the years 1980 and 1981 when REDACTED was 15 and 16 years old. The molestations occurred over a period of more than one year while REDACTED was a minor and Michael Terra was a priest at San Roque in Santa Barbara. REDACTED life and that of her husband, as well as their lives together, have been severely and adversely affected as a result of the molestations. REDACTED first became aware of the fact of the molestations and their connection to her lifetime of suffering within the last few months, her memory having been triggered initially by the recent, public disclosures of other molestations.

Prior to writing this letter, we have undertaken an investigation which has disclosed some preliminary, but important, facts. The molester, Michael Terra, presently resides in the area of Lucerne Valley in a trailer. He was transferred among various parishes both before and after San Roque. The Archdioceses and/or the local parishes misrepresented the reasons for the transfers. The molester was involved in other incidents with minors at San Roque at or about the time that he was molesting REDACTED. He was terminated by San Roque and transferred elsewhere but the reason for his termination was withheld from the parishioners. Before leaving San Roque the molester made a partial, albeit apparently incomplete, confession regarding REDACTED to other adult members of the San Roque church who were friendly with REDACTED. Although these individuals did not contact or speak with REDACTED at the time regarding the communications, they have since acknowledged the receipt of the information at that time. There is, therefore, corroboration of the occurrence of the molestations. One of them is a deacon in the church.

Unfortunately, by now you are sufficiently familiar with the effects of molestation on the victims, the lifetime of problems caused by molestation, the very basic destruction of the victim's trust and the long-term residual effects of the molestation on victims and their families. Nevertheless, I was shocked by news reports from Rome last week implying that the church may treat molestation of an older minor differently than it may treat molestation of a younger minor,

REDACTED



Cardinal Roger M. Mahony
Archdiocese of Los Angeles
April 30, 2002
Page 2

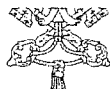
including more lenient treatment of the molester, and hope that you are not an adherent of such a distinction. It implies a continuing appalling ignorance regarding the effect of molestation on each and every young victim. Our client is a living testament to the egregious lifetime injuries suffered by a 15 year old victim of molestation. Her condition, her pain, her confusion, her disrupted family life testify to the breadth and permanence of the injuries.

Please contact the undersigned as soon as possible. REDACTED prefer resolution to litigation but are prepared to pursue their legal remedies.

REDACTED

REDACTED

Enclosures



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

13 June 2005

658/2004 – 21301

PROT. N.
(In response fiat mentio huius numeri)

CONFIDENTIAL

Your Eminence,

The Congregation for the Doctrine of the Faith received on 27 November 2004 the case regarding the alleged sexual abuse of a minor by **Reverend Michael S. TERRA**, a priest of the Archdiocese of Los Angeles. Your Eminence submitted a summary of the case and indicated that you would forward the evidence under separate cover.

We write at this time to request the complete *Acta* of the case. Though written summaries are helpful, actual documents are necessary in order for the Congregation to examine the case. Each element of the summary that you have already submitted should be supported by the relevant documentation either in the original form or in an authentic copy.

In addition to the requested information, it would also be important to the Congregation to have your *Votum* in the matter as this is essential in our study of the case.

With prayerful support and best wishes, I remain

Yours sincerely in Christ,

✠ Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

His Eminence
Roger Cardinal MAHONY
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, California 90010-2202
UNITED STATES OF AMERICA

Memorandum:

November 7, 2005

To: Msgr Craig Cox.**From:** REDACTED**Re:** Rev. Michael Terra.

Craig:

At our last meeting in REDACTED office, we discussed the response from the CDF to our report on Michael Terra. That report consisted in a summary of the case coupled with an indication that evidence would follow under separate cover. They now want the evidence and the cardinal's votum.

In addition to the evidence already in the file, further possible lines of investigation of a preliminary nature could be followed.

- a) Make further inquiry from REDACTED as to his knowledge on the matter.
- b) Conduct a more detailed interview with REDACTED and REDACTED
- c) Ascertain if Mike Terra will freely petition the Holy Father for a return to the lay state.

It seems to me that going back to the congregation with the evidence on hand without any indication of contact, or attempted contact, with Mike Terra regarding his status will only result in further delays. Furthermore, without hearing (or not hearing) from him, it would be difficult for the cardinal to determine what kind of process he should request in his votum.

Since the civil litigation is still pending, further investigation, even of a preliminary nature may be inopportune. However, if we are to make any progress on this case, it seems to me that we need to ascertain from Mike what his intentions are with regard to his situation:

- a) Does he want to freely petition?
- b) Does he intend to maintain his innocence?
- c) Will he ignore every citation?

With an answer to these questions, we could respond to the CDF's request.

We are all very conscious of your impossible work load. In no way do we want to add to that load. In fact, we all stand ready to assist you in every way we can. In the matter at hand, REDACTED and I would be happy to figure out a way to try to contact Mike Terra, saving you the bother of doing so.

Blessings.

BRIEF

SPECIES FACTI:

Michael S. Terra was born on January 6, 1951. He was ordained to the priesthood for service in the Archdiocese of Los Angeles on May 27, 1978.

His pastoral assignments were these:

06/19/78: Parochial Vicar, San Roque Parish, Santa Barbara, California.
 07/15/81: Parochial Vicar, St. Athanasius Parish, Long Beach, California.
 07/16/82: Parochial Vicar, St. Rose of Lima Parish, Simi Valley, California.
 11/10/83: Parochial Vicar, St. Patrick Parish, North Hollywood, California.
 09/29/86: Parochial Vicar, St. Matthew Parish, Long Beach, California.
 04/02/89: Chaplain, St. Mary's Medical Center, Long Beach, California.

In 1991, against the wishes of the Cardinal Archbishop, Father Terra declared his intention to enter a full-time combination of healing ministry and contemplation. In that same year, after refusing to accept a regular assignment, Father Terra was placed on inactive leave from priestly ministry. Since that time he has had little or no contact with the Archdiocese, and has refused all invitations to regularize his status.

In 2003 REDACTED and her husband REDACTED initiated civil action against the Archdiocese of Los Angeles, claiming that REDACTED was sexually molested by Father Terra while she was still a minor, resulting in serious psychological harm. As the allegation fell under Articles 3 and 4 of Sacramentorum sanctitatis tutela, The Cardinal Archbishop, in November 2004, submitted a report to the Congregation For the Doctrine of the Faith. At the same time, he requested an exception to the prescription of any possible offenses against Canon 1395, should it be deemed necessary to initiate judicial action against Father Terra. In response, The Congregation has requested relevant documentation and the Cardinal's personal VOTUM. (June 13, 2005, Prot.N..658/2004-21301)

THE LAW:

Sexual abuse of a minor includes sexual molestation or exploitation and other behavior by which an adult uses a minor as an object of sexual gratification. The transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or

interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment. (Canon 1395,#2)

The delict of which Father Terra is accused is alleged to have occurred c. 1980-1981. A requirement in law then was that the victim be "a minor under the age of sixteen years". (Canon 1395 #2)

THE ALLEGATION:

The files pertaining to Father Michael Terra maintained in the archives of the Archdiocese of Los Angeles contain a document entitled, Claimant Questionnaire: (Jane Roe et al. v. Doe Number one, et al. BC 284282) This document identifies REDACTED and her husband REDACTED, as plaintiffs proceeding in a civil action against the Archdiocese of Los Angeles for damages sustained by REDACTED as a result of the alleged molestation of her by Michael Terra.

In her answers to this questionnaire, REDACTED states that she was born on REDACTED 1964. (Section 1, General Information). She alleges that in about 1980 to 1981 she was sexually abused by Michael Terra (Section IV, A. i) while Michael Terra served as Parochial Vicar at San Roque Parish, Santa Barbara. Her allegation reads in part:

"Other instances happened at the Botanical Gardens in Santa Barbara. We would go there to take walks and he would reach out and hold my hand as we were walking. At some point during the walk he would find a secluded spot and sit me down on the ground or bench or one time it was a rock. He would then begin kissing me, always with his tongue all over the place in my mouth. He would begin touching me all over my body and the touching progressed to where he would unbutton or take off my shirt and fondle and kiss and suck on my breasts for lengthy periods of time. His hands would also be all over the rest of my body. One time I remember he tried to take off my shorts, but wasn't successful. This and similar occurrences happened at the Botanical Gardens quite a few times over the course of the molestation.

The molestation would also occur in the confessional at San Roque church in Santa Barbara. He would have me come to confession late Saturday afternoon. Inside the confessional he would hear my confession. When it was over, he would begin kissing and touching me. He would right there in the confessional, unbutton my shirt and fondle and kiss and touch my breasts. He would be dressed in the vestments while doing this. This happened many times as well.

These incidents also occurred at the beach in Santa Barbara and on one occasion we went to a remote beach in Ventura. At the beach he would find a remote spot and usually again begin kissing me and touching me as above. He would then lay me down on the ground and get on top of me and rub himself against me over and over to the point of ejaculation.

These occurrences happened many times as well. One time he took me to the beach to take my picture. After he took the picture he began molesting me. He was lying on top of me rubbing himself against me until he ejaculated. When he was finished he stood up and I noticed that he had a big wet spot on the front of his pants. He just untucked his shirt. On that day my parents had invited him to my house for dinner. He just drove me there with his shirt untucked and sat at our dinner table with his pants still wet from the molestation. I was terrified. These occurrences at the beach happened many times". (1V. B. ii)

This complaint contains all of the elements of the delict of Canon 1395 #2. The alleged perpetrator was a cleric, the alleged offense is against the sixth commandment, the victim was a minor under the age of 16. There is no obvious cause to question the presumption of imputability.

RELEVANT DOCUMENTATION ON HAND:

1. Correspondence between Father Michael Terra and officials of the Archdiocese regarding his refusal to accept an assignment acceptable to the Archbishop.
2. By letter to Msgr. Craig Cox, Vicar for Clergy for the Archdiocese of Los Angeles, received March 11, 2003, Father Terra acknowledged that he was served a summons alleging child abuse.
3. On March 25, 2002 REDACTED and his REDACTED reported to Bishop Thomas Curry, Regional Bishop for the Santa Barbara Region, that in 1981, Father Michael Terra, who was then Parochial Vicar at San Roque Parish, told them that he had a relationship with a sixteen year old girl. He did not tell them the details. Much of the abuse took place in the rectory. REDACTED and Bishop Thaddeus Shubsta (now deceased) were living at the rectory at that time.
4. An excerpt from an article in a local newspaper, The News Press, dated September 27th. 2004, drawing the attention of the public to the complaint against Father Terra.

FURTHER LINES OF INVESTIGATION:

As the civil litigation is still in progress, further investigation, even of a preliminary nature may be inopportune. Further lines of investigation would be:

1. An attempt to ascertain if Father Terra will freely petition Our Holy Father for a return to the lay state? If not, will he maintain his innocence?
2. Conduct a more detailed interview with REDACTED and his wife REDACTED with regard to their knowledge of the details of the matter at hand.
3. Make inquiry from REDACTED as to his knowledge about the matter.

Questions for discussion with Craig.

1. Discuss the handbook for canonical processes on reporting to CDF. It seems to assume that the preliminary investigation has been done in all cases and the matter is being referred with opinions and recommendations of the investigator and the ordinary based on those findings. Importance is placed on appropriate decrees. Should we rectify this in our cases? Cf. pp 11 ff.
2. Specifically in the Terra case, the Cardinal's letter specifically states that he proposes to have a preliminary investigation conducted.



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-72843424
Wilshire
BoulevardLos Angeles
California
90010-2202

February 27, 2006

Michael Terra
REDACTED

Dear Mike:

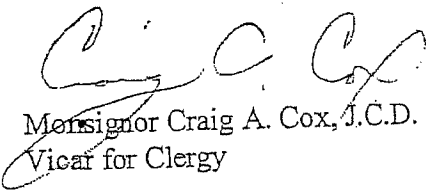
I hope you are well.

As you know, there is a complaint lodged alleging sexual misconduct with a minor on your part. I need to meet with you to discuss this, its implications canonically and civilly, and to obtain any response you may wish to make. I realize travel is difficult for you, but if you could come to our office in Los Angeles, it would be helpful. If not, I would make arrangements to meet with you somewhere out your direction.

Please phone me at REDACTED as soon as possible so we can schedule a meeting. Please tell whoever answers the phone that I want to be interrupted if I am in a meeting or on another call.

God bless!

Yours in Christ,


Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-72843424
Wilshire
BoulevardLos Angeles
California
90010-2202

February 27, 2006

Michael Terra

REDACTED

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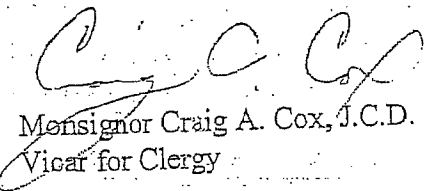
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Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-72843424
Wilshire
BoulevardLos Angeles
California
90010-2202

June 9, 2006

Michael Terra
REDACTED

Dear Mike:

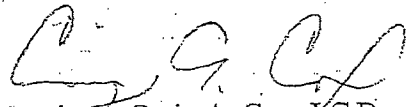
I will soon be completing my term of service as Vicar for Clergy. It is important that I have an opportunity to meet with you before I move out of office.

I will be in Palm Springs for some presbyteral gatherings on June 19-21 and June 26-27. I hope that this will give us the chance to meet. During that period I could come out to Lucerne Valley or, if you had occasion to come into Palm Springs, we could meet there.

Please phone me right away so we can arrange to meet. Let whoever answers the phone know that I should be interrupted in order to speak with you.

Thank you and God bless!

Yours in Christ,


 Monsignor Craig A. Cox, J.C.D.
 Vicar for Clergy



MEMORANDUM

TO: REDACTED

FROM: Monsignor Craig A. Cox

RE: Reverend Michael S. Terra

DATE: 27 June 2006

As you know, I had hoped to meet with Father Terra in order to discuss the allegation made against him, and to see if he would be willing to petition for a dispensation from clerical obligations. I wrote him twice in recent months, asking that he phone me. In my most recent letter, I indicated that I would be available to meet him in Palm Springs or even travel to his residence.

I have received no response of any sort to these letters. I regret that he did not at least do me the courtesy of making some response, even if it was to indicate he did not want to meet.

Given this lack of response, it seems our only alternative is to proceed with a canonical investigation and depending on its outcome seek further assistance from the CDF.



COPY

Archdiocese of Los AngelesOffice of
Vicar for Clergy
(213) 637-72843424
Wilshire
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Vicar for Clergy



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**FILE**

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Sent To
Street, Apt. No.
or PO Box No. Michael S. Terra
City, State, Zip REDACTED

PS Form 3800

Certified Mail Provides:

PS Form 3800, June 2002 (Reverse)

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- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
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- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
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1. Article Addressed to:

Michael S. Terra
REDACTED

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Michael S. Terra* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

APR - 2 2007

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☒ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7005 1160 0005 1652 6553

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

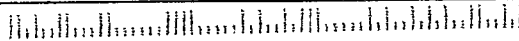
UNITED STATES POSTAL SERVICE



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- Sender: Please print your name, address, and ZIP+4 in this box •
- REDACTED

3424 Wilshire Blvd.
Los Angeles, CA 90010



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael S. Terra
REDACTED

2. Article Number

(Transfer from service label)

7005 1160 0005 1652 6553

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

* Michael S. Terra

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?
If YES, enter delivery address below:☐ Yes☐ No

APR - 2 2007

3. Service Type

☒ Certified Mail☐ Express Mail☒ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7005 1160 0005 1652 6553

U.S. Postal Service

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Sent To

Michael S. Terra
REDACTEDStreet, Apt. No.,
or PO Box No.

City, State, ZIP+

PS Form 3800

Understanding the canonical references in the Rescript

In No. 5b of the Rescript reference is made to canons 976 and 986 §2. These canons speak of giving sacramental absolution in danger of death situations. They read as follows:

· canon 976: *Even though a priest lacks the faculty to hear confessions, he absolves validly and licitly any penitents whatsoever in danger of death from any censures and sins, even if an approved priest is present.*

· canon 986 §2: *In urgent necessity, any confessor is obliged to hear the confessions of the Christian faithful, and in danger of death any priest is so obliged.*

In its reference to canon 976, the Rescript makes it clear that Michael Terra, although dismissed from the clerical state, validly and licitly absolves any penitents who are in danger of death, even if an approved priest is present who can grant absolution.

In its reference to canon 986 §2, the Rescript makes it clear that Michael Terra, although dismissed from the clerical state, has a morally binding obligation to hear the confession of any member of the Christian faithful who is in danger of death. Thus, even if this should mean revealing his status to someone who is not aware of it, the need of the penitent in danger of death takes precedence over any desire to keep his status confidential.

MEMORANDUM

TO: TERRA CASE FILE REDACTED
 FROM: REDACTED
 SUBJECT: PHONE CONVERSATION OF 21 FEB 07 WITH REDACTED
 DATE: 21 FEBRUARY 2007

REDACTED and his wife REDACTED are the couple who contacted Bishop Curry in 2002 regarding Fr. Terra's 1981 admission to them that he had had a physical relationship with a teenaged girl at San Roque parish in Santa Barbara. REDACTED and REDACTED have since relocated to Flagstaff, AZ, where REDACTED is actively ministering in the Phoenix Diocese as a Deacon.

I spoke with REDACTED this morning in a follow-up conversation to a phone call the previous week regarding the Terra case. In that earlier phone conversation, REDACTED had thought that she and her husband might have given a written statement to archdiocesan authorities about the Terra case, so I told her I would check our records here and get back to her. After I had carefully examined available files, however, no such statement was found, and so I phoned yesterday leaving a message to that effect and saying that I would call again this day.

On the phone this morning REDACTED was very helpful and very candid, as on the previous occasion. She stated that she and her husband REDACTED still feel a lot of anger at the whole situation regarding Fr. Terra, his actions have caused them tremendous hurt. She even offered that it was precisely the whole Terra situation that led REDACTED and herself to move to Flagstaff and the Diocese of Phoenix.

REDACTED had located a statement that she and her husband had made in 2002 regarding the Terra case and sent me a copy of this statement via fax; I had asked her to sign the statement in her own name and on behalf of REDACTED (REDACTED was unavailable, as he was busy with various Ash Wednesday services). REDACTED was not certain that the statement had ever been given to archdiocesan authorities, as it may have been written for REDACTED, the 15-16 year old girl whom Fr. Terra had taken advantage of and with whom he had been involved in a physical relationship. REDACTED is the daughter of one of REDACTED best friends. The REDACTED have known REDACTED and her family for more than twenty years, and they have absolutely no doubt as to the truth of what she recounted to them in terms of her relationship with Fr. Mike Terra.

REDACTED

REDACTED

REDACTED

REDACTED it was this man who delivered a summons to Terra (presumably the 2003 summons regarding the lawsuit naming Terra as having abused REDACTED where REDACTED was a minor).

I had wished to pursue this matter further with REDACTED and even made a return phone call to her for this purpose, but as the situation is very complex and difficult for her, she expressed the strong desire to say nothing more about it. She clearly does not want to be contacted further regarding this, and hopes to leave everything behind them.

REDACTED also mentioned that she and her husband had met with Msgr. Craig Cox about the Terra case, and so he should be very much aware of the situation.

In all of this, it was clearly evident that the whole Terra situation is still a source of great distress and pain for REDACTED and her husband REDACTED. I firmly believe that her desire to be left alone and to be contacted no further about this matter should be fully respected.

EVALUATION OF REDACTED CREDIBILITY

I found REDACTED to be very open, honest and sincere. She spoke with ease and struck me as one who faithfully recounted what appeared to be clear recollections of facts. She showed spontaneity in her speech, and freely spoke of related matters, until her emotions started to become too strong for her towards the end of our conversation. I sensed it was better to end our phone call, but did call her back later, wanting to pursue the matter of the adult woman she had mentioned. However, as reported above, she found the emotions welling up inside of her to be too much and stated that she preferred to say no more. She expressed a strong desire that neither she nor her husband be contacted about this in the future. I thanked her for her help and honesty, and told her that I didn't think we would need to contact them further.

In the whole of the three different occasions on which we made contact by phone (the introductory phone call, the extended conversation about the statement the REDACTED had made, and the very brief follow-up contact) I found REDACTED to be honest, direct and very credible. I perceived no doubt, uncertainty or hesitation in her as she related her recollection of various facts and situations to me; there was nothing at all that would lead me to question either her sincerity or her credibility.



FILE COPY

Archdiocese of Los Angeles

REDACTED

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

23 February 2007

REDACTED

P. O. Box 30471
Santa Barbara, CA 93105

Dea: REDACTED

I write to you in my role as REDACTED
REDACTED as I seek to bring a case involving Father Michael S. Terra to a proper conclusion.

Since one of the matters needing to be resolved concerns Father Terra's time at San Roque Church while you were Pastor there, I would ask you the kindness of contacting me by phone, whenever it might be convenient for you, so that we might briefly discuss the matter. I can be most easily reached at my office phone, REDACTED and if you should call while I am momentarily out of the office, a message may be left either with my secretary or on my voice-mail, and I will return your call as soon as possible.

I would have been happy to contact you by phone myself, but it seems that the Archdiocese has no current phone number for you, only this post office box address. I hope that this request of mine causes you no inconvenience, and I do appreciate whatever help you may be able to provide in this matter.

Thanking you in advance for your assistance, and assuring you of my prayerful best wishes this Lenten season, I am

Sincerely yours in Christ,
REDACTED

MEMORANDUM

TO: TERRA CASE FILE REDACTED
 FROM: REDACTED
 SUBJECT: INTERVIEW WITH MSGR. CRAIG COX
 DATE: 7 MARCH 2007

I met with Monsignor Craig Cox, former Vicar for Clergy, this morning in the offices of the ACC in Los Angeles. Msgr. Cox had met with the REDACTED back in 2002 after they had had a meeting with Bishop Tom Curry, the Regional Bishop for the Santa Barbara Pastoral Region, to denounce sexual misconduct on the part of Fr. Terra with a minor-aged girl at San Roque Parish in Santa Barbara in the early 1980s.

Msgr. Cox recalled meeting with the REDACTED in 2002 and felt that they were very credible in what they reported to him about Fr. Terra having confided to them back in the early 1980s of a relationship he had had with a teenaged female parishioner. At the time, this relationship was described only as "physical" and the REDACTED did not think that it was anything particularly serious. But many years later, when the girl involved in the relationship with Terra confided to REDACTED the true nature of the relationship, the REDACTED learned that it had actually been sexual. This is what they had met with Bishop Curry to report and was the purpose of their meeting with Msgr. Cox. Msgr. Cox also recalled the anger and hurt that the REDACTED expressed now that they knew the truth of what had happened in the early 1980s.

Msgr. Cox was asked whether the REDACTED had mentioned any other relationships that Terra might have been involved in while he was at San Roque, specifically if there was any mention of him having taken advantage of an adult parishioner. Msgr. Cox remembered nothing of the kind having been said.

He was asked further whether he knew any details about Terra's living situation in the Lucerne Valley, whether Terra had his own property out in the desert community or whether he was renting or living on a friend's property. Again, Msgr. Cox replied that he had no specific knowledge of any of the details relative to Terra's living arrangements in the Lucerne Valley, only that he had no phone, used a Post Office Box for mail and was totally unresponsive to attempts on the part of the Archdiocese to meet with him and discuss his situation and the allegations against him.

In conclusion, Msgr. Cox repeated that he found the REDACTED to be very credible in their reports to him and that there was nothing that caused him to doubt that what they told him was the truth.

MEMORANDUM

TO: TERRA CASE FILE REDACTED
FROM: REDACTED
SUBJECT: INTERVIEW WITH REDACTED
DATE: 20 MARCH 2007

REDACTED was in residence at San Roque Church for approximately 18 months while Father Michael Terra was serving there as parochial vicar.

I spoke with REDACTED today at the ACC offices and he related that he never noticed anything that struck him as inappropriate in Fr. Terra's behavior or relationships with anyone while he was at San Roque; although he was struck by Fr. Terra's laziness, in that Fr. Terra was content to do very little around the parish.

When asked about his mother's funeral and whether parishioners from San Roque might have been present and whether any of these parishioners might have been accompanied by Fr. Terra to the funeral, REDACTED stated that he had no specific recollection of who might have been present from San Roque parish. He did explain, however, that the REDACTED family was very active in the parish, that the girls attended nearby REDACTED and that it would not have been unusual for one or another of the REDACTED girls to attend his mother's funeral and to have been accompanied to the funeral by Fr. Terra. He also added that the REDACTED girls' mother would have likely seen nothing unusual or suspicious if one of her daughters were to spend time in the presence of Fr. Terra.



Archdiocese of Los Angeles

REDACTED

5424
Wilshire
BoulevardLos Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

28 March 2007

Michael S. Terra
REDACTED

Dear Father Terra,


I am writing to you as a follow-up to letters sent to you by Monsignor Craig Cox, Vicar for Clergy of the Archdiocese of Los Angeles; Monsignor Cox has since been succeeded in that position by Monsignor Gabriel Gonzales.

In his letters to you, dated 27 February 2006 and 9 June 2006 respectively (copies attached), Monsignor Cox asked you to contact him so that arrangements could be made to discuss your situation, most especially relative to the allegation that you sexually abused a minor. Inasmuch as no response to either letter was received from you, it appears that you do not wish to discuss the matter.

As REDACTED, therefore, I write to inform you that a final report regarding your case is ready to be submitted to the Congregation for the Doctrine of the Faith in Rome, together with Cardinal Mahony's recommendation that you be dismissed *ex officio* from the clerical state by the Holy Father. Of course, should you decide to request laicization from the Pope, the Cardinal will support your petition and will not seek your dismissal.

If you would like to make a statement regarding your case for inclusion in the material that will be sent to the Congregation, or if you would like to make a voluntary petition for laicization to the Pope, please see that such a statement or petition is delivered to me **no later than Friday, 13 April 2007**. And should you have any questions regarding this matter, please feel free to contact me at REDACTED; I will be happy to speak with you and to offer whatever assistance I can.

With prayerful good wishes, I am

Sincerely yours in Christ, 
REDACTED

MEMORANDUM

TO: TERRA CASE FILE REDACTED
 FROM: REDACTED
 SUBJECT: PHONE CONVERSATION WITH REDACTED
 DATE: 29 MARCH 2007

REDACTED called me today in response to a letter I had sent him about the Terra case. He apologized for not getting back to me sooner, but it seems that the Archdiocese has not updated his address and mail continues to be sent to him at various old addresses which are evidently still on file. He gave me his current contact information (address: REDACTED telephone: REDACTED) and I assured him that I would pass it on to the Vicar for Clergy.

With regard to Fr. Michael Terra, REDACTED recalled absolutely nothing suspicious in Fr. Terra's behavior with anyone while he was at San Roque in Santa Barbara. REDACTED called him a "good boy" and stated that he caused no problems. When asked specifically about any inappropriate or questionable relationships that Terra might have had REDACTED stated, "No, not Mike" and repeated again that he was a good boy, adding that was not like REDACTED

When asked specifically about the REDACTED family, REDACTED stated that he did recall the family, and that they were very faithful. He said that Terra would have known the family, but he did not think that Terra was particularly close to them, that there were other parishioners to whom he was closer. REDACTED e went on to add that he does not believe that anything could have happened between Terra and a member of the REDACTED family because Terra was not that close to them and the family was so faithful to the Church.

The telephone conversation lasted no more than five minutes, and REDACTED said that I could send him "the form" and he would be happy to sign it if that were necessary. (Evidently, REDACTED was referring to previous statements he had been asked to make about other cases, perhaps REDACTED and/or REDACTED since he mentioned them specifically.) I told him I didn't think that would be necessary, but that we would feel free to contact him should the need arise for further assistance from him. I thanked him for his help and assured him once more that I would pass on his current contact information to the Vicar for Clergy.



FILE COPY

Archdiocese of Los Angeles

Office of
the Archbishop

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

**VOTUM OF THE ORDINARY OF INCARDINATION,
CARDINAL ROGER MICHAEL MAHONY,
ARCHBISHOP OF LOS ANGELES IN CALIFORNIA**

Re: Prot. No. 658/2004
The Reverend Michael S. Terra

May 9, 2007

His Eminence
Cardinal William Joseph Levada
Prefect
Congregation for the Doctrine of the Faith
00120 VATICAN CITY
Europe

Your Eminence:

As a follow-up to previous correspondence regarding the above-named priest, I am pleased now to send you the complete report of the matter together with my *votum*.

The Reverend Michael S. Terra, born on January 6, 1951, was ordained a priest for service in the Archdiocese of Los Angeles on May 27, 1978. From 1978 to 1991, Father Terra was assigned as Parochial Vicar to five different parishes and as Catholic chaplain to a medical center. In 1991, after insisting that he be permitted to engage in a particular "healing ministry" of his own making and refusing to accept any other assignment in the Archdiocese, Terra was placed on inactive leave without faculties. As fully documented in the attached report, Terra has continued to refuse an official assignment, saying that he would not be happy or fulfilled and stating that it would not be good for the Church. His failure to abide by the provisions of canon 274 §2 resulted in his removal from ministry. It should be noted that in choosing not to use ordinary means of communication, such as the telephone, and by moving out of the territory of the Archdiocese he has distanced himself from ecclesiastical authority and has made it most difficult for me to communicate with him or to monitor him in any way. He has not responded to any of the many attempts of the Archdiocese to make contact with him.

Eleven years after Father Terra left active ministry, the Archdiocese first received reports that he had sexually abused a minor. Bishop Thomas Curry, one of my Auxiliary Bishops, met in 2002 with a REDACTED and his REDACTED and REDACTED who reported that in 1981 — before REDACTED had been ordained to the diaconate — Terra had admitted to them that he had been involved in a "relationship" with a teenaged girl. Terra did not go

*Votum of Cardinal Roger M. MAHONY
Prot. No. 658/2004, the Rev. Michael S. TERRA
Page 2 of 4*

into details with this couple other than to tell them that this relationship had been "physical" and that he was ending it. They thought that Terra had probably crossed some lines, and that he now realized it was wrong and wished to remove himself from the situation. Thinking that the relationship was less serious than it really was, the REDACTED reported it to no one. They did speak with the girl involved — REDACTED to let her know that they would be there for her if she needed any help.

Since the REDACTED were good friends with the REDACTED family, they kept in touch with REDACTED even after she had grown up and moved away. It was not until 2002 that the full truth of her relationship with Father Terra was revealed to them, including all the pain and confusion that the relationship had caused REDACTED. It was then that the REDACTED brought the situation to the attention of Bishop Curry, realizing that Terra's relationship with REDACTED had been sexual in nature. REDACTED were terribly shocked and devastated to learn the facts of the case from REDACTED and it was precisely this reality that caused them to leave the Archdiocese of Los Angeles and relocate to the Diocese of Phoenix. They simply could not stay in the Archdiocese and deal with the anger and betrayal, and probably the self-recrimination, that they felt. I find very telling the impact that REDACTED account had on the REDACTED personal lives: the fact that the true nature of the relationship between Terra and REDACTED was the immediate reason for the REDACTED departure from the Archdiocese is an unambiguous and convincing indication that the REDACTED found REDACTED to be credible in what she had told them. Moreover, in speaking with the archdiocesan REDACTED stated that she had absolutely no doubt as to the truth of what REDACTED had recounted about her relationship with REDACTED. Also, the REDACTED own account of the situation was found to be very credible, both by Bishop Curry who first received their report in 2002 and by my Vicar for Clergy who spoke with them later that same year. REDACTED also found REDACTED to be very credible.

In December 2002, REDACTED filed a civil lawsuit against the Archdiocese seeking damages arising from Terra's sexual abuse of her when she was a minor. She reports that the abuse started when she was 15 years old and continued over a period of approximately a year to a year and a half. The abusive activity included kissing her with his tongue in her mouth, touching her breasts, buttocks and the rest of her body, telling her repeatedly that he loved her, lying on top of her while they were both clothed and rubbing himself against her until he ejaculated. She also reports that some of this activity took place in the context of sacramental confession, as Terra would instruct her to come to confession late on Saturday afternoons and would kiss her and touch her in the confessional after hearing her confession.

As noted above, Father Terra has maintained only the most minimal contact with the Archdiocese after his departure from active ministry. As a matter of fact, after 1992, he made no contact at all until he was served with a summons in 2003 informing him that he was

*Votum of Cardinal Roger M. MAHONY
Prot. No. 658/2004, the Rev. Michael S. TERRA
Page 3 of 4*

named in a civil suit as having sexually abused a minor. He wrote to my Vicar for Clergy at that time and sought advice on how to deal with the accusation. He was placed in contact with a civil attorney, who took on representation of him in this matter. At the same time, my Vicar for Clergy set up a meeting with him so that his situation and this matter might be thoroughly discussed. Terra never came to that meeting nor gave any kind of response to further attempts on our part to offer him assistance or to seek his cooperation in this matter.

In 2004, the accusations against Father Terra were reported in the local media.

Finally, in a letter dated 28 March 2007, Father Terra was informed that his case was ready to be submitted to your Dicastery for a definitive resolution. He was invited to make a statement to be included with the material to be sent to the Congregation. He was also informed that I would recommend his dismissal from the clerical state in my *votum*, unless of course he should choose voluntarily to petition our Holy Father for laicization. This contact was made with Terra via registered mail and, despite Terra's signature on the certified mail receipt showing that he received the letter, he again chose to make no reply.

The facts of the case, as plainly borne out in the enclosed report, are quite clear: by his own admission to two witnesses whose credibility is unquestioned, Father Terra was involved in a physical relationship with a teenaged girl; this relationship involved offenses against the Sixth Commandment committed with a minor under the age of sixteen, including some offenses that appear to have been committed on the occasion of sacramental confession. Despite many opportunities to do so, Terra has never denied the accusations against him nor has he cooperated in any manner whatsoever with efforts to resolve his situation.

Added to this is the further aggravating circumstances described above, whereby Terra refused to accept a legitimate assignment and chose to distance himself from his Ordinary. His situation amounts to that of a wandering cleric over whom his Ordinary has no control. Given the seriousness of the well-founded accusations against him, and given the present climate regarding clergy sexual abuse cases in the US, this is an unacceptable situation that cannot be tolerated.

The facts of the case coupled with the aggravating circumstances bring me to a difficult but necessary conclusion: Father Terra can never be restored to ministry and the good of the Church requires that he be dismissed from the clerical state; he simply cannot continue to be recognized as a priest, whether by the Church or by society at large.

Notwithstanding this difficult conclusion, I wish to afford Father Terra a final opportunity to respond to the accusations against him and to cooperate with ecclesiastical authorities.

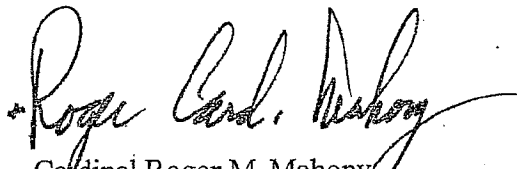
Votum of Cardinal Roger M. MAHONY
Prot. No.658/2004, the Rev. Michael S. TERRA
Page 4 of 4

My *votum*, therefore, is that I be authorized to initiate an extrajudicial process against Terra, with the possibility of recommending the penalty of dismissal from the clerical state to be imposed after review and confirmation by your Dicastery. I must admit, however, that I see no real hope of Terra availing himself of this final opportunity. For this reason, Your Eminence and the Congregation may see fit to recommend to His Holiness Pope Benedict XVI that Terra be dismissed *ex officio et pro bono Ecclesiae* from the clerical state.

With my *votum* as expressed above, and with gratitude for your valued assistance, I hereby submit this serious matter to your kind attention.

Assuring you of my prayerful best wishes during this Easter season, I remain

Sincerely yours in Christ,


Cardinal Roger M. Mahony
Archbishop of Los Angeles

(enclosure)

MEMORANDUM

TO: TERRA CASE FILE REDACTED
FROM: REDACTED
SUBJECT: STATEMENT FROM BISHOP TOM CURRY ABOUT THE 2002 MEETING WITH REDACTED
DATE: 10 APRIL 2007

Bishop Tom Curry is the Regional Bishop for the Santa Barbara Pastoral Region, and it was at a meeting with him back in 2002 that REDACTED and his REDACTED reported that Fr. Terra had told them in 1981 that he had had a physical relationship with a teenaged girl at San Roque parish in Santa Barbara. REDACTED explained that it turned out that Fr. Terra had had a sexual relationship with this girl, and that the relationship continued for a year.

I spoke with Bishop Curry this afternoon about his meeting with REDACTED and asked him whether he recalled his meeting with the REDACTED in conjunction with Fr. Mike Terra. He said he did recall the meeting, and so I asked him whether he had any impression, whether positive or negative, or any other indication, about the REDACTED credibility in what they told him. He stated, "I had no reason to doubt their credibility — he was a REDACTED and they were both active in the Church." He went on to say that he believed what they told him to be true, that he found them very credible and that he was not struck in any way that they might make up the story they recounted to him.

He also added that, as he recalled, the matter involved Fr. Terra's being involved with a young girl, a teen-ager. He then repeated that he found the REDACTED very credible and had no reason at all to doubt or be suspicious about what they told him.

I thanked him for his time and for his statements about his recollection of his meeting with the REDACTED and about their credibility.

MEMORANDUM

TO: CARDINAL ROGER MAHONY
FROM: REDACTED
SUBJECT: TERRA *VOTUM* FOR CDF
DATE: 11 APRIL 2007

The complete report on Father Mike Terra's case is ready to be submitted to CDF, but I shall need a decision from you as to what recommendation you wish to make in your *votum* as to how the case may best be resolved.

Attached to this memo are two items: (1) a two-page summary of the report (if you would like to view the complete report, let me know and I can get it to you); (2) an analysis of the different recommendations that you may wish to make in your *votum*, with an indication of the course of action that seems preferable.

When you have decided the recommendation you would like to make to CDF, please let me know. And of course, should you wish to discuss any of this in person, please let me know that too, as either REDACTED and/or myself would be happy to meet with you.

REDACTED

thanks so very much!
Please see last page -
+ RKM
4-13-07

Summary of REPORT regarding the Reverend Michael S. Terra

The *Graviora Delicta*

Terra is accused of the following *graviora delicta*:

- sexual abuse of a minor (1917 *CIC* can. 2359 §2, 1983 *CIC* can. 1395 §2);
- solicitation to sin against the sixth commandment in the act, on the occasion or under the pretext of sacramental confession (1917 *CIC* can. 2368 §1, 1983 *CIC* can. 1387).

Both crimes are reserved to CDF.

Additionally, the 2006 US Essential Norms, in article 8, call for the permanent removal from ministry of a priest who has admitted an act of sexual abuse of a minor or if such abuse has been established by an appropriate process in accordance with church law.

A Brief Curriculum Vitae

Terra, born on 6 Jan 51, was ordained on 27 May 78. From 1978 to 1989, he was assigned as Parochial Vicar to five different parishes (San Roque in Santa Barbara, 1978-1981; St. Athanasius in Long Beach, 1981-1982; St. Rose of Lima in Simi Valley, 1982-1983; St. Patrick in North Hollywood, 1983-1986; St. Matthew in Long Beach, 1986-1989); in 1989 he was assigned as Catholic chaplain to St. Mary Medical Center in Long Beach. In 1991, after insisting that he be permitted to engage in a full-time healing ministry of his own making and refusing to accept any other assignment from the Archbishop, Terra was placed on inactive leave without faculties. He has maintained only the most minimal contact with the Archdiocese.

The Alleged Sexual Abuse

In 2002, an adult woman filed a lawsuit against the Archdiocese claiming that in 1979-1980, when she was a minor of 15-16 years, she was sexually abused by Terra. The woman's name is REDACTED. She was born on 19 Jun 64 and claims that she approached Terra in 1979 (at age 15) because of a difficult home situation caused by problems in her parents' marriage. She reports that at the end of her appointment with him, Terra hugged her, kissed her with his tongue in her mouth and touched her all over her body. After this first incident, episodes of abuse continued over a 1-1½ year period, with Terra telling REDACTED he loved her, holding her hand, kissing her with his tongue in her mouth, touching her all over her body, unbuttoning her blouse, fondling, kissing and sucking her breasts. Acts of abuse also occurred in the confessional, as Terra would tell REDACTED to come to confession on Saturdays in the late afternoon, which she did and at which times he would touch and kiss her in the confessional after hearing her confession.

Terra would also drive REDACTED down to the beach, where he would find a remote spot and then begin touching and kissing REDACTED. He would make her lie down on the ground, lie on top of her and rub himself against her to the point of ejaculation. REDACTED reports that this happened many times.

Reports of Abuse Made to Others

Terra spoke in 1981 with two San Roque parishioners to whom he was close, REDACTED and admitted to them that he had been involved in a "physical" relationship with a teenage girl at the parish. He told them that he was ending the relationship and asked them to be supportive of the girl. REDACTED met with the girl in question, REDACTED, but she did not reveal to them the sexual nature of the relationship and they thought it was a matter of physical attraction and emotional involvement, with perhaps some lines having been crossed by Terra, but nothing more. They thus made no report to anyone at the time.

REDACTED are close friends with REDACTED family, and so have continued in contact with REDACTED. It was through this contact that in 2002 REDACTED finally confided to them the sexual nature of the relationship with Terra. The REDACTED then met with the Santa Barbara Regional Bishop about the matter, and he made a report to the Vicar of Clergy. Because of the anger, betrayal and devastation that they experienced following these new revelations REDACTED felt they could no longer stay in the Santa Barbara area or in the Archdiocese and so relocated to Flagstaff in the Diocese of Phoenix, where they remain active in the diaconate ministry.

In 2003, Terra was served a summons in which he was informed that he had been named in a civil suit as having sexually abused a minor. And so, after no contact with the Archdiocese for twelve years, he wrote to the Vicar for Clergy seeking advice on how to handle the situation. The Vicar for Clergy put him in touch with a civil attorney. The Vicar for Clergy also scheduled a meeting with Terra so that his situation could be fully discussed; however, Terra did not make himself available for this meeting and he has not responded to any further attempts on the part of the Archdiocese to speak with him about the accusations against him, the most recent attempt being made in March 2007 by registered mail with a signed receipt showing that Terra received the communication from the Archdiocese.

The allegations against Terra were reported in the local media in 2004.

Credibility of Allegations

There are no witnesses to the alleged abusive behavior and there is thus no independent corroboration of the claims made. Nonetheless, the following considerations support the credibility of the claimant's allegations:

- the internal consistency of statements made by the claimant (both to the Superior Court in the 2002 civil complaint, to the Archdiocese in the 2003 claimant questionnaire, and to the REDACTED in 1981 and again in 2002);
- Terra has not denied the accusations made against him;
- the REDACTED to whom in 2002 the alleged victim admitted the sexual nature of the abuse, judged the girl's claims to be credible;
- those to whom the REDACTED made their report (to Bishop Curry in 2002, to Msgr. Cox in 2002, to REDACTED in 2007) judged the REDACTED to be very credible, and their report not only confirms the alleged victim's claim of sexual abuse but also details Terra's own admission in 1981 of his involvement in a "physical" relationship with the claimant.

Conclusion

It appears certain that Terra sexually abused a minor-aged girl. In accordance with article 8 of the U.S. Essential Norms, therefore, Terra is to be permanently removed from ecclesiastical ministry.

Further, it appears that the minor in question was under the age of 16 when the abusive relationship began and that some acts of abuse occurred on the occasion of sacramental confession, wherefore the *graviora delicta* of canons 1395 §2 and 1387, both reserved to CDF, are also imputable to him with culpability.

Guidelines for Cardinal's *votum* in the Terra case

PREMISE

It is clear that Terra was involved in a physical relationship with a teen-aged girl and it appears certain that this was a sexually abusive relationship. Therefore, in accordance with the 2006 US Essential Norms, Terra can never return to ministry.

CONCERNS. Terra has chosen to distance himself from all ecclesiastical authority, wherefore it is not possible for the Archdiocese to effectively monitor him in any way. As long as he remains a priest, his situation amounts to that of a cleric potentially wandering about and over whom his Ordinary has no control. Given the serious and founded accusations made against him, and given the present climate regarding clergy sexual abuse cases in the US, this is an unacceptable situation that must be remedied.

Possible remedies to the situation

- (1) The Cardinal may seek an *ex officio* dismissal of Terra from the clerical state.

ANALYSIS. Given the facts of the case, such a request is not unwarranted, although the case itself is not as strong as what we would normally like for such a request to be made (e.g. criminal conviction in civil court; clear admission of abuse by the accused; clear corroboration of accusations). Nonetheless, putting the emphasis on Terra's dismissal *ex officio ET PRO BONO ECCLESIAE* might be sufficient to convince CDF to make such a recommendation to REDACTED, especially given Terra's abandonment of ministry 16 years ago.

- (2) The Cardinal may seek authorization for an **administrative process**.

ANALYSIS. This extrajudicial process will determine Terra's culpability and imputability of the crimes alleged. If he is found guilty, a non-permanent expiatory penalty may be imposed by decree, with CDF being so notified; if it is decided that the case warrants dismissal from the clerical state, this is so decreed and the recommendation is made to CDF, which alone is competent to impose such a penalty. The essential difference between this remedy and no. 1 above is that the accused is given a final opportunity to participate in the process, has the representation of a canonical advocate, and can appeal the decision made, even if the decision should be dismissal imposed by CDF.

- (3) The Cardinal may seek authorization for a **judicial penal process**.

ANALYSIS. For many reasons, this solution seems less indicated than either nos. 1 or 2 above, as it would introduce unnecessary and ultimately unproductive complications and delays into the process.

- (4) The Cardinal may suggest that **the status quo continue** (i.e., that Terra remain on inactive leave without faculties).

ANALYSIS. In light of the concerns raised in the PREMISE above, this remedy would seem unacceptable. However, it could be argued that the concerns raised are really non-issues, inasmuch as Terra is effectively barred from ministry as long as the status quo continues and would not be granted ministerial faculties in other diocese without a recommendation from the Archdiocese.

- (5) The Cardinal may wish to recommend a **combination of nos. 1 and 2**, whether presented as a recommendation for an *ex officio* dismissal with an administrative process as an acceptable alternative, or as a recommendation for an administrative process with an *ex officio* dismissal as an acceptable alternative.

ANALYSIS. As stated above for remedies nos. 1 and 2.

- (6) The Cardinal may wish to recommend **some other action** not envisioned here.

ANALYSIS. Any analysis depends on the specific recommendation made.

Suggested course of action

The fifth possibility presented above seems best suited to the case, with the order of preference between the two alternatives (*ex officio* dismissal and administrative process) depending on how strongly the Cardinal feels about having Terra dismissed from the clerical state:

- (a) if the Cardinal feels very strongly that the case is such that Terra should absolutely be dismissed regardless of any defense he might offer (and it is doubtful that he will offer any), then the *votum* should seek an *ex officio* dismissal or, alternatively, an extrajudicial process with the possibility of seeking the penalty of dismissal from CDF;
- (b) if the Cardinal feels that Terra should probably be dismissed, but would like to give him a final opportunity to defend himself and to cooperate with church authorities (an opportunity that Terra will likely not take), then the *votum* should seek authorization for an extrajudicial process or, alternatively, an *ex officio* dismissal.

I would prefer that we pursue this last option - thus affording him all of his rights and process - he will most likely decline to participate.

+ Roger Carl. Nagy

13 Apr 2007



Archdiocese of Los Angeles

REDACTED

3424
Wilshire
Boulevard

Los Angeles,
California
90010-2202

11 May 2007

RE: Rev. MICHAEL S. TERRA
Accused of Graviora Delicta

The Most Reverend Pietro Sambi
Apostolic Nuncio to the United States of America
3339 Massachusetts Avenue, N.W.
Washington, D.C. 20008

Your Excellency,

Enclosed is a letter from Cardinal Roger Michael Mahony, Archbishop of Los Angeles, addressed to Cardinal William Joseph Levada, Prefect of the Congregation for the Doctrine of the Faith. This letter contains Cardinal Mahony's *votum* regarding the above-named case and is accompanied by a full Report of the matter.

I respectfully ask you to forward the enclosed material to the Congregation.

With gratitude for your kind assistance, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,
REDACTED

(enclosures)

Summary of REPORT regarding the Reverend Michael S. Terra

The *Graviora Delicta*

Terra is accused of the following *graviora delicta*:

- sexual abuse of a minor (1917 *CIC* can. 2359 §2, 1983 *CIC* can. 1395 §2);
- solicitation to sin against the sixth commandment in the act, on the occasion or under the pretext of sacramental confession (1917 *CIC* can. 2368 §1, 1983 *CIC* can. 1387).

Both crimes are reserved to CDF.

Additionally, the 2006 US Essential Norms, in article 8, call for the permanent removal from ministry of a priest who has admitted an act of sexual abuse of a minor or if such abuse has been established by an appropriate process in accordance with church law.

A Brief Curriculum Vitae

Terra, born on 6 Jan 51, was ordained on 27 May 78. From 1978 to 1989, he was assigned as Parochial Vicar to five different parishes (San Roque in Santa Barbara, 1978-1981; St. Athanasius in Long Beach, 1981-1982; St. Rose of Lima in Simi Valley, 1982-1983; St. Patrick in North Hollywood, 1983-1986; St. Matthew in Long Beach, 1986-1989); in 1989 he was assigned as Catholic chaplain to St. Mary Medical Center in Long Beach. In 1991, after insisting that he be permitted to engage in a full-time healing ministry of his own making and refusing to accept any other assignment from the Archbishop, Terra was placed on inactive leave without faculties. He has maintained only the most minimal contact with the Archdiocese.

The Alleged Sexual Abuse

In 2002, an adult woman filed a lawsuit against the Archdiocese claiming that in 1979-1980, when she was a minor of 15-16 years, she was sexually abused by Terra. The woman's name is REDACTED. She was born on REDACTED 64 and claims that she approached Terra in 1979 (at age 15) because of a difficult home situation caused by problems in her parents' marriage. She reports that at the end of her appointment with him, Terra hugged her, kissed her with his tongue in her mouth and touched her all over her body. After this first incident, episodes of abuse continued over a 1-1½ year period, with Terra telling REDACTED he loved her, holding her hand, kissing her with his tongue in her mouth, touching her all over her body, unbuttoning her blouse, fondling, kissing and sucking her breasts. Acts of abuse also occurred in the confessional, as Terra would tell REDACTED to come to confession on Saturdays in the late afternoon, which she did and at which times he would touch and kiss her in the confessional after hearing her confession.

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Terra spoke in 1981 with two San Roque parishioners to whom he was close REDACTED and admitted to them that he had been involved in a "physical" relationship with a teenage girl at the parish. He told them that he was ending the relationship and asked them to be supportive of the girl. The REDACTED met with the girl in question. REDACTED but she did not reveal to them the sexual nature of the relationship and they thought it was a matter of physical attraction and emotional involvement, with perhaps some lines having been crossed by Terra, but nothing more. They thus made no report to anyone at the time.

REDACTED

REDACTED

are close friends with MB's family, and so have continued in contact with REDACTED. It was through this contact that in 2002 MB finally confided to them the sexual nature of the relationship with Terra. REDACTED then met with the Santa Barbara Regional Bishop about the matter, and he made a report to the Vicar of Clergy. Because of the anger, betrayal and devastation that they experienced following these new revelations, the REDACTED felt they could no longer stay in the Santa Barbara area or in the Archdiocese and so relocated to Flagstaff in the Diocese of Phoenix, where they remain active in the diaconate ministry.

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- those to whom the REDACTED made their report (to Bishop Curry in 2002, to Msgr. Cox in 2002, to REDACTED in 2007) judged REDACTED to be very credible, and their report not only confirms the alleged victim's claim of sexual abuse but also details Terra's own admission in 1981 of his involvement in a "physical" relationship with the claimant.

Conclusion

It appears certain that Terra sexually abused a minor-aged girl. In accordance with article 8 of the U.S. Essential Norms, therefore, Terra is to be permanently removed from ecclesiastical ministry.

Further, it appears that the minor in question was under the age of 16 when the abusive relationship began and that some acts of abuse occurred on the occasion of sacramental confession, wherefore the *graviora delicta* of canons 1395 §2 and 1387, both reserved to CDF, are also imputable to him with culpability.

CURIA OF THE ARCHDIOCESE OF LOS ANGELES IN CALIFORNIA

REPORT

The Reverend Michael S. TERRA
Accused of *Graviora Delicta*

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DIOCESE	Los Angeles in California
NAME OF ORDINARY	Cardinal Roger M. Mahony
CDF PROT. NO.	658/2004
NAME OF CLERIC	Reverend Michael S. Terra

PERSONAL DETAILS OF THE CLERIC	Date of Birth	6 January 1951	Age	56		
	Ordination	27 May 1978	Years of ministry	13		
ORIGINAL DIOCESE OF INCARDINATION		Los Angeles in California				
MINISTRY IN/TRANSFER TO OTHER DIOCESE		None				
CONTACT ADDRESS OF THE CLERIC		REDACTED				
CANONICAL ADVISOR		None named (<i>reus</i> has given no response to the different attempts to seek his cooperation)				
ASSIGNMENTS						
Year	Parish	Location	Appointment			
1978	San Roque	Santa Barbara, California	Parochial Vicar			
1981	St. Athanasius	Long Beach, California	Parochial Vicar			
1982	St. Rose of Lima	Simi Valley, California	Parochial Vicar			
1983	St. Patrick	North Hollywood, California	Parochial Vicar			
1986	St. Matthew	Long Beach, California	Parochial Vicar			
1989	St. Mary Medical Center	Long Beach, California	Chaplain			
1991	Inactive Leave					
ACCUSATIONS AGAINST THE CLERIC						
Year	Victim	Age	Imputable Acts	Denunciation		
1979	REDACTED	15	Kissing the victim with his tongue in her mouth, touching her breasts, buttocks and the rest of her body, telling her repeatedly that he loved her, lying on top of her while they were both clothed and rubbing himself against her until he ejaculated; this behavior continued for 1-1 ½ years with some of the abusive activity taking place in the context of sacramental confession	2002		

CIVIL PROCEEDINGS INVOLVING THE CLERIC		
Year	Type/Case	Resolution
2003	Civil lawsuit for damages (BC284282)	Pending
MEASURES ADOPTED BY THE DIOCESE		
Year		
1991	Father Terra was placed on inactive leave because of his insistence on a particular ministry and his refusal to accept any other assignment proposed by the Archbishop.	
SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC		
Father Terra has received no salary since he refused an assignment in 1991; recently, a loan was extended to him for legal expenses.		
RESPONSE/RECOURSE MADE BY THE CLERIC: None		
BISHOP'S VOTUM		
<p>By his own admission to two witnesses whose credibility is unquestioned, Terra was involved in a physical relationship with a teenaged girl; this relationship involved offenses against the Sixth Commandment committed with a minor under the age of sixteen, including some offenses that appear to have been committed on the occasion of sacramental confession. Despite many opportunities to do so, Terra has never denied the accusations against him nor has he cooperated in any manner whatsoever with efforts to resolve his situation. Added to this are the further aggravating circumstances of Terra's refusal to accept a legitimate assignment and his choice to distance himself from ecclesiastical authority. His situation amounts to that of a wandering cleric over whom his Ordinary has no control. Given the seriousness of the well-founded accusations against him, and given the present climate regarding clergy sexual abuse cases in the US, this is an unacceptable situation that cannot be tolerated.</p> <p>The facts of the case coupled with the aggravating circumstances lead to the difficult but necessary conclusion that Terra can never be restored to ministry and the good of the Church requires that he be dismissed from the clerical state; he simply cannot continue to be recognized as a priest, whether by the Church or by society at large.</p> <p>Notwithstanding this difficult conclusion, and with the desire of affording Terra a final opportunity to respond to the accusations against him and to cooperate with ecclesiastical authorities, authorization is sought for an extrajudicial process against Terra, with the possibility of recommending the penalty of dismissal from the clerical state to be imposed after review and confirmation by the Congregation for the Doctrine of the Faith. However, inasmuch as no real hope that Terra will avail himself of this final opportunity, the Congregation may see fit to recommend to His Holiness Pope Benedict XVI that ^{REDACTED} be dismissed <i>ex officio et pro bono Ecclesiae</i> from the clerical state.</p>		

REPORT

The Reverend Michael S. Terra Accused of *Graviora Delicta*

SPECIES FACTI

The Reverend Michael S. Terra was born on 6 January 1951 and was ordained a priest for service in the Archdiocese of Los Angeles on 27 May 1978. From 1978 to 1989, ^{REDACTED} was assigned as Parochial Vicar to five different parishes (San Roque in Santa Barbara, 1978-1981; St. Athanasius in Long Beach, 1981-1982; St. Rose of Lima in Simi Valley, 1982-1983; St. Patrick in North Hollywood, 1983-1986; St. Matthew in Long Beach, 1986-1989); in 1989 he was assigned as Catholic chaplain to St. Mary Medical Center in Long Beach. In 1991, after insisting that he be permitted to engage in a full-time healing ministry of his own making and refusing to accept any other assignment from the Archbishop, ^{REDACTED} was placed on inactive leave without faculties.

In 2002, an adult woman filed a lawsuit against the Archdiocese of Los Angeles claiming that in 1979-1980, when she was a minor of 15-16 years, she was sexually abused by Terra.

IN FACTO

Everything presented here is drawn from documents on file in the archives of the Curia of the Archdiocese of Los Angeles, copies of which are attached hereto as numbered Exhibits.

Events Leading to Terra Being Placed on Administrative Leave (*unrelated to allegations of sexual abuse of a minor*)

Because of difficulties and dissatisfaction with parish ministry, Terra sought permission in 1989 to move into hospital ministry. This permission was granted and Terra began work as Catholic Chaplain at St. Mary Medical Center in Long Beach (see Exhibit 1, Memorandum and Letters of February and March 1989). However, not long after taking this post as chaplain, difficulties arose in that ministry as well, since Terra was intent on pursuing personal activities in the area of a healing ministry that put him at odds with the hospital administration; Terra had communicated to his superiors that he "had a call from God to do [what he was doing] and he felt he would have to leave hospital ministry if he could not continue this practice" (see Exhibit 2, Memorandum of 12 October 1989). The Vicar for Clergy noted that in Terra's last several assignments, Terra had acted in a similar fashion: namely, deciding that he had received a call from God to pursue a certain mission even if this meant neglecting or abandoning the ministry to which he had been assigned (*ibid.*).

In 1991, Terra left his ministry at the hospital, although he continued to help out there sometimes on weekends, and moved to a desert community so that he could dedicate himself to what he felt God was calling him to. In a letter to the Vicar for Clergy at this time, he wrote, "I realize what I am doing is unusual and probably difficult to understand ... When I was ordained I promised obedience to my Bishop. Yet, before I was ordained I promised obedience to my God. I intend to keep both of these promises, with God first and his Church to follow" (see Exhibit 3, Letter of 3 July 1991); he also informed the Vicar that he had no telephone, but could be reached at his Post Office Box in the desert. The Vicar for Clergy responded to this letter expressing sin-

cere concern for Terra's situation and telling him, "Because you have decided against taking an assignment of any kind we must place you on the status of Inactive Leave ... While I am in sympathy with your spiritual endeavors, I do not see how we can continue to support you if you are in fact cutting yourself off from the Church, and I would be more than happy to see you here in the office and talk with you ... At any time you would like to come in, please contact ^{REDACTED} in my office and she will set up an appointment for us" (see Exhibit 4, Letter of 19 July 1991).

Terra responded to this letter of the Vicar for Clergy and acknowledged his status of inactive leave from the Archdiocese. He concluded his response by saying, "I wish I could just say to you that I'll take another assignment ... [but] I know I would not be happy or fulfilled if I accepted another assignment and I know it would not be good for the building up of God's people in the Church" (see Exhibit 5, Letter of 5 August 1991). The day after Terra wrote this letter, the Archdiocese received word that Terra was celebrating healing masses at several churches in the Long Beach area and that he was receiving donations from the people. In an undated letter to a local pastor of one of these Long Beach churches, Terra had written: "My status has been changed to inactive leave. My status with God has not changed and I am in the healing ministry full time" (see Exhibit 6, Memorandum and Other Material from August 1991).

Having learned that Terra had advertised that he would be celebrating "healing Masses" at various churches, and having received an inquiry from a church outside the Archdiocese as to Terra's status, the Archdiocese sent out letters to various pastors and others clarifying that Terra was on inactive leave from the Archdiocese and held "no faculties from his Archbishop to celebrate sacraments or preside at religious services in this or any other diocese" (see Exhibit 7, Letters of 21 August 1991 and of 26 August 1991).

After a meeting with the Vicar for Clergy at the end of August 1991, Terra wrote to the Vicar explaining that "in obedience to God's call and at peace with my conscience, I must continue to pursue a full time healing ministry. In obedience to my Bishop I will continue with the status of inactive leave" (see Exhibit 8, Letter of 24 September 1991). The Vicar replied to this letter, noting that Terra has decided to continue on inactive leave (see Exhibit 9, Letter of 22 October 1991).

In a letter dated 9 October 1991, Terra wrote directly to Cardinal Mahony, explaining that he, Terra, must in good conscience and obedience follow the path that God has called him to, even if this means remaining on "inactive leave and the loss of all my priestly faculties" (see Exhibit 10, Letter of 9 October 1991). At the end of this letter, Terra asks his Archbishop for guidance and help in maintaining "my integrity with the presbyterate and the laity" and expresses his desire to "preside once more at the Eucharist" (*ibid.*). Cardinal Mahony wrote back to Terra, requesting that he follow the directions given to him in previous years by the Vicars for Clergy, since "it would not be possible to consider you for an assignment in the Archdiocese of Los Angeles except in harmony with those previous understandings" (see Exhibit 11, Letter of 31 October 1991).

In a meeting with the Vicar for Clergy that took place the previous month of September, the Vicar explained to Terra that "he could not determine his own assignment apart from his Archbishop nor engage in what would amount to 'free-lancing' in priestly ministry." Terra "was quite agreeable and promised not to continue public celebration of the sacrament inasmuch as he has no faculties" (see Exhibit 12, Memorandum of 19 October 1991). With regard to the possibility of a return to ministry with some time for engaging in some "healing ministry," Terra was told that there would be many questions about such a ministry and that he would perhaps be asked to submit his spiritual experiences to the judgment of a proven spiritual director to discern their validity. A few weeks after this meeting, Terra wrote to the Vicar saying that "for the time being he had decided not to approach [the Archbishop] about a return to active ministry and that he would abide by the restrictions consequent to 'inactive' status" (*ibid.*).

In February 1992, there was a brief exchange of correspondence between Terra and the Vicar for Clergy. Terra explained that he was happy with his life in the desert and that he contin-

ued to "hope and pray for the day when I can again publicly celebrate the Eucharist in union with my Bishop." The Vicar responded by thanking Terra for remaining in contact and advising him of his, the Vicar's, desire to help Terra in any way possible to make decisions that would bring him back to active ministry (see Exhibit 13, Correspondence of February 1992).

In February 1993, the Diocese of San Bernardino, in which Terra has his domicile, contacted the Archdiocese of Los Angeles seeking clarification of Terra's official status with the Archdiocese, since Terra had volunteered to work in the Diocese of San Bernardino. The Vicar for Clergy responded to the inquiry from the Diocese of San Bernardino by phone and informed diocesan authorities that Terra had been on inactive leave since 1991, that he had been offered formal assignments in Los Angeles but would not accept them, that he had adequate income and that he should not be given faculties in the Diocese of San Bernardino (see Exhibit 14, Correspondence from the Diocese of San Bernardino).

The Accusations of Sexual Abuse of a Minor

There is one claimant^{REDACTED} who accuses Terra of sexually abusing her when she was a minor.^{REDACTED} was born on ^{REDACTED} 1964 and was 15 years old at the time the alleged abusive relationship began.

In March 2002, ^{REDACTED} and his wife ^{REDACTED} met with Auxiliary Bishop Thomas Curry reporting that Father Terra had told them in 1981 that he had had a sexual relationship with a minor girl from the parish (see Exhibit 15, Email of 25 March 2002). This was the first that the Archdiocese learned of Terra's alleged sexual abuse of a minor.

Later that same year, on 5 December 2002, ^{REDACTED} filed a complaint with the Superior Court of the State of California claiming that in or about 1979, in the context of spiritual assistance and counseling, Terra began a sexually exploitative relationship with her. ^{REDACTED} told the Court that she had made an appointment with Terra because of family problems she was experiencing, and that at the end of the session Terra hugged her and then "began to kiss her, putting his tongue into her mouth. He touched he breasts, her buttocks and the rest of her body with his hands" (see Exhibit 16, Civil Complaint No. BC 284282, pp. 5-6). After this first incident, episodes of abuse continued over a 1-1½ year period, with Terra telling ^{REDACTED} he loved her, holding her hand, kissing her with his tongue in her mouth, touching her all over her body, unbuttoning her blouse, fondling, kissing and sucking her breasts, and one time trying to remove ^{REDACTED} shorts, but ^{REDACTED} resisted (*ibid.*, p. 7).

In her lawsuit, ^{REDACTED} also claims that these same acts of abuse occurred in the confessional, as Terra had instructed her to come to confession on Saturdays in the late afternoon, which she did and at which times he would touch and kiss her in the confessional after hearing her confession (*ibid.*, pp. 7-8). Terra would also drive ^{REDACTED} down to the beach, where he would find a remote spot and then begin touching and kissing ^{REDACTED}. He would make her lie down on the ground, lie on top of her and rub himself against her to the point of ejaculation. ^{REDACTED} reports that this happened many times. On another occasion, ^{REDACTED} Terra and several others were riding together in a car on the way to the funeral of the mother of another priest who was in residence at San Roque at the time ^{REDACTED} Terra, sitting in the back seat with ^{REDACTED}, placed his jacket over ^{REDACTED} lap and started to rub her leg (*ibid.*, p. 8). Terra also had ^{REDACTED} call him on his private line at the rectory and he would tell her "I love you" over and over on the phone, telling her also that he kept a piece of fabric covered with her perfume and that he would smell the fabric and think of her (*ibid.*, pp. 8-9).

In a claimant questionnaire compiled the following year, in October 2003, ^{REDACTED} describes Terra's abusive behavior in a manner that is consistent with the complaint she filed before the Superior Court. To the descriptions given in her lawsuit she adds the detail that the family problems she was experiencing, and which prompted her to talk to Terra initially, had to do with prob-

lems at home because of difficulties her parents were having in their marriage (see Exhibit 17, Claimant Questionnaire of REDACTED section IV, C).

Terra's Admission of a Relationship with a Minor

Since learning of the allegations made by REDACTED against Terra, the Archdiocese has sought in vain to obtain some kind of a response from him. Shortly after he had been placed on administrative leave, Terra took measures to distance himself from the Archdiocese and has maintained only the most minimal contact with archdiocesan authorities. All attempts on the part the Archdiocese to meet with him and discuss this matter fully have been met with no response from him (see Exhibit 18, Memorandum of 27 June 2006 and Letters of 9 June 2006 and 27 February 2006).

Despite his failure to meet with any representative of the Archdiocese either to confirm or deny the allegations against him, Terra did speak in 1981 with two San Roque parishioners to whom he was close REDACTED and admitted to them that "he had been involved in a relationship with a teenage girl at the parish. He said it had been physical and he was ending the relationship and asked that we be supportive of the girl" (see Exhibit 19, Statement of REDACTED REDACTED remembers feeling angry and feeling that Terra "thought we would sanction such a relationship" (*ibid.*). REDACTED did not ask about the nature of the relationship, how long it had lasted and how physical it was; Terra "realized it was wrong and he was removing himself from the situation" (*ibid.*). REDACTED later met with REDACTED "the victim" (*ibid.*), to talk about the situation. REDACTED shared with her that the conversations she had had with Terra centered on "the love he felt for her and how God would want two people that loved each other to share this love" (*ibid.*).

REDACTED report that "it is an understatement to say we were and continue to be shocked and devastated" by Terra's relationship with this minor girl (*ibid.*). Later, when contacted by phone, REDACTED reported that the hurt and devastation she and her husband continue to feel about this situation is the reason they decided to leave the Archdiocese and relocate in the Diocese of Phoenix in Arizona, where REDACTED continues actively in his ministry in the Church. REDACTED explained that REDACTED the girl allegedly abused, is the daughter of one of REDACTED best friends (see Exhibit 20, Memorandum of 21 February 2007). REDACTED also went on to explain that Terra had also taken advantage of an adult woman in the parish; this woman is also one of REDACTED best friends, and Terra is now living out in the desert on property owned by this woman (*ibid.*). It was not possible to obtain further information from REDACTED REDACTED regarding this adult woman or the nature of the relationship between her and Terra, as REDACTED explained that it was just too difficult for her to speak about it and asked that she not be contacted further in this regard (*ibid.*).

Statements from Two Priests Who Were with Terra at San Roque Parish

Two priests who lived at San Roque Parish during the period in question were contacted; these priests are REDACTED and REDACTED REDACTED who was in residence at San Roque Parish for approximately a year and a half while Terra was assigned there as Parochial Vicar, reported that he never saw anything that struck him as inappropriate in Terra's behavior or relationships. He did state that, although he had no specific recollection of who from the parish may have been present at his mother's funeral, it is very possible that one or more of the REDACTED girls attended, and there would have been nothing unusual in Terra accompanying the girl to the funeral. He also remembered the REDACTED family as being active in the parish and that the girls attended nearby REDACTED He did not believe that REDACTED would have had any reservations about one of her daughters spending time with Terra (see Exhibit 21, Memorandum of 20 March 2007).

REDACTED who was Pastor of San Roque Parish during the time that Terra was there, made a statement by telephone. He had no recollection of anything suspicious in Terra's behavior while at San Roque and remembered Terra as a "good boy" who — as far as **REDACTED** was aware — had no inappropriate or questionable relationships. **REDACTED** went on to say that he remembered the **REDACTED** family but he did not believe that anything would have happened between Terra and one of the **REDACTED** girls, as he did not believe that Terra was that close to the family and because the family was so faithful to the Church (see Exhibit 22, Letter of 23 February 2007 and Memorandum of 29 March 2007).

Contact and Attempted Contact with Terra after the Allegations of Sexual Abuse

On 7 February 2003, Terra was served a summons alleging child abuse and was thus informed that he was named as having sexually abused a minor. And so, on 9 March 2003, after an extended period of no contact with the Archdiocese, Terra wrote to the Vicar for Clergy seeking advice on how to deal with the accusation. Terra was placed in contact with a civil attorney, who took on representation of him in this matter. The Vicar for Clergy also scheduled a meeting between the Vicar and Terra so that his situation could be fully discussed (see Exhibit 23, Correspondence of March 2003). However, Terra did not make himself available for this meeting and has refused to respond to attempts on the part of the Archdiocese to speak with him about this matter.

The allegations against Terra were reported in the local media (see Exhibit 24, Media Report of 27 September 2004), and the Vicar for Clergy again wrote to Terra on 13 December 1994, but once more with no response from Terra (see Exhibit 25, Letter of 13 December 2004). Two more times in 2006 the Vicar for Clergy sought Terra's cooperation in the matter of the accusations brought against him, urgently seeking a meeting with him to discuss the canonical and civil implications of the sexual misconduct alleged; once more Terra gave no response (see Exhibit 18, Memorandum of 27 June 2006 and Letters of 9 June 2006 and 27 February 2006).

A final letter went out to Terra on 28 March 2007, informing him that his case was ready to be submitted to the Congregation for the Doctrine of the Faith for a final resolution. In this letter, Terra was invited to make a statement to be included with the material that would be sent to the Congregation and he was informed that, unless he should choose to petition the Pope voluntarily for laicization, his dismissal from the clerical state would be sought. A deadline of 13 April 2007 was set for Terra to respond to this final appeal (see Exhibit 26, Letter of 28 March 2007). This letter was sent to Terra via registered mail, and the signed return receipt shows that he received it on 2 April 2007 (see Exhibit 27, Certified Mail Receipt, with signature of recipient). No reply to this final letter was ever received from Terra.

Considerations Regarding the Credibility of the Woman Alleging Sexual Abuse

As in many instances of reports of the sexual abuse of a minor, in the present case there are no witnesses to the alleged abusive behavior and there is thus no independent corroboration of the claims made. Nonetheless, the following considerations support the credibility of the claimant's allegations:

- the different statements made by the alleged victim, the first to civil authorities in 2002 and the second to the Archdiocese in 2003, are consistent in their description of the various facts and details presented (see Exhibit 16, Civil Complaint No. BC 284282; Exhibit 17, Claimant Questionnaire of **REDACTED** ;
- Terra has not denied the accusations made against him (refusing to cooperate in any fashion with the investigation into these allegations, he has chosen to say nothing about the claims against him);

- the ^{REDACTED} to whom in 2002 the alleged victim admitted the sexual nature of the abuse, judged the girl's claims to be credible; this was stated by them explicitly (see Exhibit 20, Memorandum of 21 February 2007), and is also borne out by the fact that after learning of the sexual nature of the relationship they were so disturbed by the situation — feeling shock, devastation, anger and betrayal — that they felt the need to leave the Archdiocese of Los Angeles in California, relocating to the Diocese of Phoenix in Arizona (see *ibid.*);
- the reports made by the ^{REDACTED} were found to be credible by those to whom these reports were made, including an ^{REDACTED} in 2002 (see Exhibit 28, Memorandum of 10 April 2007), the Vicar for Clergy in 2002 (see Exhibit 29, Memorandum of 7 March 2007), and ^{REDACTED} in 2007 (see Exhibit 20, Memorandum of 21 February 2007); these reports not only confirm the alleged victim's claim of sexual abuse but also detail Terra's own admission to the ^{REDACTED} in 1981 of his involvement in a "physical" relationship with the claimant (see Exhibit 15, Email of 25 March 2002; Exhibit 19, Statement of ^{REDACTED});
- no report of abuse was made by the ^{REDACTED} to archdiocesan authorities before 2002 because it was not until then that they learned of the sexual content of the relationship (see Exhibit 15, Email of 25 March 2002; Exhibit 19, Statement of ^{REDACTED}); in 1981, when Terra had confessed to them his "physical" relationship with a teen-aged girl, they met with the girl in question but she did not reveal to them the sexual element of the relationship and they thought it was a matter of physical attraction and emotional involvement, with perhaps some lines having been crossed by Terra, but nothing more (see *ibid.*).

CONCLUSION

From the evidence adduced above, including admissions by Terra himself to two witnesses, it appears certain that Terra sexually abused a minor-aged girl between 1979 and 1981. In accordance with article 8 of the U.S. Essential Norms, therefore, Terra is to be permanently removed from ecclesiastical ministry.

Further, it appears that the minor in question was under the age of 16 when the abusive relationship began and that some acts of abuse occurred on the occasion of sacramental confession, wherefore the delicts described in canons 2359 §2 and 2368 §1 of the 1917 *Codex Iuris Canonici*, and maintained respectively in canons 1395 §2 and 1387 of the present Code, have been committed by the accused and are imputable to him with culpability.

DOCUMENTARY EXHIBITS

INDEX

- Exhibit 1: Memorandum and Letters of February and March 1989
- Exhibit 2: Memorandum of 12 October 1989
- Exhibit 3: Letter of 3 July 1991
- Exhibit 4: Letter of 19 July 1991
- Exhibit 5: Letter of 5 August 1991
- Exhibit 6: Memorandum and Other Material from August 1991
- Exhibit 7: Letters of 21 August 1991 and of 26 August 1991
- Exhibit 8: Letter of 24 September 1991
- Exhibit 9: Letter of 22 October 1991
- Exhibit 10: Letter of 9 October 1991
- Exhibit 11: Letter of 31 October 1991
- Exhibit 12: Memorandum of 19 October 1991
- Exhibit 13: Correspondence of February 1992
- Exhibit 14: Correspondence from the Diocese of San Bernardino
- Exhibit 15: Email of 25 March 2002
- Exhibit 16: Civil Complaint No. BC 284282
- Exhibit 17: Claimant Questionnaire of REDACTED
- Exhibit 18: Memorandum of 27 June 2006 and Letters of 9 June 2006 and 27 February 2006
- Exhibit 19: Statement of REDACTED and REDACTED
- Exhibit 20: Memorandum of 21 February 2007
- Exhibit 21: Memorandum of 20 March 2007
- Exhibit 22: Letter of 23 February 2007 and Memorandum of 29 March 2007
- Exhibit 23: Correspondence of March 2003
- Exhibit 24: Media Report of 27 September 2004
- Exhibit 25: Letter of 13 December 2004
- Exhibit 26: Letter of 28 March 2007
- Exhibit 27: Certified Mail Receipt, with signature of recipient
- Exhibit 28: Memorandum of 10 April 2007
- Exhibit 29: Memorandum of 7 March 2007

F
COPYMEMORANDUMFebruary 17, 1989

TO: Archbishop Mahony
FROM: Monsignor Thomas Curry
RE: Mike Terra

Recently REDACTED came to me to say that Mike was not working out at St. Matthew's and to ask for his transfer. I met with both of them and had a very friendly and productive session.

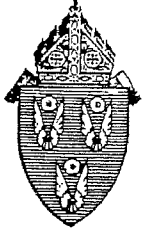
Mike would like to move from parish ministry, and I agree he should. He simply does not seem to be able to cope, and they both agreed that his behavior, e.g., not answering calls or taking initiative was indicative of his inability to do parish ministry. I do not see him being able to change soon, and while he is very pleasant, his presence in a parish is more a burden than a help.

(He is writing a book of his homilies and recently ran off 14,000 pages on the parish copier before REDACTED put an end to that!)

He asked to go into hospital ministry and is very willing to do CPE. I recommend he be allowed to try this ministry, and will see if he can get into the CPE course run by St. John's, Oxnard during the summer. This course may help him, and the discipline of hospital ministry may also help.

If you are agreeable, I would have him contact the principal Catholic hospitals in the area with a view to being hired by one of them.

F COPY



ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
REDACTED

February 20, 1989

Rev. Michael Terra
St. Matthew Church
672 Temple Avenue
Long Beach, CA 90814

Dear Father Terra:

When we met earlier this month, I promised to check out your request for hospital ministry with Archbishop Mahony. The Archbishop is in accord, and therefore you should proceed to contact the major Catholic hospitals in the area with a view to finding out if they have chaplaincy positions available.

I understand that you will do a CPE course, and I encourage you to contact St. John's Hospital in Oxnard right away to see if you will be able to participate in their summer program.

Do keep in touch and let me know if I can help. I hope this will be a most fruitful ministry for you.

Fraternally,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

REDACTED

Michael Terra

ST. MATTHEW'S CHURCH

672 TEMPLE AVENUE
LONG BEACH, CALIFORNIA 90814-1297
(213) 439-0931

on worksheet
3/10/89
REDACTED

March 10, 1989

Rev. Thomas J. Curry
Office of Vicar for Clergy
1531 West Ninth Street
Los Angeles, California 90015-1194

Dear Msgr. Curry:

I have investigated the different hospital ministry positions available to me and have decided to join the staff at St. Mary's Medical Center in Long Beach.

All arrangements have been made for me to begin work at St. Mary's Medical Center on April 2, 1989. Housing and transportation concerns have been negotiated. I will be attending a CPE course offered here in Long Beach at Memorial Hospital.

I will keep in touch. I do believe this will be a very fruitful ministry for me.

Fraternally,

Michael Terra

Rev. Michael S. Terra

/mst

*F Michael Terra*MEMORANDUMOctober 12, 1989

TO: Archbishop Mahony
FROM: Monsignor Thomas Curry
RE: Father Michael Terra

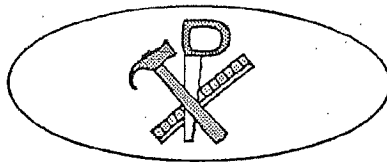
I had a call today from REDACTED in St. Mary's Pastoral Care Department asking for advice about Mike Terra. For some time now, Mike has been composing manuscripts concerning the healing power of God in people's lives. Lately he has taken to distributing Xerox copies to patients and to offering his works for sale in the gift shop.

The administration at the hospital has felt uncomfortable with this practice and asked him to stop. Mike told them that he felt he had a call from God to do this and that he felt he would have to leave the hospital ministry if he could not continue this practice.

I told REDACTED I thought the hospital was within its rights, that while Mike had a right to promote his own devotions, the hospital could lay down standards of behavior for its chaplains.

Throughout his last several appointments, Mike has acted in a similar manner--he has decided that he has a call from God to promote his own devotion while benefiting from an assignment to which he contributed virtually nothing, at least while he was assigned to parishes.

*Let's discuss this.**+ RMM**10-12-89*



Shepherd's Rest
REDACTED

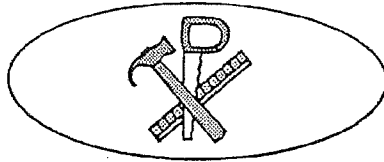
July 3, 1991

REDACTED

DEAR REDACTED

REDACTED I RECEIVED YOUR LETTER VIA MY FRIEND,
I WAS A LITTLE SURPRISED
YOU DID NOT SEND YOUR LETTER TO ST. MARY'S
HOSPITAL. I STILL RECEIVE ALL MAILINGS FROM
THE DIOCESE AT THE HOSPITAL AND I STILL HELP
OUT THERE ON SOME WEEKENDS.

I AM KEEPING MYSELF BUSY IN THE HEALING
MINISTRY. WHEN INVITED BY A PARISH, I CELEBRATE
A HEALING MASS WITH THE PEOPLE. REDACTED
HAS BEEN CELEBRATING THESE MASSES WITH ME.
I ALSO SPEND TIME PRAYING OVER PEOPLE IN
HOSPITALS AND HOMES. A LOT OF TIME IS SPENT
IN PRAYER IN THE DESERT.



Shenherd's Rest

REDACTED

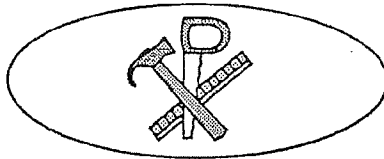
REDACTED

THERE IS NO DOUBT IN MY MIND AND HEART THAT THIS IS WHAT GOD IS CALLING ME TO AT THIS TIME. WHERE GOD WILL LEAD ME NEXT, ONLY HE KNOWS. WHEN I KNOW, I'LL LET YOU KNOW.

REDACTED

I REALIZE WHAT I AM DOING IS UNUSUAL AND PROBABLY DIFFICULT TO UNDERSTAND. I SENT YOU A COPY OF MY BOOK "EXPERIENCING THE HEALING LOVE OF GOD", Hoping THAT YOU WOULD READ IT AND BETTER UNDERSTAND WHAT MY LIFE IS ABOUT.

WHEN I WAS ORDAINED I PROMISED OBEDIENCE TO MY BISHOP. YET, BEFORE I WAS ORDAINED I PROMISED OBEDIENCE TO MY GOD. I INTEND TO KEEP BOTH OF THESE PROMISES WITH GOD FIRST AND HIS CHURCH TO FOLLOW.



Shepherd's Rest
REDACTED

REDACTED

I WOULD LIKE TO STAY IN TOUCH
WITH YOU. I DO NOT HAVE A PHONE.
I DO HAVE A P.O. BOX HERE IN THE
DESERT.

MY ADDRESS:

REV MICHAEL TERRA
REDACTED

IN PEACE IN CHRIST,
REV. Michael Terra



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194F. Michael
Terra

July 19, 1991

Rev. Michael Terra
REDACTED

Dear Michael:

I have received your letter of July 3 and thank you for your prompt response to my note.

I wanted you to know I am sincerely concerned about you. It appears you no longer have salary or benefits from the hospital, only a stipend for whatever days you work there. Because you have decided against taking an assignment of any kind we must place you on the status of Inactive Leave, with no salary, no diocesan-paid health benefits, and no faculties.

While I am in sympathy with your spiritual endeavors, I do not see how we can continue to support you if you are in fact cutting yourself off from the Church, and I would be more than happy to see you here in the office and talk with you. Frankly, I have not had time and do not envisage getting time to read through your book, and I think it would take a personal interview for me to understand your situation.

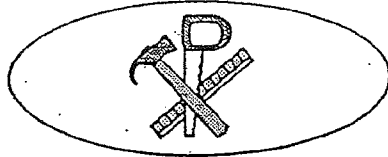
At any time you would like to come in, please contact REDACTED in my office and she will set up an appointment for us.

You are in my prayers.

Yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED



Shenherd's Rest
REDACTED

AUGUST 5, 1991

REV. TIMOTHY J. DYER
1531 WEST NINTH STREET
LOS ANGELES, CA 90015-1194

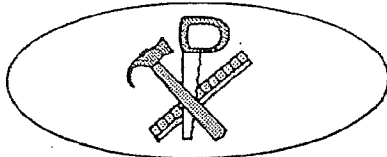
DEAR TIM:

I HAVE RECIEVED YOUR LETTER OF JULY 19, AND THANK
YOU FOR YOUR RESPONSE TO MY SITUATION.

BEING ON INACTIVE LEAVE WITH THE CHURCH HAS PUT
ME ON SOMEWHAT UNFAMILIAR GROUNDS AND I DO WANT
TO DO THE RIGHT THING. I FEEL MORE ASSURED
THAT I AM DOING THE RIGHT THING, WHEN I BELIEVE
IN WRITTING THE MIND OF THE CHURCH IN THIS MATTER.
I DO APPRECIATE ALL YOU ARE DOING FOR ME.

44931

XX 000102



Shepherd's Rest

REDACTED

I WOULD LIKE TO CONTINUE LEADING THE PEOPLE
IN THE EUCHARIST AT THE HEALING SERVICES,
YET BEING ON INACTIVE LEAVE, THAT MAY NOT
BE APPROPRIATE. (YES/NO?)

FOR THE PAST FEW MONTHS I HAVE BEEN CELEBRATING
ALL HEALING SERVICES AT MASS, WITH REDACTED
REDACTED ASSOCIATE AT ST. CYRIL IN ENCINO. MAYBE
IT WOULD BE MORE APPROPRIATE FOR HIM TO LEAD THE
EUCHARIST AND FOR ME TO ASSIST IN THE PRAYING
OVER THE SICK (WHICH TAKES PLACE AFTER THE LITURGY
OF THE WORD). (YES/NO?)

TIM, I WISH I COULD JUST SAY TO YOU THAT I'LL
TAKE ANOTHER ASSIGNMENT OF THE CHURCH YET IF
I DID, I WOULD NOT BE TRUE TO THE CALL
DEEP INSIDE ME TO FOLLOW AS GOD IS LEADING.

(OVER)

44932

I KNOW I WOULD NOT BE HAPPY OR FULLFILLED
IF I ACCEPTED ANOTHER ASSIGNMENT AND
I KNOW IT WOULD NOT BE GOOD FOR THE
BUILDING UP OF GOD'S PEOPLE IN THE CHURCH.

YOU ARE IN MY PRAYERS. I WILL KEEP IN TOUCH.

YOURS IN CHRIST,

Michael Terra

(REV.) MICHAEL TERRA

RECEIVED
AUG 13 1991

44933

MEMORANDUM*F Michael Terra*

DATE: August 6, 1991
FROM: REDACTED
TO: Fr. Dyer
RE: Rev. Michael Terra

REDACTED

called to give us some input re Michael Terra.

Fr. Terra is saying healing Masses and charismatic Masses at several churches in Long Beach area. People give donations to him at these, supposedly to help him get his book printed.

Advertises for donations in newsletters for book.

Masses at St. Matthew, St. Cyprian, St. Cornelius, possibly others.

Is connected with Healing Hands Ministry. They have an address 3130 Lees Ave. Long Beach 90808 and phone REDACTED. Contact there is REDACTED. Still living in trailer in desert at P.O. Box we have.

REDACTED is a little worried as he knows Inactive Leave means no faculties. However he is going to do nothing to roil the waters at this point. Just wants to keep you informed.

Attached is copy of your latest letter to Michael.

*Michael Terra***ST. MATTHEW'S CHURCH**

672 TEMPLE AVENUE
LONG BEACH, CALIFORNIA 90814-1297
(213) 438-0931

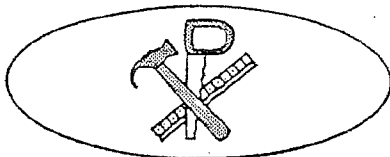
*August 20, 1991**Dear Tim,*

*Attached are copies of Mike's letter
to me and a schedule for healing
Masses.*

*I'll write Mike asking that
further Masses be suspended until
he has clearance from you*

My best,

REDACTED



Shepherd's Rest

A NAZARETH EXPERIENCE

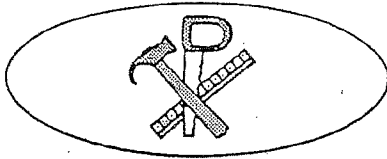
P.O. Box 2020, Lucerne Valley, CA 92358

DEAR REDACTED

GREETINGS FROM THE HIGH DESERT. I HOPE THIS LETTER FINDS ALL GOING WELL FOR YOU AND THE PARISH.

AS YOU KNOW, I AM NO LONGER WORKING FULL TIME AT ST. MARY'S HOSPITAL. I DO HELP OUT THERE SOME WEEK-ENDS AS A RELIEF PRIEST. I MADE THIS MOVE IN ORDER TO MOVE INTO THE HEALING MINISTRY (OUTSIDE THE HOSPITAL) FULL TIME. THIS MINISTRY IS SOMETHING I DEEPLY FEEL GOD IS CALLING ME INTO AND I HAVE SAID YES TO THE CALL.

SO, IN APRIL I REQUESTED FROM THE ARCHDIOCESE (IN ORDER TO ENTER INTO THIS MINISTRY) AN ACTIVE LEAVE. IT WAS CONSIDERED FOR AWHILE THEN DENIED. AS OF LATELY MY STATUS IN THE DIOCESE HAS BEEN CHANGED TO INACTIVE LEAVE. MY STATUS WITH GOD HAS NOT CHANGED AND I AM IN THE HEALING MINISTRY FULL TIME.



Shepherd's Rest

A NAZARETH EXPERIENCE

P.O. Box 2020, Lucerne Valley, CA 92356

I WOULD LIKE TO CONTINUE, ALONG WITH REDACTED
 REDACTED OF ST. CYRIL IN ENCLINO, THE HEALING
 SERVICES AT ST. MATTHEW'S. YOU MAY FEEL IT
 INAPPROPRIATE FOR ME TO LEAD THE MASS, IF SO,
 WOULD IT BE POSSIBLE FOR REDACTED
 TO LEAD THE MASS/SERVICE AND I ASSIST HIM WITH
 THE PRAYING OVER THE PEOPLE? IF NEITHER OF
 THESE WOULD BE APPROPRIATE, COULD THE HEALING
 SERVICE BE HELD WITHOUT A MASS?

WE WILL BE AT ST. MATTHEW'S THIS TUESDAY, AUG. 13TH,
 FOR A SCHEDULED SERVICE. I WILL CHECK IN AT THE
 RECTORY BEFORE THE SERVICE. I REALIZE YOU MAY BE
 COMMITTED ELSEWHERE THAT EVENING. IF YOU PLEASE
 IN WRITING HOW YOU WOULD LIKE US TO PROCEED THAT
 EVENING, WE WILL FOLLOW YOUR LEAD. YOU HAVE
 BEEN VERY GRACIOUS TO US AND WE APPRECIATE IT.

(P.S.) I HAVE NO PHONE.

IN CHRIST,

Michael [Signature]

HEALING HANDS MINISTRY



CELEBRATE WITH US AT HEALING MASSES WITH FR. MIKE TERRA

Monday, June 24 - St. Columban's, 7:30 p.m., 125 S. Loma Dr., Los Angeles

Friday, July 5 - Blessed Sacrament, 8:00 p.m., 14146 S. Olive, Westminster

Tuesday, July 16 - St. Matthew's, 7:30 p.m., 7th & Temple, Long Beach

Tuesday, July 23 - St. Cyprian's, 7:30 p.m., 4714 Clark Ave., Long Beach

Sunday, July 28 - St. Columban's, 2:00 p.m., 10801 Stanford Ave., Garden Grove

Friday, Aug. 2 - Blessed Sacrament, 8:00 p.m., 14146 S. Olive, Westminster

Tuesday, Aug. 13 - St. Matthew's, 7:30 p.m., 7th & Temple, Long Beach

September - No Masses !! Fr. Mike on Vacation

Friday, Oct. 4 - Blessed Sacrament, 8:00 p.m., 14146 S. Olive, Westminster

Tuesday, Oct. 15 - St. Matthew's, 7:30 p.m., 7th & Temple, Long Beach

Friday, Oct. 25 - Mary Star of the Sea, 7:30 p.m., 877 W. 7th St., San Pedro

Friday, Nov. 1 - Blessed Sacrament, 8:00 p.m., 14146 S. Olive, Westminster

Tuesday, Nov. 12 - St. Matthew's, 7:30 p.m., 7th & Temple, Long Beach

32

OFFICE OF RELIGIOUS EDUCATION
BLESSED SACRAMENT CHURCH

14072 OLIVE STREET
WESTMINSTER, CALIFORNIA 92683

(714) 897-2142

August 21, 1991

Fr. Timothy Dyer
1531 West 9th Street
Los Angeles, California 90015

Dear Fr. Dyer,

It has been brought to my attention that Fr. Michael Terra can no longer celebrate a 1st Friday Mass here at Blessed Sacrament in Westminster or at any other church. He has been a celebrant here for the past five (5) First Fridays. Up to now I understood him to be under the headship of the Los Angeles Diocese. Please give me clarity as to his status. He is scheduled to celebrate mass in October. I will be talking to him in the near future.

As we want to comply with the church's guidance, we need to be brought up to date as to his priestly vocation.

Your prompt reply would be greatly appreciated.

Respectfully,
REDACTED

44913



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

*Michael
Terra*

August 26, 1991

REDACTED

Blessed Sacrament Church
14072 Olive Street
Westminister, CA 92683

Dear REDACTED :

Thank you for your letter of August 21, 1991, and I appreciate your inquiry with regard to Father Michael Terra, whose status is that of "inactive leave".

I need to inform you that Father Terra holds no faculties from Cardinal Mahony to celebrate sacraments or preside at religious services in this or any other diocese.

Please keep him in your prayers.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

44912



COPY

Archdiocese of Los AngelesOffice of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

August 26, 1991

REDACTED

St. Matthew Church
672 Temple Avenue
Long Beach, CA 90814

REDACTED

Dear

It has been brought to our attention that Rev. Michael Terra is scheduled to celebrate "healing Masses" at St. Matthew Church on October 15 and November 12.

I need to inform you that Father Terra's current status is "Inactive Leave." He holds no faculties from his Archbishop to celebrate sacraments or preside at religious services in this or any other diocese.

I ask you please to keep him in your prayers.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

44925



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-32841531
West Ninth
StreetLos Angeles
California
90015-1194

August 26, 1991

REDACTED

Mary Star of the Sea Church
870 West Eighth Street
San Pedro, CA 90731

Dear REDACTED

It has been brought to our attention that Rev. Michael Terra is scheduled to celebrate a "healing Mass" at Mary Star of the Sea Church on Friday, October 25.

I need to inform you that Father Terra's current status is "Inactive Leave." He holds no faculties from his Archbishop to celebrate sacraments or preside at religious services in this or any other diocese.

I ask you please to keep him in your prayers.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

44923



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

August 26, 1991

REDACTED

Blessed Sacrament Church
14146 S. Olive
Westminster, CA 92683

Dear REDACTED

It has been brought to our attention that Rev. Michael Terra is scheduled to celebrate "healing Masses" at Blessed Sacrament Church on October 4 and November 1.

I need to inform you that Father Terra's current status is "Inactive Leave." He holds no faculties from his Archbishop to celebrate sacraments or preside at religious services in this or any other diocese.

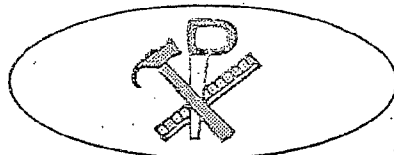
I ask you please to keep him in your prayers.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

44926



Shepherd's Rest

P.O. Box 2020, Lucerne Valley, CA 92356

SEPTEMBER 24, 1991

REV. TIMOTHY DYER
VICAR FOR CLERGY

DEAR TIM:

SINCE ~~OUR~~ LAST MEETING AT THE END OF AUGUST, I'VE GIVEN MUCH THOUGHT AND PRAYER ABOUT THE DIRECTION MY LIFE IS HEADING. YOUR COMMENTS WERE VERY MUCH APPRECIATED.

IN OBEDIENCE TO GOD'S CALL AND AT PEACE WITH MY CONSCIENCE, I MUST CONTINUE TO PURSUE A FULL TIME HEALING MINISTRY. IN OBEDIENCE TO MY BISHOP I WILL CONTINUE WITH THE STATUS OF INACTIVE LEAVE.

I AM AT PEACE IN MY HEART WITH THIS CALLING. WOULD YOU PLEASE EXPLAIN THE SITUATION PERSONALLY WITH THE CARDINAL. GOD WILLING ONE DAY I WILL BE FREE TO RETURN TO ACTIVE STATUS. I PROMISE TO KEEP IN TOUCH.

SINCERELY IN CHRIST,
Rev. Michael Tura



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

*Michael
Terra*

October 22, 1991

Rev. Michael Terra
P.O. Box 2020
Lucerne Valley, CA 92356

Dear Mike:

I am responding to your letter of September 24, 1991.

I understand that you have decided that in obedience to your Archbishop, you will continue with the status of Inactive Leave.

I have spoken to Cardinal Mahony about the situation as you requested.

I join you in hope and prayer that you will one day return to active status. I thank you for your promise to keep in touch, and I look forward to our next visit.

Please know that I will be happy to see you as soon as you wish to come again.

Sincerely yours in Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

35

Rev. Michael S. Terra
P.O. Box 2020
Lucerne Valley Ca. 92356

Oct 09, 1991

Cardinal Roger M. Mahony
1531 West Ninth Street
Los Angeles, California 90015

Your Eminence:

I am a priest of the Archdiocese of Los Angeles. I have served here for the past thirteen years. At the present time I find myself in a situation beyond my control. Some background information might be helpful to you, in understanding my situation.

My call to the priesthood and my thirteen years as a priest have been something out of the ordinary. Before entering the Seminary, I asked for and received from God, a sign confirming this new vocation in my life. As I prayed for a sign, I was struck down with a temporary, excruciating, paralysis of my entire body. Before ordination, I again asked for and received from God a sign, confirming His will for me to be ordained a priest. This time God spoke to me in an audible voice: "Michael, I want you to be my priest. Do not be afraid. I love you". At the end of the first year of my priesthood, I had an out of body death experience. During this incredible encounter with life beyond physical death, I requested to return to my body, that I might continue to serve Him as His priest. My request was granted. I returned and recovered my health.

These experiences and others have forever changed my life. I place my new life totally in God's hands. Whatever God asks of me I will do, no matter what the consequences.

Throughout my priesthood God has used me as an instrument of His healing power. I have witnessed numerous physical and spiritual healings, some of which can only be described by me as miraculous. God has called me to a full time ministry of prayer and healing. In conscience and obedience, I must follow this path God has set before me.

As a priest I have promised obedience to my Bishop and his successor. As a result of the above circumstances and in obedience to my bishop, I have accepted an inactive leave and the loss of all my priestly faculties.

44917

XX 000122

I continue to live a good Christian life. I regularly attend Mass here in Lucerne Valley. My life in the desert, is one of prayer and deep peace. Yet, I write you in the hope, that you can help me in my present situation. I deeply want to maintain my integrity with the presbyterate and the laity and to preside once more at the Eucharist. I humbly ask for your guidance and help.

Yours in Christ,

Rev. Michael S. Terra

Rev. Michael S. Terra

44918



Archdiocese of Los Angeles

Office of
the Archbishop
(213) 251-3288

1531
West Ninth
Street

Los Angeles
California
90015-1194

*Michael
Terra*

October 31, 1991

Reverend Michael S. Terra
P.O. Box 2020
Lucerne Valley, CA 92356

Dear Father Terra:

I wish to acknowledge your letter of October 9, 1991, and I appreciate your keeping in contact with me and with the Archdiocese.

Your letter really seems to be more informational than concerned with any particular question or issue, and therefore, there is really no definite response needed.

I would request that you follow the directions given to you in previous years by both Monsignor Thomas Curry and by Father Timothy Dyer, the previous and current Vicars for the Clergy. It would not be possible to consider you for an assignment in the Archdiocese of Los Angeles except in harmony with those previous understandings.

Asking God's blessings upon your life and ministry, and with every best wish, I am

Sincerely yours in Christ,

+ *Roger E. Mahony*
Cardinal Roger Mahony
Archbishop of Los Angeles

cc: Father Timothy Dyer

REDACTED

44914

Fr Michael Terra

MEMORANDUM

October 19, 1991

TO: Cardinal Mahony
FROM: Father Timothy Dyer
RE: Fr. Michael Terra

I met with Fr. Terra and REDACTED in September. The appointment was occasioned by a request for clarification from REDACTED REDACTED concerning Fr. Terra's ministry. Fr. Terra had presented a schedule of "Healing Masses" to be celebrated at various parishes in the Long Beach area -- including St. Matthew's.

Fr. Terra, when he came in person, spoke in much the same style as the letter you received (though at much greater length!) about his call from God to enter a full-time combination of healing ministry and contemplation. I explained to him that while I respected his personal, spiritual experiences, he could not determine his own assignment apart from his Archbishop nor engage in what would amount to "free-lancing" in priestly ministry. He was quite agreeable and promised not to continue public celebration of the sacraments inasmuch as he has no faculties. He said he would take this matter to prayer and consider coming to you about the possibility of a return to ministry in an assignment that would allow him freedom to do some healing ministry of which you would approve. I told him that while I encouraged him to see you about returning to ministry, that I was sure you would have many questions about such "healing ministry" and that you would perhaps ask him to submit his spiritual experiences to the judgment of a proven spiritual director like REDACTED to discern their validity. At any rate he wrote to me a few weeks after our meeting -- saying that for the time being he had decided not to approach you about a return to active ministry and that he would abide by the restrictions consequent to "inactive" status. I believe his letter to you, particularly the last two paragraphs in which he reiterates his acceptance of his present status, is simply meant to communicate to you personally what he has discussed with me. I think there is some hope in this -- that he wants to maintain communication with you.

Also attached is the most recent missive to REDACTED. I have spoken to him and he does not believe there is any harm in allowing REDACTED to proceed (unaccompanied by Fr. Terra) with a healing Mass at St. Matthew's. I am planning to call REDACTED to revise his flyer which is bound to confuse people with its description of Fr. Terra as both on "inactive leave" as well as "a priest in good standing". I will wait to hear what you think of his continuing such Masses before calling him.

38

Rev. Michael Terra
REDACTED

Feb 05, 1992

Rev. Timothy J. Dyer
Office of Vicar for Clergy
1531 West Ninth Street
Los Angeles, California 90015-1194

Dear Rev. Timothy J. Dyer:

I hope this short letter finds you healthy and well. Sorry I am a little slow in getting back to you. When we spoke last, I mentioned that I would keep in touch with you.

I continue to live in the desert, very much enjoying my surroundings. It is a most interesting challenge to live without any financial support from the church. I used to only be able to talk about living a life of poverty but now I have the chance to experience it. The experience has truly been a blessing for me.

I continue in God's healing ministry, usually praying in homes with individuals or very small groups of people. The healings continue, drawing God's people closer to Himself and his church. I can not express adequately, how exciting and rewarding it is for me to be working with God in this ministry.

Thank you for your continued support of me and the healing ministry. I continue to hope and pray for the day when I can again publicly celebrate the Eucharist in union with my bishop. My prayers and support are with you, in your challenging ministry, as vicar for clergy.

Fraternally,

Rev. Michael Terra
Rev. Michael Terra



F Michael Terra

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

February 20, 1992

Rev. Michael Terra
P O Box 2020
Lucerne Valley, CA 92356

Dear Michael:

Thank you for your letter of February 5. I think it is beneficial to keep up contact on a regular basis, and so I am happy to hear from you at this time even though there has been little change in your situation.

You know that it is my desire to serve you in any way possible as you pray and begin to make decisions that would lead you back to active ministry.

Please keep me in your prayers as I do you in mine.

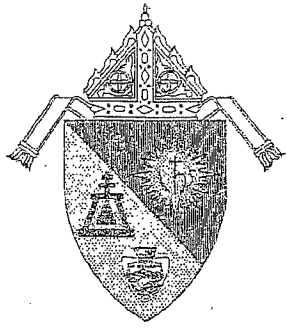
God bless you.

In Christ,

(Rev.) Timothy J. Dyer
Vicar for Clergy

REDACTED

F Michael Terra



Diocesan Pastoral Center

Diocese of San Bernardino

February 8, 1993

Reverend Monsignor Timothy Dyer
Archdiocese of Los Angeles
1500 West 9th
Los Angeles CA 90015

RE: Michael Terra

Dear Monsignor Dyer:

It is my understanding that Reverend Michael Terra is on an inactive leave of absence from the Archdiocese of Los Angeles. Bishop Straling has asked me to contact your office concerning his official status.

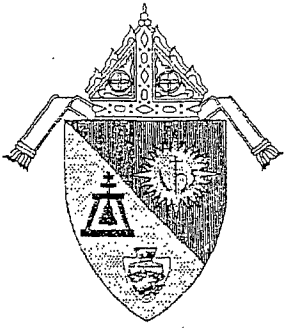
He presently resides in Lucerne Valley and has volunteered to work in the parish youth programs. It would be appreciated if you could assist in providing any information concerning this matter.

With my best wishes in the new year, I remain

Sincerely yours in Christ,

REDACTED

cc: REDACTED



Diocesan Pastoral Center

*F Michael
Terra*

Diocese of San Bernardino

March 17, 1993

TO: REDACTED

FROM:

Recently, Bishop Straling asked me to look into the background of Michael Terra, who is in Lucerne Valley. He has volunteered to work with the youth. Per telephone conversation with Monsignor Dyer, Vicar for Clergy for Los Angeles on March 4, 1993. The following information was compiled.

Reverend Michael Terra has been on an inactive status from the Archdiocese of Los Angeles since August, 1991. There are no moral problems. He is a "good man", but has wanted to do his own spiritual ministry. His spirituality is rather strange, childish and no roots in traditional systems. It is a mind/spirit spirituality. He has adequate income. He has used healing Masses with youth to further his views. Assignments in Los Angeles have been offered to him, but will not accept any formal assignment.

Monsignor Dyer's recommendations:

1. Without a priestly assignment, he should not be given faculties.
2. Caution on his work with youth, because he uses his volunteers' time to convey his spirituality.

F REDACTED

cc: Reverend Monsignor Timothy Dyer
REDACTED

40

Cox, Msgr. Craig A.

To: Bishop T. J. Curry
Subject: RE:

Tom,

Thank you very much. Indeed, I would want this woman to contact us. REDACTED and I (or Monsignor Loomis) would meet with anyone who had this sort of involvement with Mike Terra.

I will look over his file to see what is there.

Thanks.

Craig

-----Original Message-----
From: Bishop T. J. Curry REDACTED
Sent: Monday, March 25, 2002 10:03 AM
To: MsgrCACox REDACTED
Subject:

Dear Craig:

REDACTED REDACTED and his wife REDACTED came to see me this morning to tell me that in 1981, Mike Terra, who was then an associate at San Roque, told them he had had a relationship with a sixteen year old girl who was a member of the youth club of which they were the directors. He did not tell them details. REDACTED had a conversation with the girl at the time and asked if she needed counseling. She said she did not.

The woman in question now lives in REDACTED and was a member of the parish where REDACTED REDACTED was pastor. His removal brought the matter back to her, and she met with REDACTED REDACTED and her parents in Redlands to discuss the issue. It emerged then that she had had a sexual relationship with Terra that lasted for a year. Apparently he broke it off. She also has met another woman who went to Bishop High School who says Mike Terra sent her red roses for her sixteenth birthday.

Much of the abuse took place in the rectory, and at the time, REDACTED and Bishop Shubsta were living there. They believe Terra was removed very quickly in 1981, so they are asking if anyone knew if there was a problem.

They recommended that the woman in question see you, and they gave her your address and phone. They did not give me her name.

I told them that I had dealt fairly extensively with Mike Terra and that there were issues with his ministry but that in my experience all the issues were ministerial. I was not aware of any sexual problems.

There concern was that if the woman came to you she would get straight answers, and I assured them that she would.

I asked them to write up what they told me and send it to you, and they promised to do so.

Please let me know if there is anything else I can do to help with this matter.

REDACTED

REDACTED

REDACTED

ORIGINAL FILED

DEC 05 2002

**LOS ANGELES
SUPERIOR COURT**

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

JANE ROE and JOHN ROE,	)	CASE NUMBER BC 284282
)	
Plaintiffs,	)	FIRST AMENDED COMPLAINT FOR
	)	DAMAGES
)	
vs.	)	1. Childhood Sexual Abuse in Violation
	)	of CCP §340.1
	)	2. Common Law Negligence
	)	3. Fraud By Concealment
DOE NO. ONE; DOE NO. TWO; DOE	)	4. Sexual Battery, CC §1708.5
NO. THREE; DOE NO. FOUR; DOE	)	5. Breach of Fiduciary Duty
NO. FIVE; and DOES 6-100,	)	6. Vicarious Liability: Respondent
inclusive,	)	Superior
	)	7. Negligent Retention and Supervision
Defendants.	)	8. Intentional Infliction of Emotional
	)	Distress
	)	9. Loss of Consortium

Come now the Plaintiffs above named and file this
First Amended Complaint and allege as follows:

THE PARTIES

1.

Plaintiff JANE ROE is an adult female whose true
identity has been provided to Defendants by separate cover
letter. Plaintiff JANE ROE was a minor at the time of the
sexual abuse alleged herein, occurring in approximately 1979
and 1980, in the City of Santa Barbara, Archdiocese of Los
Angeles.

- 1 -

FIRST AMENDED COMPLAINT FOR DAMAGES

2.

Plaintiff JOHN ROE is the lawful husband of Plaintiff JANE ROE.

3.

Plaintiffs are informed and believe, and on that basis allege, Defendant DOE NO. ONE (hereinafter "DIOCESE"), is non-profit corporation, located within this judicial district, with its principal place of business in Los Angeles, California.

4.

REDACTED Plaintiffs are informed and believe, and on that basis allege, Defendant DOE NO. TWO (hereinafter "BISHOP") is a citizen of the State of California, and is the Bishop of the Diocese of Los Angeles. Defendant BISHOP is sued in his capacity as Bishop of the Diocese.

5.

Plaintiffs are informed and believe, and on that basis allege, that Defendant DOE NO. THREE (hereinafter "CARDINAL") is a citizen of the State of California, and is a Cardinal of the Diocese of Los Angeles. Defendant CARDINAL is sued in his capacity as Cardinal of the Diocese. Defendant CARDINAL, Defendant BISHOP and Defendant DIOCESE are responsible for the funding, staffing, and direction of the parishes and churches within the City and County of Santa Barbara.

6.

Plaintiffs are informed and believe, and on that basis allege, that Defendant DOE NO. FOUR (hereinafter

1 "PRIEST") was ordained a Catholic Priest at the time of the
2 sexual abuse detailed herein. Plaintiffs believe that DOE NO.
3 FOUR may have been relieved of his duties as an active priest
4 within the Church. At all times material hereto, Defendant DOE
5 NO. FOUR was under the direct supervision, employ, and control
6 of Defendants DIOCESE, BISHOP, and CARDINAL.

7 7.

8 Plaintiffs are informed and believe, and on that
9 basis allege, that Defendant DOE NO. FIVE (hereinafter
10 "CHURCH") was the Catholic church or parish located within the
11 City of Santa Barbara, California, subject to the Diocese of
12 Los Angeles, California, which Plaintiff JANE ROE attended at
13 the time detailed herein, during her minority, and at which
14 Defendant PRIEST served and performed the duties of a Catholic
15 priest, as set forth herein. At all material times, Defendant
16 PRIEST was under the direct supervision, employ and control of
17 Defendants DIOCESE, BISHOP, CARDINAL, and CHURCH.

18 8.

19 Plaintiffs are informed and believe, and on that
20 basis allege, that at all times material hereto each Defendant
21 was the agent, servant, employee and/or representative of each
22 remaining Defendant, and was at all times acting within the
23 course and scope of said agency, service, employment, and/or
24 representation, and did the acts herein alleged with the
25 permission and consent of each other Defendant. Plaintiffs are
26 informed and believe, and on that basis allege that at all
27 times material hereto the DIOCESE, BISHOP, CARDINAL, CHURCH and
28 DOES SIX through ONE HUNDRED, operate and control religious and

1 education facilities in the Diocese of Los Angeles, California,
2 and through such facilities, provide religious counseling,
3 advice, and assistance to parishioners and others.

4 9.

5 Plaintiffs are informed and believe, and on that
6 basis allege, that at all times material, Defendant PRIEST was
7 employed by, and under the direction, control, and supervision
8 of Defendant DIOCESE, Defendant BISHOP, Defendant CARDINAL,
9 Defendant CHURCH and DOES SIX through ONE HUNDRED.

10 10.

REDACTED 11 Plaintiffs are informed and believe, and on that
12 basis allege, that Defendant PRIEST's conduct, as well as the
13 conduct of DOES SIX through ONE HUNDRED, as alleged
14 hereinafter, was undertaken while in the course and scope of
15 his/their employment of each Defendant.

16 11.

17 The names and capacities, whether individual,
18 corporate, associate, or otherwise of Defendant DOES SIX
19 through ONE HUNDRED are unknown to Plaintiffs, who therefore
20 sue said Defendants by such fictitious names. When the true
21 names and capacities of said Defendants have been ascertained,
22 Plaintiff will seek leave of court to amend this complaint to
23 allege such true names and capacities. Plaintiffs are informed
24 and believe, and on that basis allege, that each of the
25 Defendants designated as a DOE herein is liable in some manner
26 for the acts, occurrences and omissions hereinafter alleged.

27 ///

28 ///

In or about 1979 Plaintiff JANE ROE was a minor living with her parents in Santa Barbara, California. Plaintiff and her family were members of CHURCH, in the Defendant DIOCESE, in the County of Santa Barbara, Diocese of Los Angeles.

In or about 1979, in the course of spiritual counseling, advice, assistance, supervision, and the performance of his responsibilities Defendant PRIEST sexually abused and exploited Plaintiff JANE ROE by engaging in illegal sexual contact with her when Plaintiff JANE ROE was under the age of eighteen (18.) The conduct set forth hereinafter exemplifies but is not intended to exhaust the description of Defendants PRIEST's sexual abuse and exploitation of Plaintiff JANE ROE.

Initially, Plaintiff JANE ROE, sought assistance and counseling from Defendant PRIEST, a priest at Plaintiff's parish in Santa Barbara County, for family problems. Plaintiff JANE ROE made an appointment with Defendant PRIEST in particular because her mother had already spoken with him. Plaintiff was advised that Defendant PRIEST was familiar with Plaintiff JANE ROE's problems, and could and would provide counseling and assistance to her in that she was upset and vulnerable at said time. The appointment took place in the rectory office of Defendant CHURCH. At the end of the session,

1 when Plaintiff JANE ROE stood up to leave, Defendant PRIEST
2 hugged her as if to provide support and solace and then began
3 to kiss her, putting his tongue into her mouth. He touched her
4 breasts, her buttocks and the rest of her body with his hands.

5 15.

6 Thereafter, Defendant PRIEST told Plaintiff JANE ROE
7 that he and Plaintiff were in love and meant to be together and
8 that he loved her and that God would want them to be together.
9 He told Plaintiff how special she was, and how wonderful, and
10 that he wanted to be with Plaintiff and did and said other
11 things designed to induce Plaintiff to believe that he was in
12 love with her and she with him so that she would acquiesce in
13 everything he wanted of her.

14 16.

15 As a result of Plaintiff's position as a minor,
16 together with Defendant PRIEST's position in the Catholic
17 Church as a holy man and authority figure, Defendant PRIEST was
18 able to continue to have control and influence over Plaintiff
19 JANE ROE. By his words and action, Defendant PRIEST
20 represented to Plaintiff that he was her spiritual advisor,
21 counselor, that he loved Plaintiff, and that he was acting to
22 provide her with counseling, comfort and advice. This
23 representation was untrue and intended by Defendant PRIEST to
24 deceive Plaintiff, to gain Plaintiff's trust and confidence,
25 and to obtain control over her. Plaintiff believed Defendant
26 PRIEST, justifiably relied upon him and gave him her trust and
27 confidence. By his words and actions, Defendant PRIEST assured
28 Plaintiff that Defendant PRIEST's conduct was proper.

1 Defendant PRIEST actively concealed the wrongfulness of his
2 exploitation and misconduct involving Plaintiff. Specifically,
3 upon information and belief, Defendant PRIEST fraudulently
4 failed to report his sexual exploitation and misconduct
5 involving Plaintiff to any entity or representative of the
6 Catholic Church at the time it occurred. Defendant PRIEST
7 continued concealing the wrongful conduct from Plaintiff, her
8 parents, the Catholic Church, and law enforcement authorities..

9 17.

10 Soon after the first incident of abuse occurring in
11 Defendant PRIEST'S office, and continuing over a one to one and
12 a half year period, Defendant PRIEST took Plaintiff for walks
13 in the Botanical Gardens in Santa Barbara. Defendant PRIEST
14 held Plaintiff's hand, kissed her with his tongue in her mouth,
15 and touched her all over her body. On these occasions,
16 Defendant PRIEST unbuttoned or removed Plaintiff's shirt and
17 fondled, kissed, and sucked on her breasts. On one such
18 occasion during said time period, said Defendant attempted to
19 take Plaintiff's shorts off but Plaintiff resisted.

20 18.

21 Defendant PRIEST regularly told Plaintiff JANE ROE to
22 attend confession on late Saturday afternoons, which she did,
23 so as to act as follows: Inside the confessional booth, said
24 Defendant PRIEST would first hear Plaintiff's confession and
25 then would kiss and touch her. On said occasions Defendant
26 PRIEST unbuttoned Plaintiff's shirt and fondled and kissed her
27 breasts. While doing said acts, Defendant PRIEST was dressed
28 in his liturgical vestments. These events happened many times

- 7 -

FIRST AMENDED COMPLAINT FOR DAMAGES

1 and all took place within the confessional.

2 19.

3 Further, on more than one occasion, Defendant PRIEST
4 came to Plaintiff's home, with the expressed permission of her
5 parents whom he lead to believe he was counseling and advising
6 Plaintiff, drove Plaintiff to the beach. Defendant PRIEST
7 would find a remote spot on the beach and then begin kissing
8 and touching Plaintiff. Defendant PRIEST would make Plaintiff
9 lie down on the ground, lay on top of her, and rub himself on
10 her to the point of ejaculation. This happened many times. On
11 one such occasion said Defendant took Plaintiff's picture. He
REDACTED 12 then proceeded to make her lie down and rubbed himself on her
13 to the point of ejaculation, leaving a wet spot on the front of
14 his pants. Defendant PRIEST then drove Plaintiff JANE ROE to
15 her parents' home, where he joined them all for dinner, hiding
16 the wet spot under his un-tucked shirt.

17 20.

18 Further, on one occasion when Plaintiff JANE ROE,
19 Defendant PRIEST, and several other people were riding in a car
20 together to a funeral, Defendant PRIEST put his jacket on his
21 and Plaintiff's laps and proceeded to rub Plaintiff's leg.

22 21.

23 Furthermore, Defendant PRIEST requested that
24 Plaintiff call him on a private telephone line in the rectory
25 located in Defendant CHURCH, which she did, and told Plaintiff
26 to say "I love you" over and over again on the telephone.
27 Defendant told Plaintiff that he kept a piece of fabric covered
28 with Plaintiff's perfume and told her he that would smell it

1 and think of her.

2 22.

3 Defendants fraudulently concealed Defendant PRIEST'S
4 exploitation and misconduct from law enforcement, Plaintiff's
5 family, and other parishioners. As a result of Defendant
6 PRIEST's conduct, Plaintiff JANE ROE was unable to discover the
7 wrongfulness of Defendant PRIEST's conduct. Defendant DIOCESE,
8 Defendant BISHOP, and Defendant CARDINAL concealed the nature
9 of Defendant PRIEST's sexual abuse of Plaintiff by further
10 fraudulently allowing Defendant PRIEST to continue to serve as
REDACTED 11 a priest and spiritual advisor, and to have contact with minor
12 females, despite Defendant PRIEST's criminal conduct.

13 23.

14 Plaintiffs are informed and believe, and on that
15 basis allege, that after learning of Defendant PRIEST's
16 conduct, Defendant DIOCESE, Defendant BISHOP, Defendant
17 CARDINAL, and DOES SIX through ONE HUNDRED ratified Defendant
18 PRIEST's conduct by failing to report him to law enforcement
19 authorities, failing to notify police, prosecution,
20 parishioners, and the laity. Further, Defendants' conduct
21 communicated to Plaintiff JANE ROE that Defendant PRIEST's
22 conduct was proper and that legal action was unnecessary.
23 Therefore, Defendants, and each of them, knew, or should have
24 known, that their actions would silence Plaintiff JANE ROE,
25 prevent her from discovering her injuries, her complaints and
26 possible other complaints, and ultimately exacerbate her
27 emotional distress and trauma. Defendants should therefore be
28 estopped from asserting any defense that Plaintiff JANE ROE's

1 action is not timely under California law because Defendants,
2 individually and in concert with each other, fraudulently
3 concealed the wrongfulness of Defendant PRIEST's conduct, and
4 the causal relationship of the harm suffered by Plaintiff.

5 24.

6 Defendants' conduct placed Plaintiff under duress.
7 Defendant PRIEST led Plaintiff JANE ROE to believe that
8 Plaintiff could trust him because he was a trusted spiritual
9 advisor, and because he said he was in love with her and that
10 God wanted them to be together. Defendant PRIEST's conduct
11 placed Plaintiff JANE ROE under powerful psychological duress
12 in that this conduct caused Plaintiff to believe that she was
13 loved by Defendant PRIEST, and that she must comply or lose the
14 love, advice, counsel, attention, caring and comfort that
15 Defendant PRIEST otherwise purported to give her. Defendant
16 PRIEST's exploitation and concealment placed Plaintiff under
17 continuing distress in that he caused Plaintiff to believe that
18 she must hide his "love" for her from her family, friends, and
19 fellow parishioners.

20 25.

21 As a result of the aforesaid conduct of Defendants,
22 Plaintiff JANE ROE has suffered from depression, low self-
23 esteem, guilt and anger throughout her adolescence and into her
24 adult life. After her marriage and continuing to the present,
25 Plaintiff continued to suffer from depression and became
26 withdrawn, causing problems and a deterioration in her marital
27 relationship and preventing Plaintiffs and Plaintiff's husband
28 JOHN ROE from having a healthy and satisfying marital

1 relationship.

2 26.

3 In or about March of 2002, Plaintiff JANE ROE learned
4 that the pastor of the church she attended was being forced to
5 resign due to having "transgressed the personal boundaries of
6 an adolescent" many years ago. Plaintiff suddenly and for the
7 first time recognized that her personal boundaries had been
8 transgressed when she was an adolescent by Defendant PRIEST,
9 and that she had been told by Defendant PRIEST, in whom she
10 believed completely, that what he was doing was acceptable
11 because "they" were in love and God wanted them to be together.
12 When she heard about the pastor of her church in March of 2002,
13 Plaintiff JANE ROE suddenly began to recover memories of the
14 events and occurrences regarding Defendant PRIEST, as set forth
15 above. She began to discuss these and other memories that
16 began to come back to her with a counselor, and for the first
17 time came to realize and understand that she had been molested
18 and sexually abused and her trust and faith betrayed and
19 undermined, and that she suffered injury as a consequence.

20 27.

21 Plaintiff and Plaintiff's husband JOHN ROE have
22 received counseling, and through these sessions Plaintiffs
23 became aware of the fact that Plaintiff had been molested and
24 sexually exploited and the effects of the molestation and
25 sexual abuse on herself, her husband and their marriage.

26 28.

27 Plaintiff is informed and believes, and thereupon
28 alleges, that the Defendants DIOCESE, BISHOP, CARDINAL, and

1 CHURCH herein knew that Defendant PRIEST had a history of
2 molesting and abusing minors.

3 29.

4 Plaintiff is informed and believes, and thereupon
5 alleges, that Defendants DIOCESE, BISHOP, and CARDINAL became
6 aware of Defendant PRIEST's unlawful sexual conduct and failed
7 to take reasonable steps or to implement reasonable safeguards
8 to avoid acts of unlawful sexual conduct by Defendant PRIEST,
9 including, but not limited to, avoiding placement of PRIEST in
10 a function or environment in which contact with children is an
11 inherent part of that function or environment. Plaintiff is
12 informed and believes, and thereupon alleges, upon becoming
13 aware of Defendant PRIEST's abuse of Plaintiff, said Defendants
14 transferred him to another church rather than taking remedial
15 conduct.

16 30.

17 As a result of the conduct of Defendants, and each of
18 them, Plaintiff has suffered and will continue to suffer mental
19 and emotional pain and suffering according to proof.

20 31.

21 As a result of Defendants' conduct, Plaintiff will
22 require medical, psychological, and related services in an
23 amount according to proof and will sustain injuries and
24 damages, according to proof.

25 32.

26 As a further result of Defendants' conduct, Plaintiff
27 JOHN ROE has suffered a loss of consortium, as is set forth
28 more fully hereinbelow.

REDACTED

1 33.

2 As a further result, Plaintiff JANE ROE has sustained
3 and will continue to sustain a loss of income and loss of
4 earning capacity according to proof.

5 FIRST CAUSE OF ACTION

6 [Childhood Sexual Abuse in Violation of C.C.P. Section 340.1]
7 (By Plaintiff JANE ROE Against Defendant DOE NO. FOUR)

8 33.

9 Plaintiff JANE ROE hereby incorporates by reference,
10 as if fully set forth herein, all paragraphs of this Complaint.

11 33.

12 In approximately 1979 through 1980, Defendant PRIEST
13 engaged in unpermitted, harmful, and offensive sexual contact
14 upon the person of JANE ROE in violation of California Code of
15 Civil Procedure Section 340.1.

16 34.

17 As a result of the above-described conduct, Plaintiff
18 JANE ROE has suffered, and continues to suffer, great pain of
19 mind and body, shock, emotional distress, physical
20 manifestations of emotional distress, embarrassment, loss of
21 self-esteem, disgrace, humiliation, and loss of enjoyment of
22 life; was prevented and will continue to be prevented from
23 performing her daily activities and obtaining the full
24 enjoyment of life and her marriage; has sustained loss of
25 earnings and earning capacity; and/or has incurred and will
26 continue to incur expenses for medical and psychological
27 treatment, therapy, and counseling.

28 ///

///

1 described injuries and damages which were increased and
2 aggravated during Plaintiff's lifetime by the continuing
3 concealment of the conduct, the knowledge of the conduct and
4 that it was wrong, illegal and criminal.

5 WHEREFORE, Plaintiff prays for judgment as
6 hereinafter set forth.

7
8 FOURTH CAUSE OF ACTION
9 [Sexual Battery, Civil Code §1708.5]
10 (By Plaintiff JANE ROE Against Defendant PRIEST and DOES SIX
11 through ONE HUNDRED)

12 39.

13
14 Plaintiff JANE ROE hereby incorporates by reference,
15 as if fully set forth herein, all paragraphs of this Complaint.

16 40.

17 Plaintiffs are informed and believe, and on that
18 basis alleges, that in or about 1979 or 1980, Defendant PRIEST
19 and DOES SIX through ONE HUNDRED, inclusive, and each of them,
20 engaged in unpermitted, harmful and offensive sexual contact
21 with intimate parts of the person of JANE ROE.

22 41.

23 As a result of the aforementioned conduct, Plaintiff
24 JANE ROE has suffered, and continues to suffer, great pain of
25 mind and body, shock, emotional distress, physical
26 manifestation of emotional distress, embarrassment, loss of
27 self-esteem, disgrace, humiliation, and loss of enjoyment of
28 life; was prevented, and will continue to be prevented from,
performing her daily activities and obtaining the full
enjoyment of life and her marriage to JOHN ROE; has sustained
loss of earnings or earning capacity; and/or has incurred and

1 will continue to incur expenses for medical and psychological
2 treatment, therapy, and counseling.

3 42.

4 Plaintiff is entitled to punitive damages pursuant to
5 Civil Code Sections 1708.5(b) and 3294(b) in an amount
6 according to proof.

7 WHEREFORE, Plaintiff prays for judgment as
8 hereinafter set forth.

9 FIFTH CAUSE OF ACTION
10 (Breach of Fiduciary Duty)
[By Plaintiff JANE ROE Against All Defendants]

REDACTED 11 43.

12 Plaintiff JANE ROE hereby incorporates by reference,
13 as if fully set forth herein, all paragraphs of this Complaint.

14 44.

15 By holding himself out as a qualified Catholic
16 priest, religious instructor, and counselor, and by undertaking
17 the religious instruction and spiritual and emotional
18 counseling of Plaintiff JANE ROE, Defendant PRIEST entered into
19 a fiduciary relationship with the minor Plaintiff.

20 45.

21 Defendant PRIEST breached his fiduciary duty by
22 engaging in the conduct set forth herein. As a result of said
23 conduct, Plaintiff JANE ROE sustained the herein described
24 injuries and damages.

25 WHEREFORE, Plaintiff prays for judgment as
26 hereinafter set forth.

27 ///

28 ///

SIXTH CAUSE OF ACTION

[Vicarious Liability: Respondeat Superior]

(By Plaintiff JANE ROE Against DOE NO. ONE, DOE NO. TWO, DOE NO. THREE, and DOES SIX through ONE HUNDRED)

46.

Plaintiff JANE ROE hereby incorporates by reference, as if fully set forth herein, all paragraphs contained in this Complaint.

47.

For the purpose of furthering his assigned duties as a priest and counselor, Defendant PRIEST identified Plaintiff as a young female child in need of help. Defendant PRIEST then sought and gained the trust and confidence of Plaintiff JANE ROE and sought and gained Plaintiff's trust so that she would respect Defendant PRIEST's authority and guidance and comply with his instructions.

48.

For the purpose of furthering his assigned duties as priest and counselor, Defendant PRIEST also sought and gained Plaintiff's trust, friendship, admiration, and obedience. As a result, Plaintiff was conditioned to comply with Defendant Priest's direction and to look to him as an authority on matters spiritual, moral, ethical, and temporal.

49.

Using the power, authority, and trust of his position as priest, spiritual advisor, confessor, and holy authority figure to Plaintiff, Defendant PRIEST enticed, induced, directed, and coerced minor Plaintiff JANE ROE to engage in Defendant PRIEST's sexual abuse and exploitation of Plaintiff.

REDACTED

1 50.

2 Using the power, authority, and trust of his
3 position, Defendant PRIEST enticed, directed and/or coerced
4 Plaintiff JANE ROE to engage in acts of sexual abuse and
5 exploitation, and Defendants DIOCESE, BISHOP and CARDINAL are
6 therefore vicariously liable for acts and omissions of their
7 agent Defendant PRIEST.

8 51.

9 As a result of the above-described conduct, Plaintiff
10 JANE ROE has suffered, and continues to suffer, great pain of
11 mind and body, shock, emotional distress, physical
12 manifestation of emotional distress, embarrassment, loss of
13 self-esteem, disgrace, humiliation, and loss of enjoyment of
14 life; was prevented, and will continue to be prevented from,
15 performing her daily activities and obtaining the full
16 enjoyment of life and her marriage to JOHN ROE; has sustained
17 loss of earnings or earning capacity; and/or has incurred and
18 will continue to incur expenses for medical and psychological
19 treatment, therapy, and counseling.

20 SEVENTH CAUSE OF ACTION

21 [Negligent Retention and Supervision]

22 (By Plaintiff JANE ROE Against All Defendants Except DOE NO. 4)

23 52.

24 Plaintiff hereby incorporates by reference, as if
25 fully set forth herein, all paragraphs contained in this
26 Complaint.

27 53.

28 Plaintiff is informed and believe, and on that basis
alleges, that Defendants DOE NO. ONE (DIOCESE), DOE NO. TWO

1 (BISHOP), DOE NO. THREE (CARDINAL) and DOES SIX through ONE
2 HUNDRED, inclusive, and each of them, by and through their
3 agents, servants and employees, knew or reasonably should have
4 known of Defendant PRIEST's dangerous and exploitative
5 propensities and/or that Defendant PRIEST was an unfit agent,
6 and despite such knowledge, Defendants negligently retained
7 and/or failed to supervise Defendant PRIEST in the position of
8 trust and authority as a Catholic priest and spiritual
9 counselor, where he was able to commit the wrongful acts
10 against Plaintiff JANE ROE. Defendants failed to provide
11 reasonable supervision of Defendant PRIEST, failed to use
12 reasonable care in investigating Defendant PRIEST, and failed
13 to provide adequate warning to Plaintiff JANE ROE and her
14 family of Defendant PRIEST's dangerous propensities and
15 unfitness, thereby causing Plaintiffs to suffer the herein
16 described injuries and damages.

17 54.

18 Because said Defendants, and each of them, had
19 knowledge of the unfitness of Defendant PRIEST and assigned
20 Defendant PRIEST to Plaintiff's parish with a conscious
21 disregard of the rights or safety of her and others, Plaintiffs
22 are entitled to punitive damages pursuant to Civil Code Section
23 3294(b) against all Defendants except for DOE NO. ONE and DOE
24 NO. FOUR.

25 WHEREFORE, Plaintiff prays for judgment as
26 hereinafter set forth.

27 ///

28 ///

1 EIGHTH CAUSE OF ACTION

2 [Intentional Infliction of Emotional Distress]
3 (By Plaintiff JANE ROE Against All Defendants)

4 55.

5 Plaintiff hereby incorporates by reference, as if
6 fully set forth herein, all paragraphs contained in this
7 Complaint.

8 56.

9 The conduct of all Defendants, and each of them, was
10 intentional, outrageous, malicious, and done with the intent to
11 cause or with reckless disregard of the fact that it would
12 cause Plaintiff to suffer humiliation, mental anguish, and
13 emotional and physical distress, and Plaintiff is entitled to
14 punitive damages in an amount according to proof against all
15 Defendants except for DOE NO. ONE.

16 WHEREFORE, Plaintiff prays for judgment as
17 hereinafter set forth.

18 NINTH CAUSE OF ACTION

19 [Loss of Consortium]
20 (By Plaintiff JOHN ROE Against All Defendants)

21 57.

22 Plaintiff JOHN ROE hereby incorporates by reference,
23 as if fully set forth herein, all paragraphs contained in this
24 Complaint.

25 58.

26 Plaintiffs JANE ROE and JOHN ROE are lawfully
27 married.

28 59.

As a direct result of Defendants' aforesaid conduct,
Plaintiff JOHN ROE lost the care, comfort, society, affection

- 20 -

FIRST AMENDED COMPLAINT FOR DAMAGES

REDACTED

1 and marital consortium of his wife, Plaintiff JANE ROE, and
2 suffered a loss of love, companionship, affection, solace,
3 society, moral support, and provision of household services,
4 all to his general damage in an amount within the jurisdiction
5 of this Court.

6 WHEREFORE, Plaintiff JANE ROE prays for judgment as
7 follows:

- 8 1. General damages according to proof;
9 2. Special damages for medical, psychological and
10 related expenses according to proof;
11 REDACTED 3. Special damages for loss of earnings and loss
12 of earning capacity according to proof;
13 4. Punitive damages according to proof;
14 5. Costs of suit; and
15 6. Such other and further relief as this court may
16 deem just and proper.

17 WHEREFORE, Plaintiff JOHN ROE prays for judgment as
18 follows:

- 19 1. General damages for loss of care, comfort,
20 society, affection, marital consortium and household services
21 according to proof;
22 2. Costs of suit; and
23 3. Such other and further relief as this court may
24 deem just and proper.

25 DATED: December 4, 2002.

REDACTED

7
REDACTED

JANE ROE, et al. v. DOE NUMBER ONE, et al. BC 284282

Claimant Questionnaire

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

**FILE**

MEMORANDUM

TO: REDACTED

FROM: Monsignor Craig A. Cox

RE: Reverend Michael S. Terra

DATE: 27 June 2006

As you know, I had hoped to meet with Father Terra in order to discuss the allegation made against him, and to see if he would be willing to petition for a dispensation from clerical obligations. I wrote him twice in recent months, asking that he phone me. In my most recent letter, I indicated that I would be available to meet him in Palm Springs or even travel to his residence.

I have received no response of any sort to these letters. I regret that he did not at least do me the courtesy of making some response, even if it was to indicate he did not want to meet.

Given this lack of response, it seems our only alternative is to proceed with a canonical investigation and depending on its outcome seek further assistance from the CDF.



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

June 9, 2006

Michael Terra
Box 2020
Lucerne Valley, CA 92356

Dear Mike:


I will soon be completing my term of service as Vicar for Clergy. It is important that I have an opportunity to meet with you before I move out of office.

I will be in Palm Springs for some presbyteral gatherings on June 19-21 and June 26-27. I hope that this will give us the chance to meet. During that period I could come out to Lucerne Valley or, if you had occasion to come into Palm Springs, we could meet there.

Please phone me right away so we can arrange to meet. Let whoever answers the phone know that I should be interrupted in order to speak with you.

Thank you and God bless!

Yours in Christ,



Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

February 27, 2006

Michael Terra
Box 2020
Lucerne Valley, CA 92356

Dear Mike:

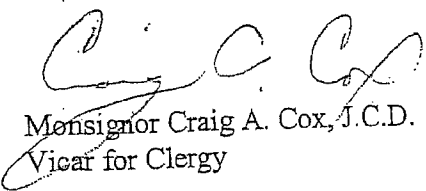
I hope you are well.

As you know, there is a complaint lodged alleging sexual misconduct with a minor on your part. I need to meet with you to discuss this, its implications canonically and civilly, and to obtain any response you may wish to make. I realize travel is difficult for you, but if you could come to our office in Los Angeles, it would be helpful. If not, I would make arrangements to meet with you somewhere out your direction.

Please phone me at REDACTED as soon as possible so we can schedule a meeting. Please tell whoever answers the phone that I want to be interrupted if I am in a meeting or on another call.

God bless!

Yours in Christ,


Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

44

Feb 21 07 11:06a

REDACTED

p. 1

REDACTED

March 25, 2002

Re: Sexual Misconduct

We were Youth Ministers at San Roque Parish during the late 1980's through the early 1990's. The years we are referring to at this time are 1980 and 1981.

What we are sharing are recollections of incidents and conversations, some things we remember clearly and others not so clearly. We will try to be as factual as possible.

Father Mike Terra was the Associate Pastor at San Roque during this time. Late in the spring of 1981 Fr. Mike came to us and told us he had been involved in a relationship with a teenage girl at the parish. He said it had been physical and he was ending the relationship and asked that we be supportive of the young girl. ^{REDACTED} remembers feeling that Fr. Mike had been told to come to us or someone in order to make sure the victim received support. We have no facts about that. ^{REDACTED} remembers being angry and felt he actually thought we would sanction such a relationship. We did not ask the nature of the relationship, how long it had lasted and how physical it was. We honestly thought there was a physical attraction and some lines had probably been crossed, he realized it was wrong and was removing himself from the situation.

During the following week I went for a walk with the victim and we talked about how none of the relationship was her responsibility. I tried to make it very clear that he was 100% responsible for the situation because he was the adult and in a position of power. She shared with me a few of the conversations she and Fr. Mike had. The conversations centered on the love he felt for her and how God would want two people that loved each other to share this love. My focus of the talk with her was to assure her that she was the innocent person and that I was angry with him for taking advantage of her emotions. At no time during our visit did I ask or did she tell me the extent of the physical relationship. I continued to assume it was very minor and that the emotional damage of a broken heart was what I needed to tend to. I told her I would keep her confidence, but if she needed counseling or help in anyway we would be there for her.

Years have past and there may have been some innuendo about this subject between the victim and us.

Within a month or two after Fr. Mike came to us and I spoke to the girl, he was moved from San Roque with only a few days notice. Still thinking this relationship was much less than it was we actually hosted a going away Bar-B-Que. for him at our house.

We lost track of his whereabouts and only heard through the "grapevine" he had been transferred several times. Some time during the early 1990's we heard he had his faculties taken away because he refused an assignment. We saw him a few times during

Feb 21 07 11:06a REDACTED

p.2

that decade, but have not seen him for years. Our understanding is that he lives on the dessert fairly isolated.

In November of 2001 during a conversation with the victim, (now an adult women) she expressed some realization that the relationship with Fr. Mike had had a long-term effect on her. We chatted about how good it was that she was getting counseling to deal with several issues including that teenage relationship. We still never talked about specifics.

On Monday or Tuesday the first week of March 2002^{REDACTED} casually called the victim about a completely unrelated subject and suddenly the pain, confusion and reality of what happened to her as a 16-year-old became a crisis. We will allow her to tell her story as she chooses. It is an understatement to say we were and continue to be shocked and devastated. We have promised her and her family our support.

We hope that^{REDACTED} pastor at the time,^{REDACTED} teacher in residence at the rectory, Mike Terra himself, Cardinal Mahoney and Vicar Clergy Cox will be able to help the victim and her husband answer questions which are necessary for understanding and closure.

REDACTED

MEMORANDUM

TO: TERRA CASE FILE REDACTED
 FROM: REDACTED
 SUBJECT: PHONE CONVERSATION OF 21 FEB 07 WITH REDACTED
 DATE: 21 FEBRUARY 2007

REDACTED and his wife REDACTED are the couple who contacted Bishop Curry in 2002 regarding Fr. Terra's 1981 admission to them that he had had a physical relationship with a teenaged girl at San Roque parish in Santa Barbara. REDACTED and REDACTED have since relocated to Flagstaff, AZ, where REDACTED is REDACTED.

I spoke with REDACTED this morning in a follow-up conversation to a phone call the previous week regarding the Terra case. In that earlier phone conversation, REDACTED had thought that she and her husband might have given a written statement to archdiocesan authorities about the Terra case, so I told her I would check our records here and get back to her. After I had carefully examined available files, however, no such statement was found, and so I phoned yesterday leaving a message to that effect and saying that I would call again this day.

On the phone this morning REDACTED was very helpful and very candid, as on the previous occasion. She stated that she and her husband REDACTED still feel a lot of anger at the whole situation regarding Fr. Terra, his actions have caused them tremendous hurt. She even offered that it was precisely the whole Terra situation that led Deacon Jim and herself to move to Flagstaff and the Diocese of Phoenix.

REDACTED had located a statement that she and her husband had made in 2002 regarding the Terra case and sent me a copy of this statement via fax; I had asked her to sign the statement in her own name and on behalf of REDACTED (REDACTED was unavailable, as he was busy with various Ash Wednesday services). REDACTED was not certain that the statement had ever been given to archdiocesan authorities, as it may have been written for REDACTED, the 15-16 year old girl whom Fr. Terra had taken advantage of and with whom he had been involved in a physical relationship. REDACTED is the daughter of one of REDACTED best friends. The REDACTED have known REDACTED and her family for more than twenty years, and they have absolutely no doubt as to the truth of what she recounted to them in terms of her relationship with Fr. Mike Terra.

In the course of this phone conversation REDACTED commented that Terra also "took advantage of another adult woman in the parish"; this woman too is (or was) one

of REDACTED best friends, and REDACTED : went on to explain that it is on this woman's property in the desert that Terra is now living. The son of this woman is in law enforcement in Santa Barbara and it was this man who delivered a summons to Terra (presumably the 2003 summons regarding the lawsuit naming Terra as having abused REDACTED when REDACTED was a minor).

I had wished to pursue this matter further with REDACTED and even made a return phone call to her for this purpose, but as the situation is very complex and difficult for her, she expressed the strong desire to say nothing more about it. She clearly does not want to be contacted further regarding this, and hopes to leave everything behind them.

REDACTED also mentioned that she and her husband had met with Msgr. Craig Cox about the Terra case, and so he should be very much aware of the situation.

In all of this, it was clearly evident that the whole Terra situation is still a source of great distress and pain for REDACTED and her husband REDACTED. I firmly believe that her desire to be left alone and to be contacted no further about this matter should be fully respected.

EVALUATION OF REDACTED CREDIBILITY

I found REDACTED to be very open, honest and sincere. She spoke with ease and struck me as one who faithfully recounted what appeared to be clear recollections of facts. She showed spontaneity in her speech, and freely spoke of related matters, until her emotions started to become too strong for her towards the end of our conversation. I sensed it was better to end our phone call, but did call her back later, wanting to pursue the matter of the adult woman she had mentioned. However, as reported above, she found the emotions welling up inside of her to be too much and stated that she preferred to say no more. She expressed a strong desire that neither she nor her husband be contacted about this in the future. I thanked her for her help and honesty, and told her that I didn't think we would need to contact them further.

In the whole of the three different occasions on which we made contact by phone (the introductory phone call, the extended conversation about the statement the REDACTED had made, and the very brief follow-up contact) I found REDACTED to be honest, direct and very credible. I perceived no doubt, uncertainty or hesitation in her as she related her recollection of various facts and situations to me; there was nothing at all that would lead me to question either her sincerity or her credibility.

MEMORANDUM

TO: TERRA CASE FILE REDACTED
FROM: REDACTED
SUBJECT: INTERVIEW WITH REDACTED
DATE: 20 MARCH 2007

REDACTED was in residence at San Roque Church for approximately 18 months while Father Michael Terra was serving there as parochial vicar.

I spoke with REDACTED today at the ACC offices and he related that he never noticed anything that struck him as inappropriate in Fr. Terra's behavior or relationships with anyone while he was at San Roque; although he was struck by Fr. Terra's laziness, in that Fr. Terra was content to do very little around the parish.

When asked about his mother's funeral and whether parishioners from San Roque might have been present and whether any of these parishioners might have been accompanied by Fr. Terra to the funeral, REDACTED stated that he had no specific recollection of who might have been present from San Roque parish. He did explain, however, that the REDACTED family was very active in the parish, that the girls attended nearby REDACTED High School and that it would not have been unusual for one or another of the REDACTED girls to attend his mother's funeral and to have been accompanied to the funeral by Fr. Terra. He also added that the REDACTED girls' mother would have likely seen nothing unusual or suspicious if one of her daughters were to spend time in the presence of Fr. Terra.



FILE COPY

Archdiocese of Los Angeles

REDACTED

3424
Wilshire
BoulevardLos Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

23 February 2007

REDACTED

REDACTED

Dear REDACTED

I write to you in my role as REDACTED for the Archdiocese of Los Angeles, as I seek to bring a case involving Father Michael S. Terra to a proper conclusion.

Since one of the matters needing to be resolved concerns Father Terra's time at San Roque Church while you were Pastor there, I would ask you the kindness of contacting me by phone, whenever it might be convenient for you, so that we might briefly discuss the matter. I can be most easily reached at my office phone, REDACTED, and if you should call while I am momentarily out of the office, a message may be left either with my secretary or on my voice-mail, and I will return your call as soon as possible.

I would have been happy to contact you by phone myself, but it seems that the Archdiocese has no current phone number for you, only this post office box address. I hope that this request of mine causes you no inconvenience, and I do appreciate whatever help you may be able to provide in this matter.

Thanking you in advance for your assistance, and assuring you of my prayerful best wishes this Lenten season, I am

Sincerely yours in Christ
REDACTED

MEMORANDUM

TO: TERRA CASE FILE REDACTED
 FROM: REDACTED
 SUBJECT: PHONE CONVERSATION WITH REDACTED
 DATE: 29 MARCH 2007

REDACTED called me today in response to a letter I had sent him about the Terra case. He apologized for not getting back to me sooner, but it seems that the Archdiocese has not updated his address and mail continues to be sent to him at various old addresses which are evidently still on file. He gave me his current contact information (address: REDACTED telephone: REDACTED , ext. REDACTED) and I assured him that I would pass it on to the Vicar for Clergy.

With regard to Fr. Michael Terra, REDACTED recalled absolutely nothing suspicious in Fr. Terra's behavior with anyone while he was at San Roque in Santa Barbara. REDACTED called him a "good boy" and stated that he caused no problems. When asked specifically about any inappropriate or questionable relationships that Terra might have had, REDACTED stated, "No, no" and repeated again that he was a good boy, adding that was not like REDACTED or REDACTED.

When asked specifically about the REDACTED family, REDACTED stated that he did recall the family, and that they were very faithful. He said that Terra would have known the family, but he did not think that Terra was particularly close to them, that there were other parishioners to whom he was closer. REDACTED went on to add that he does not believe that anything could have happened between Terra and a member of the REDACTED family because Terra was not that close to them and the family was so faithful to the Church.

The telephone conversation lasted no more than five minutes, and REDACTED said that I could send him "the form" and he would be happy to sign it if that were necessary. (Evidently, REDACTED was referring to previous statements he had been asked to make about other cases, perhaps REDACTED and/or REDACTED since he mentioned them specifically.) I told him I didn't think that would be necessary, but that we would feel free to contact him should the need arise for further assistance from him. I thanked him for his help and assured him once more that I would pass on his current contact information to the Vicar for Clergy.

48

3/7/03

REV. CRAIG COX

DEAR CRAIG:

ON FEBRUARY 7, 2003 I RECEIVED SOME VERY DISTURBING NEWS. I WAS SERVED A SUMMONS ALLEGING CHILD ABUSE.

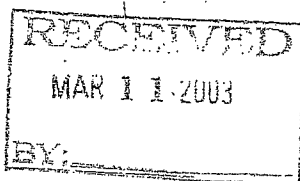
THIS IS A CHURCH CLASS ACTION SUIT, OF WHICH I AM ONE OF ONE HUNDRED ACCUSED DEFENDANTS. CASE NUMBER: BC28428.

I AM SEEKING HOLY MOTHER CHURCH'S ADVICE AND COUNSEL, AS TO WHAT IF ANY LEGAL ACTION I NEED TO TAKE AT THIS TIME.

I CAN BE REACHED AT MY ADDRESS:
P.O. BOX 2020, LUCERNE VALLEY, CA. 92356.

ALTHOUGH I HAVE NO PHONE, GIVEN A PHONE NUMBER AND SPECIFIC TIME, I CAN ACCESS A PHONE TO MAKE A CALL.

I THANK YOU FOR YOUR ASSISTANCE. THIS ALSO MUST BE A MOST DIFFICULT TIME FOR YOU — MY THOUGHTS AND PRAYERS ARE WITH YOU.



SINCERELY,
Michael Lero

REDACTED

MAR 31 2003

REDACTED

REDACTED

March 19, 2003

REDACTED

Archdiocesan Catholic Center
3424 Wilshire Boulevard
Los Angeles, California 90010-2241

RE: NOTICE OF LEGAL INTEREST IN FILES RE **MICHAEL TERRA**

Dear REDACTED

This letter will inform you that I have been retained to represent the above-named individual in all respects concerning an investigation of misconduct alleged to have occurred while he was a Priest within the Los Angeles Archdiocese.

It is possible during the course of any such investigation that government agencies, attorneys, or other people will request access to any copies of files that may be in the possession, custody, or control of the Archdiocese respecting my client, his personnel records, or any record of any discipline, investigation, or proceeding the Archdiocese conducted relative to my client.

My client has important legal interests in any such files, derived from his various Constitutional rights. PLEASE BE ADVISED THAT HE OBJECTS TO THE RELEASE OF ANY INFORMATION THAT CONCERNS HIM OR ANY INVESTIGATION ABOUT HIM. So that his legal rights may be protected, please give me prompt notice of any request for such records, whether the request is informal, written or oral, or in the nature of a subpoena, discovery, or any other legal process. I will then be able to take appropriate legal action to enforce my client's many legal rights. Thank you for your assistance in this regard.

Very truly yours,

REDACTED

March 22, 2003

ATTORNEY-CLIENT COMMUNICATION

REDACTED

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, California

**RE: ASSERTION OF ATTORNEY CLIENT PRIVILEGE BY
MICHAEL TERRA**

Dear REDACTED

Amid the current maelstrom regarding allegations affecting the Archdiocese, I find it necessary formally to direct you to assert my legal rights regarding any files, reports, statements, or communications concerning allegations involving me. I learned with concern of the current request of District Attorney Cooley to require the Archdiocese to turn over "all documentation" concerning such allegations, since that broad request could cover matters in files in which I have an interest.

In that context, I hereby direct you to assert the rights I hold under the Attorney-Client Privilege concerning any documents relating to allegations against or involving me. I similarly direct you to assert my rights under all other privileges and rights of privacy or confidentiality affecting me, including, but not limited to, the therapist-patient and physician patient privileges, the Medical Information Act [Civil Code Section 56 *et seq.*], 42 USC 290 [dd], and the Right of Privacy enumerated in the California Constitution and contained in the United States Constitution.

Most particularly, the leading case of *Chadbourn v. Superior Court* [1964] 60 Cal.2nd 723, 36 Cal. Rptr. 468, held that where a corporation investigates a matter and prepares reports relating to potential legal claims against it or an employee, such information is protected by the Attorney-Client Privilege. It further held that, "When the employee of a defendant corporation is also a defendant in his own right (or is a person who may be charged with charged with liability), his statement regarding the facts with which he or his employer may be charged, obtained by a representative of the employer and delivered to an attorney who represents (or will represent) either or both of them, is entitled to

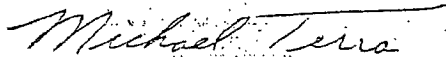
the attorney-client privilege on the same basis as it would be entitled thereto if the employer-employee relationship did not exist . . ."

Clearly, I could be liable for the alleged conduct, and I therefore am a co-holder of the legal privilege. Evidence Code Section 955 *requires* that the privilege be asserted by you.

Interestingly, in the very recent case of *People v. Superior Court [Laff]* [2001] 25 Cal. 4th 703, 107 Cal. Rptr.2nd 323, the California Supreme Court *unanimously* rejected a claim by the District Attorney of Los Angeles that such privileges do not apply to documents seized under a search warrant, and observed that the custodian of records affected by the privilege *must* assert it "at every peril to himself."

I would be very happy if you will discuss this important direction with my attorney,
REDACTED

Yours in Christ,



MICHAEL TERRA



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

March 24, 2003

Michael Terra
Box 2020
Lucerne Valley, CA 92356

Dear Mike:

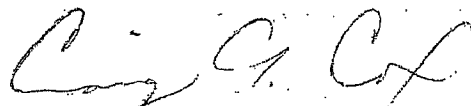
This is to acknowledge your letter of March 9, 2003. It is good to hear from you, though I regret the occasion that necessitated your contact.

I would be happy to meet with you to discuss the matter. I do not know if you have occasion to come into Los Angeles on a regular basis. If so, we can use such an occasion to meet. I would also be happy to meet you at the parishes in Claremont or Pomona or some other location that would ease the distance you would need to drive.

Please phone me at REDACTED to arrangement something. Tentatively, I could probably meet you this Friday around 12:30 - 12:45 in Pomona/Claremont, but if that does not work out for you, we can schedule some other time.

I look forward to seeing you. Please know that you are in my prayers.

Your brother in Christ,


Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

REDACTED

Cox, Msgr. Craig A.**From:** REDACTED**Sent:** Monday, September 27, 2004 5:21 PM**To:** REDACTED**Subject:** FW: Santa Barbara Article 1

Local News

Suit brings clergy abuse allegations into the light

Papers claim molestations in Santa Barbara going back to 1930s

9/27/04

By THOMAS SCHULTZ

NEWS-PRESS STAFF WRITER

Court papers filed as part of a lawsuit by a 48-year-old Santa Barbara man detail a lengthy litany of alleged child molestations by priests and other Roman Catholic clergymen in Santa Barbara County dating to the 1930s.

The 83-page document claims the clergymen preyed on young people in their charge -- parishioners, seminarians and students -- subjecting them to sexually charged beatings, fake medical exams, rape and other acts.

The document contains accusations that a St. Anthony's Seminary teacher repeatedly would "pimp out" a student and describes clergymen allegedly ignoring eyewitness accounts and even first-hand observations. Some of the alleged molesters were themselves abused as youths by local priests, the papers say.

The suit was filed by an unnamed man referred to as John Roe 4, who claims he only recently became aware of dormant memories of being molested by a priest from Our Lady of Guadalupe Church from 1967 to 1973. The suit names the Archdiocese of Los Angeles, which covers Santa Barbara County, and the Archbishop of Los Angeles. The new document, an application to amend the civil complaint filed in March, was filed in Superior Court last month. Most of the incidents in the application had nothing to do with Mr. Roe, but attempt to build a damning case against the church.

The chronology is the most sweeping accusation to date of alleged abuse in Santa Barbara -- naming 31 clergymen-- and seeks to show the church hierarchy knew about abuse claims but ignored them or did not take adequate steps to stop assaults. The document tallies 63 local victims but doesn't name any of them.

The overwhelming majority of the alleged victims were boys. One of the three

girls mentioned was allegedly repeatedly assaulted on Saturday afternoons between 1979 and 1981 inside the San Roque Church confessional.

Based on numerous interviews, the document was compiled by Santa Barbara attorneys Timothy Hale and David Nye -- who have represented 20 mostly local church abuse claimants, including two women, and have filed 15 civil lawsuits since early 2003. The pair received help from local attorney Thomas Griffith and two private investigators.

The document intersperses charges that have been aired before with grim new details.

"We've been able to put the county under the microscope," Mr. Hale said.

Legal experts say it is rare for a civil suit with a single plaintiff to offer such a sweeping historical account. Mr. Hale said there is no case law defining whether his paperwork, which paints the church as a broad public nuisance, should contain detailed information or just bare-bones facts.

"Ultimately the courts are going to have to resolve whether it's viable," he said.

Asked to comment on the legal strategy, Santa Barbara civil attorney Desmond O'Neill said: "I've never seen anything like that."

Mr. Hale said the church abuse scandal that emerged in the early 1990s at St. Anthony's Seminary is a major contributor to the numerous cases of alleged abuse.

But a San Francisco lawyer for the Franciscan Friars of California, the religious order most of the accused clergymen belonged to, suggested Santa Barbara appears to have a large number of abuse cases because the Franciscans -- in the wake of the seminary scandal -- were proactive in investigating themselves and revealing internal problems since 1992.

"It's very misleading to look at what has been made public and brought forward in Santa Barbara and assume there was more abuse," said Brian Brosnahan, adding he would not comment on specifics. "There's a lot of allegations in there that we are not familiar with, that we've never heard before. It's difficult figuring out some of them."

Alberic Smith, a spokesman and guardian at the Santa Barbara Mission, acknowledged the weight of the accusations, and said Franciscan friars must reassure the community that steps are being taken to protect children.

"Hopefully people will begin to have more trust. We've really been at this for a while. We know the dangers and parameters, where before we didn't. We really are taking care of these people well, in the sense that they are not a danger to children. The last thing that we would want to happen is they

ever hurt anyone in the future."

An archdiocese spokesman provided with a copy of the court papers said last week that most cases of abuse did not come to the attention of the church until 2003, when legislation temporarily lifted the statute of limitations on new civil suits in California.

"The church has been open to acknowledging where the efforts we took to protect children in hindsight were not as effective as they could be or could have been," Tod Tamberg said. "But that is a function of hindsight that takes into account what all of us have learned about the nature and treatment of abusive behavior."

Since at least 1985 and the appointment of Cardinal Roger Mahony, "No priest has been accused of abuse credibly and allowed to be sort of transferred around in ministry," he said, adding that now the credibly accused are treated and removed from the priesthood.

The lawsuit states that in some cases church officials knowingly transferred offending clergymen to Santa Barbara County for "safe haven" without telling the community.

"The reason that all of the other incidents of covering up and transferring are relevant is because our past experience has been that one of the church's approaches has been to try to narrow the focus of each lawsuit down to just the facts of that specific perpetrator, ignore the acts of the hierarchy and ignore the other misconduct going on around it," Mr. Hale said.

"This is an institutional problem. The church cannot simply take this lawsuit, pull it out of context and remove it from the fact that there is this institutional approach to receiving complaints, treating these guys and then sending them all off to a new community without warning."

Mr. Tamberg disputed the "safe haven" allegation.

"That's ridiculous," he said. "While I haven't seen Mr. Hale's version of what happened, I think that the church has been extraordinarily open about what it has found and perhaps most important what it has done to help victims heal and make sure this doesn't happen again."

He said that a February "Report to the People of God" from the archdiocese, which identified 211 accused clergymen including 12 from Santa Barbara, is as much as the church has been able to piece together. "It sounds like we differ on the degree of the problem."

Of the 31 alleged or known perpetrators named in the lawsuit who lived and worked locally, 25 are accused of assaulting children here, five were previous offenders transferred here, and one committed his known offense after his departure, according to the lawsuit. Six of the 31 have been convicted of criminal acts, the papers say, three of those in local courts.

Santa Barbara officials say they were ready to launch more charges, but changed course last year after a June 2003 U.S. Supreme Court decision struck down a California law extending the statute of limitations in criminal cases of child sex abuse. The court left in place another state law that temporarily lifted time constraints on civil cases.

"We were about to file charges against an additional four or five former priests from St. Anthony's," Senior Deputy District Attorney Ron Zonen said, adding the Santa Barbara Police Department was investigating several claims dating back decades and connected to civil suits. "We were about to take it to the grand jury. I could get indictments (for) at least four. We had witnesses who were prepared to testify. A number of victims had come forward."

Now, he said, "We are limited to anything that occurred after Jan. 1, 1988" for a criminal prosecution.

The court papers place abuse at St. Raphael's Church, Mission La Purisima Concepcion, Our Lady of Mt. Carmel, San Roque Church, St. Mary's Seminary, Our Lady of Sorrows, Our Lady of Guadalupe, St. Anthony's Seminary; the Santa Barbara Mission, St. Mary's Church of the Assumption, San Lorenzo Seminary and Old Mission Santa Inés over a period from 1936 to the early 1990s.

The alleged assaults took place in priest living quarters, church vehicles, offices, rectories, homes, at beaches, during camping trips, and on parish grounds, according to the court papers, which say numerous victims came from low-income or "broken" households.

Victims advocate Ray Higgins, whose son Mike said he was molested by two priests in the 1980s at the now shuttered St. Anthony's Seminary, said the new documents expand upon a 1992 study by an independent board of inquiry. That board concluded that 11 St. Anthony's faculty members had molested up to 34 students dating to the 1960s.

"This shows that the original study that was made back in 1992 was only the tip of the iceberg," Mr. Higgins said. "Now we are seeing a little bit more, but there is still more to come, I am sure. It shows that this is extended over to the Mission. It's not just St. Anthony's Seminary, which was always claimed in the past."

SEVEN DECADES OF ALLEGATIONS

The lawsuit names the Rev. Owen Da Silva as the first Santa Barbara perpetrator of child sexual assault. The Rev. Da Silva abused an altar boy in 1936-37 at the seminary, it says, citing an account by the alleged victim.

The Rev. Da Silva, known in wider circles for his 1941 book "Mission Music of California," has since died and is entombed at the Mission. He was never charged or prosecuted.

Beginning in the 1940s and into the early 1950s, the court papers say, the Rev. Matthew Kelly of Our Lady of Guadalupe Church allegedly abused children -- including members of his club for teenage boys called "The Blue Jackets."

Citing accusations dating back to 1958, the lawsuit says The Rev. Kelly took boys to Arroyo Burro Beach, or to his Santa Ynez mountain cabin on overnight trips to share alcohol and cigarettes, photograph them naked and share his bed.

One accuser cited says the priest molested him 75 times and gave him about \$25 after each assault.

John Roe 4 claims he received approximately \$100. His is the fourth pending lawsuit to identify the Rev. Kelly, who died in 2002.

Although the alleged abuse of John Roe 4 occurred long ago, his lawsuit can proceed because he says he only recently became aware of it. Child molestation victims can sue until they are age 26, or within three years of realizing they were victims.

The latter applies in this case, lawyers for John Roe 4 say.

Such recollections of abuse, known as repressed memory, have been controversial. Skeptics argue there is little scientific evidence to support the notion that traumatic experiences are unconsciously blocked from memory.

The court document claims that at least five independent witnesses reported seeing child pornography in the Rev. Kelly's mail.

"In the early to mid-1960s, Fr. Kelly's neighbors at the cabin made some disturbing discoveries," according to the court papers. "There was an oversized package placed on top of Fr. Kelly's mailbox. It had been raining and, consequently, the package was beginning to fall apart. .J.J. There were numerous photographs of naked boys."

A subsequent owner of the cabin, according to the lawsuit, "discovered

pictures of naked boys on the walls of the basement."

Slides of boys wearing nothing but pink underwear surfaced there in 2000 after the Rev. Kelly sold the property, the suit states.

At least two other priests complained to the church hierarchy about the Rev. Kelly in the 1960s but nothing was done, according to the lawsuit.

One of these clergymen frustrated by the situation later left the priesthood and is prepared to testify, according to the papers. "He recalls that defendants' attitude was that priests were the mouthpieces for God, and that so long as they were doing a good job of conveying God's message, their human failings could be tolerated and/or ignored," the files say.

SECOND GENERATION OF ABUSE

During the 1960s, according to the papers, at least four local clergymen assaulted boys, including St. Anthony's student Robert Van Handel, who entered the priesthood himself -- and later was convicted of child molestation.

During this time, the Rev. Mario Cimmarrusti "was violently sexually assaulting boys" at St. Anthony's Prefect of Discipline, the court papers state, again based on the investigators' interviews.

The Rev. Cimmarrusti, who had never before spoken with a reporter about such claims, told the News-Press in a telephone interview from the Bay Area this month that he recalls no inappropriate behavior. But he also suggested abusive acts might have happened.

"I could have done this and I didn't realize it at the time," he said. If so, "Well, I'm very sorry."

Mr. Hale said the Rev. Cimmarrusti is identified in nine pending civil lawsuits.

"His first step was to 'screen' the student," according to the court papers. "The screening process involved Fr. Cimmarrusti fondling the student. If the student became aroused and embarrassed, Fr. Cimmarrusti used this against the student to force his silence as the abuse continued."

Other times, the court papers say, the Rev. Cimmarrusti conducted weigh-ins and performed thyroid gland checks that led to abuse.

He allegedly beat victims, drawing blood, and spanked one student 33 times, "once for every year of our Lord's life," according to court papers.

"Cimmarrusti would order students to his room to conduct supposed hernia exams," the lawsuit states. According to one unnamed victim cited, "Fr. Cimmarrusti conducted so-called hernia exams of every freshman at least three to four times a month."

The priest once required an entire class to strip to its underwear during a test, the court papers say. "The class was paraded through the school in their underwear, and was done so in full view of other students, teachers and priests," according to the document.

One victim in 1965 complained to a St. Anthony's rector about an attempted Cimmarrusti rape, according to court papers. The papers say the student was subsequently expelled.

In approximately 1967-68, another priest "walked in on Fr. Cimmarrusti orally copulating yet another victim, had a clear view of the abuse and turned around and walked out," according to the papers.

"Fr. Cimmarrusti's abuse of St. Anthony's students spanned most of the 1960s and could and should have been stopped by defendants' agents at least as early as 1965. Instead, they allowed him to become one of the most prolific abusers of children in Santa Barbara County, with no less than 16 of his victims identified to date."

REDACTED

SAINT ANTHONY'S IN THE '70s

In the 1970s, the Rev. Kelly continued to abuse local boys, and even after his transfer from the county in 1970 brought area victims to his cabin, the court papers say.

The Rev. Cimmarrusti left St. Anthony's 1970, but the abuse continued, the documents state.

In the 1970s, 15 clergymen, including the Rev. Van Handel, assaulted boys, according to court papers. "Van Handel twice in 1970 told an agent of the defendants of his attraction to young boys. Defendants' response to this information was to J.J. hire Van Handel and allow him to begin forming boys choirs as part of his ministry."

That St. Anthony's Seminary and his Santa Barbara Boys Choir became a source of victims for Mr. Van Handel from 1975 to 1992 is well documented. He was sentenced in 1994 to eight years in prison for childhood sexual abuse. He now lives in Santa Cruz, Mr. Hale said.

Fourteen victims of the Rev. Van Handel have been identified, according to the lawsuit, "a total exceeded only by Fr. Cimmarrusti."

Beginning in the mid-1970s, three brothers were victimized by numerous priests as members of the Boys Choir and, subsequently, as students at St. Anthony's, according to the court papers. One of these boys "was repeatedly sexually assaulted by as many as five different priests," including the Rev. Van Handel, the court papers say.

In approximately 1977, the Rev. Dave Johnson, a St. Anthony's alum and admitted molestation victim who graduated in 1967, was assigned to the school, according to the lawsuit. In the fall of 1977, he allegedly assaulted Pablo Espinoza several times in a case that garnered media attention when the alleged victim named himself publicly in suing the church.

The alleged victim is not named in the suit but spoke to the News-Press about his own lawsuit in July 2003.

"At the time, I thought I was the only one, but looking back, it's really not appropriate for priests to have 16-year-old boys sticking their tongues in their ears," Mr. Espinoza said. "The lines of demarcation were blurred, because these people were taking care of us, and we lived here, and they imposed themselves on us emotionally and physically."

Mr. Johnson has since left the order, according to the Rev. Smith. Attempts to determine his whereabouts from the Franciscans were unsuccessful.

Mr. Espinoza also claims he was assaulted on a weekly basis during his senior year by the Rev. David Carriere, a priest stationed at the Santa Barbara Mission who, according to the Franciscans, died in 1997.

He says he also was allegedly assaulted by a St. Anthony's lay teacher in his office.

On at least three occasions, the teacher "brought in men from the community," according to court papers. The teacher is not identified as a perpetrator of childhood sexual abuse because the victim by this time was 18 years old.

Still, the teacher "was so comfortable in the St. Anthony's environment as to essentially pimp out a student to men from the community for sexual assaults during school hours," according to the court papers. "This boldness was reflective of and fostered by an environment of childhood sexual abuse."

Also in the late 1970s, the Rev. Michael Terra replaced another alleged abuser at San Roque and began to assault a young girl who had sought counseling, according to the court papers. "The assaults took place in, among other locations, Fr. Terra's office in the rectory at San Roque, the Santa Barbara Botanical Gardens and at a local beach," the papers say.

"Worst of all," according to the papers, the Rev. Terra would tell the girl to attend confession on Saturdays, listen to her sins and then assault her inside the confessional.

Episodes of abuse lasted for about a year and a half, the documents say.

Attempts to reach the Rev. Terra through the archdiocese were unsuccessful. Mr. Hale and Mr. Tamberg said they do not know his whereabouts. Mr. Hale said he is the subject of a pending civil suit.

According to Mr. Hale, at least 17 clergymen abused local students during the 1980s.

INTO THE 1990s

The Rev. Gus Krumm -- a St. Anthony's alum -- was assigned to his alma mater and assaulted students there, the papers state. As with the Rev. Van Handel, whose abuse lasted through the early 1990s, accusations against the Rev. Krumm have previously been made public.

The Franciscan is identified as a perpetrator in one pending civil suit, plus one settled, and is believed to be living in California, Mr. Hale said.

One accused priest remains in Santa Barbara. Plaintiff Matthew Guy Stevens, now age 50, claims in a civil suit in Los Angeles that the Rev. James Ford molested him as a 14-year-old student from 1968 until 1971 at Orange County's Mater Dei High School.

The Rev. Ford has been assigned to multiple locations throughout Santa Barbara County, including St. Raphael's Church in Goleta from approximately 1972 to 1976, Our Lady of Mt. Carmel from approximately 1977 to 1981 and currently works at San Roque Church.

The Rev. Ford said in an interview that he is innocent and that a church investigation has already cleared him.

Church officials said in February that the allegations were reviewed by the archdiocese's 13-member Clergy Misconduct Oversight Board -- nine of them lay people -- which decided that it was not appropriate to place the priest on administrative leave.

Mr. Ford said that "there is no credibility whatsoever" to the accusations.

== message truncated ==

Do you Yahoo!?

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Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

December 13, 2004

Personal and Confidential

Michael S. Terra
P.O. Box-2020
Lucerne Valley, CA 92356

Dear Mike:

Please know that you continue to be in my prayers during this very difficult time. It is times like these we know the wisdom of St. Paul when he experienced his powerlessness but found the grace of God in his weakness (2 Corinthians 12:9-10). So may the grace of Christ fill you and strengthen you in this time of trial.

As you know, we are endeavoring to reach equitable settlements to the many lawsuits filed against the Archdiocese of Los Angeles. As you may not know, as part of the settlement process in southern California, the judge has required that the Archdiocese as well (as other dioceses and religious orders) prepare "proffers" or summaries of the contents of most of the accused priests' clergy and confidential files. The Archdiocese recently completed the process of having the proffers it prepared reviewed and verified by the judge.

Cardinal Mahony is now consulting with his advisors, especially our Presbyteral Council, on the wisdom of making these proffers available for review by our Catholic people. Currently, it is his intent to proceed with making this information available in some form, especially since some victims have indicated that the release of this kind of information can be helpful to their healing process. Release of such information also responds to the call from so many of our Catholic people for greater openness about how complaints of sexual misconduct with minors have been handled. Thus, our sense is that there will be great value in taking the initiative now to release these documents ourselves, allowing us to do so in a constructive context and with appropriate explanation.

The Cardinal has asked that I write to each person for whom we have prepared proffers and to enclose for your review a copy of the proffer related to you. As you can see, for the most part the proffer includes information on your dates of birth and ordination as well as your assignment history. When applicable, the proffer also includes information on when any kind of sexual misconduct was reported to Archdiocesan authorities. This relates to the critical legal question of "notice." It also sketches the actions taken by officials of the Archdiocese in response to any complaints.


Letter to Priest Regarding Proffers
Page 2 of 2

Out of respect for your rights, the Cardinal did not want to release this proffer without first communicating our thinking to you and allowing you to review the proffer. Certainly, if any of the information in our files is erroneous, we would very much appreciate receiving corrected information from you.

Also, if you have any comments or questions, please feel free to phone REDACTED one of the attorneys most familiar with the proffers, at REDACTED. You are also welcome to phone me on December 20, 21, or 22 at REDACTED. I am not available from December 14-19 due to duties that take me outside the Archdiocese.

Again, please know that you are in my prayers, especially during this Advent season of hope. May these wonderful days of the liturgical year be a time of healing and renewal for us all!

Yours in Christ,


 Monsignor Craig A. Cox, J.C.D.
 Vicar for Clergy

enclosure



REDACTED

Archdiocese of Los Angeles

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

28 March 2007

Michael S. Terra
P. O. Box 2020
Lucerne Valley, CA 92356

Dear Father Terra,


I am writing to you as a follow-up to letters sent to you by Monsignor Craig Cox, Vicar for Clergy of the Archdiocese of Los Angeles; Monsignor Cox has since been succeeded in that position by Monsignor Gabriel Gonzales.

In his letters to you, dated 27 February 2006 and 9 June 2006 respectively (copies attached), Monsignor Cox asked you to contact him so that arrangements could be made to discuss your situation, most especially relative to the allegation that you sexually abused a minor. Inasmuch as no response to either letter was received from you, it appears that you do not wish to discuss the matter.

A REDACTED therefore, I write to inform you that a final report regarding your case is ready to be submitted to the Congregation for the Doctrine of the Faith in Rome, together with Cardinal Mahony's recommendation that you be dismissed *ex officio* from the clerical state by the Holy Father. Of course, should you decide to request laicization from the Pope, the Cardinal will support your petition and will not seek your dismissal.

If you would like to make a statement regarding your case for inclusion in the material that will be sent to the Congregation, or if you would like to make a voluntary petition for laicization to the Pope, please see that such a statement or petition is delivered to me *no later than Friday, 13 April 2007*. And should you have any questions regarding this matter, please feel free to contact me at REDACTED. I will be happy to speak with you and to offer whatever assistance I can.

With prayerful good wishes, I am

Sincerely yours in Christ, 
REDACTED

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Michael S. Terra
REDACTED

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PS Form 3811, February 2004

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PS Form 3800

53

MEMORANDUM

TO: TERRA CASE FILE REDACTED
FROM: REDACTED
SUBJECT: STATEMENT FROM BISHOP TOM CURRY ABOUT THE 2002 MEETING WITH THE REDACTED
DATE: 10 APRIL 2007

Bishop Tom Curry is the Regional Bishop for the Santa Barbara Pastoral Region, and it was at a meeting with him back in 2002 that REDACTED and his wife REDACTED reported that Fr. Terra had told them in 1981 that he had had a physical relationship with a teenaged girl at San Roque parish in Santa Barbara. The REDACTED explained that it turned out that Fr. Terra had had a sexual relationship with this girl, and that the relationship continued for a year.

I spoke with Bishop Curry this afternoon about his meeting with the REDACTED, and asked him whether he recalled his meeting with the REDACTED in conjunction with Fr. Mike Terra. He said he did recall the meeting, and so I asked him whether he had any impression, whether positive or negative, or any other indication, about the REDACTED credibility in what they told him. He stated, "I had no reason to doubt their credibility — he was a deacon and they were both active in the Church." He went on to say that he believed what they told him to be true, that he found them very credible and that he was not struck in any way that they might make up the story they recounted to him.

He also added that, as he recalled, the matter involved Fr. Terra's being involved with a young girl, a teen-ager. He then repeated that he found the REDACTED very credible and had no reason at all to doubt or be suspicious about what they told him.

I thanked him for his time and for his statements about his recollection of his meeting with the REDACTED and about their credibility.

MEMORANDUM

REDACTED

TO: TERRA CASE FILE
 FROM: REDACTED
 SUBJECT: INTERVIEW WITH MSGR. CRAIG COX
 DATE: 7 MARCH 2007

I met with Monsignor Craig Cox, former Vicar for Clergy, this morning in the offices of the ACC in Los Angeles. Msgr. Cox had met with the REDACTED back in 2002 after they had had a meeting with Bishop Tom Curry, the Regional Bishop for the Santa Barbara Pastoral Region, to denounce sexual misconduct on the part of Fr. Terra with a minor-aged girl at San Roque Parish in Santa Barbara in the early 1980s.

Msgr. Cox recalled meeting with the REDACTED in 2002 and felt that they were very credible in what they reported to him about Fr. Terra having confided to them back in the early 1980s of a relationship he had had with a teenaged female parishioner. At the time, this relationship was described only as "physical" and the REDACTED did not think that it was anything particularly serious. But many years later, when the girl involved in the relationship with Terra confided to REDACTED the true nature of the relationship, the REDACTED learned that it had actually been sexual. This is what they had met with Bishop Curry to report and was the purpose of their meeting with Msgr. Cox. Msgr. Cox also recalled the anger and hurt that the REDACTED expressed now that they knew the truth of what had happened in the early 1980s.

Msgr. Cox was asked whether the REDACTED had mentioned any other relationships that Terra might have been involved in while he was at San Roque, specifically if there was any mention of him having taken advantage of an adult parishioner. Msgr. Cox remembered nothing of the kind having been said.

He was asked further whether he knew any details about Terra's living situation in the Lucerne Valley, whether Terra had his own property out in the desert community or whether he was renting or living on a friend's property. Again, Msgr. Cox replied that he had no specific knowledge of any of the details relative to Terra's living arrangements in the Lucerne Valley, only that he had no phone, used a Post Office Box for mail and was totally unresponsive to attempts on the part of the Archdiocese to meet with him and discuss his situation and the allegations against him.

In conclusion, Msgr. Cox repeated that he found the REDACTED to be very credible in their reports to him and that there was nothing that caused him to doubt that what they told him was the truth.



REDACTED

Archdiocese of Los Angeles

3424
Wilshire
BoulevardLos Angeles
California
90010-2202

CASE: MICHAEL S. TERRA
Accused of *Graviora Delicta*

CERTIFICATE OF AUTHENTICATION

By this instrument, I certify that the documentation herewith transmitted to the Congregation for the Doctrine of the Faith regarding the above-captioned case, beginning with the TABLE OF CONTENTS and ending with this CERTIFICATE, consists either of original writings or of exact duplicates of documents on file in the archives of the Curia of the Archdiocese of Los Angeles.

Given at Los Angeles, California, this 8th day of May in the year of our Lord 2007.

ARCHDIOCESAN SEAL

REDACTED



APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3687

No. 5777

May 16, 2007

This No. Should Be Prefixed to the Answer

REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

Dear REDACTED

I acknowledge your kind letter of May 11, 2007, with enclosure.

Rest assured that the sealed envelope concerning the case of **Reverend Michael S. Terra**, has been transmitted through the diplomatic pouch, to His Eminence William J. Cardinal Levada, Prefect of the Congregation for the Doctrine of the Faith.

With cordial regards and prayerful best wishes, I am,

Sincerely yours in Christ,

Archbishop Pietro Sambi
Apostolic Nuncio

(*unofficial translation*)

CONGREGATION FOR THE DOCTRINE OF THE FAITH
(Dismissal from the clerical state and dispensation from clerical obligations)

Prot. No. 658/2004

Archdiocese of Los Angeles in California
(Los Angeles, USA)

Mr. Michael S. TERRA

On the 8th day of February in the year 2008

the Supreme Pontiff Pope Benedict XVI,

after hearing the report of the Eminent and Reverend Prefect of this Congregation concerning the serious reasons for taking action in regard to the above-mentioned priest of the Archdiocese of Los Angeles in California (Los Angeles, USA), and the necessary preliminary details having been tended to, by supreme decision which allows of no appeal or recourse,

has decreed

that, for the good of the Church, dismissal from the clerical state is to be imposed upon said priest.

To this same priest he also grants a dispensation from every obligation connected with Holy Orders according to the following indications.

1. The dismissal and dispensation take effect from the very moment of the Roman Pontiff's decision.

2. The Decree of dismissal and dispensation is to be notified to the priest by a competent local Ordinary, who may never licitly separate these two elements of the Decree. Moreover, said Decree also includes the absolution from censures, insofar as this may be necessary.

3. Notice of this dismissal and dispensation is to be recorded in the parish baptismal registry of aforesaid priest.

4. With regard to the celebration of a canonical marriage, if such should come to pass, the norms established in the Code of Canon Law are to be observed. However, the Ordinary is to see to it that the celebration takes place with due precaution and without outward ostentation.

5. The ecclesiastical authority whose responsibility it is to notify said priest of this Decree is to exhort the priest earnestly to participate in the life of the People of God in a manner that is in keeping with his new situation of life, to be an edifying example and, in this way, to show himself to be an upright son of the Church. At the same time, however, those things that follow are to be made known to him:

- a) *The dismissed priest, by the very fact of his dismissal, loses the rights proper to the clerical state and he loses as well all ecclesiastical dignities and offices; nor is he bound any longer by the other obligations connected with the clerical state;*
- b) *he remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986 §2 of the Code of Canon Law, wherefore he cannot give a homily, nor is he permitted to take on a directorial role in any administrative office dealing with pastoral matters or to perform the duties of parish administrator;*
- c) *likewise he cannot perform any functions in Seminaries or equivalent Institutions; in other institutions of higher studies that depend in any way upon ecclesiastical authority he cannot discharge any administrative function or teaching office;*
- d) *in other institutions of higher studies that do not depend upon ecclesiastical authority he cannot teach any theological discipline;*
- e) *in institutions of elementary or secondary studies that depend upon ecclesiastical authority he cannot discharge any administrative function or teaching office; in institutions of elementary or secondary studies that do not depend upon ecclesiastical authority the dismissed and dispensed priest is bound by the same prescriptions against teaching religion.*

6. Insofar as possible, the Ordinary shall see to it that the new condition of the dismissed priest will not be a source of scandal for the faithful. Nonetheless, if there is any danger of minors being abused, the Ordinary may make known both the fact of the dismissal and the canonical reasons for it.

7. Notification of this dismissal and dispensation may be made either personally through a notary or ecclesiastical registrar, or by registered mail. The dismissed priest must return one copy properly signed in attestation of having received and accepted the dismissal, dispensation and precepts; but even should he fail to do so, the effects of the Decree remain intact.

8. In a timely manner, the competent Ordinary shall make a brief report to the Congregation concerning the notification that has been made, and should there be any astonishment on the part of the faithful, he shall provide them with a careful explanation.

Anything whatsoever to the contrary notwithstanding.

From the Offices of the Congregation, on the 8th day of February in the year 2008

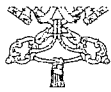
(signature)
Cardinal William Levada
Prefect

(signature)
Angelo Amato, SDB
Titular Archbishop of Sila
Secretary

Date of notification: _____

Signature of priest signifying his acceptance

Signature of Ordinary



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Ufficio

19 February 2008

PROT. N. 658/2004 - 26261

(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Your Eminence,

The Congregation for the Doctrine of the Faith received your correspondence regarding the case of the Rev. Michael S. TERRA, a priest incardinated in the Archdiocese of Los Angeles, who has been accused of the sexual abuse of minors.

This Dicastery, after a careful and attentive study of the facts presented, and in light of the faculty granted to this Congregation by the Supreme Pontiff to dispense from Article 17 of the *motu proprio Sacramentorum sanctitatis tutela* requiring a penal judicial process, decided, on 25 January 2008, to support your request that the above mentioned priest be dismissed from the clerical state *ex officio*.

In an audience granted 8 February 2008, the Holy Father decreed that the Rev. Michael S. Terra is dismissed *ex officio et pro bono Ecclesiae* from the clerical state, and is, moreover, released from all obligations of the Sacred Priesthood, including that of celibacy. Any censures, under which he may be labouring, are remitted by this decree.

You are kindly asked to inform Mr. Terra of this grave decision according to paragraph 7 of the enclosed decree. A signed and notarized copy of the decree should be returned to this Dicastery at your earliest possible convenience.

With fraternal regards and prayerful best wishes, I remain

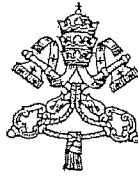
Yours fraternally in the Lord,

William Card. Levada

William Cardinal Levada
Prefect

(Enclosures)

His Eminence
Roger Cardinal MAHONY
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202
UNITED STATES OF AMERICA



CONGREGATIO PRO DOCTRINA FIDEI
(Dimissio e statu clericali ac dispensatio ab oneribus)

Prot. N. 658/2004

Angolorum in California
(Los Angeles, U.S.A.)

D.nus Michael S. TERRA

Die 8 m. Februarii a. 2008

Summus Pontifex Benedictus, Papa XVI

audita relatione Em.mi et Rev.mi Praefecti huius Congregationis circa gravem agendi rationem supradicti presbyteri archidioecesis Angolorum in California (v.d. Los Angeles, U.S.A.), praemissis praemittendis, suprema atque inappellabili decisione nullique recursui obnoxia,

decrevit

pro bono Ecclesiae dimissionem e statu clericali dicto presbytero irrogandam esse.

Eidem presbytero etiam dispensationem concedit ab omnibus oneribus sacrae Ordinationi conexis iuxta sequentes rationes.

1. Dimissio ac dispensatio vim habent ab ipso momento decisionis Romani Pontificis.
2. Dimissionis ac dispensationis Decretum presbytero a competenti Ordinario loci notificetur, cui numquam fas est duo illa elementa seiungere. Idemque insuper secumfert absolutionem a censuris, quatenus opus sit.
3. Notitia dimissionis ac dispensationis adnotetur in Libris baptizatorum paroeciae praedicti presbyteri.
4. Quod attinet si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriore apparatu.
5. Auctoritas ecclesiastica, cui spectat Decretum praefato sacerdoti notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

a) presbyter dimissus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexas non amplius adstringitur;

b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastoralis neve munere administratoris paroecialis fungi;

c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit;

d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologiam disciplinam tradere potest;

e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradenda Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dimissi fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dimissionis necnon causam canonicam divulgare.

7. Notificatio dimissionis et dispensationis fieri potest vel personaliter per notarium aut ecclesiasticum actarium vel per «epistulas perscriptas» (*registered*). Sacerdos dimissus unum exemplar restituere debet rite subsignatum ad fidem receptionis et acceptionis eiusdem dimissionis ac dispensationis ac simul etiam praeceptorum, quod si non faciat integer manet effectus huius Decreti.

8. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 8 m. Februarii a. 2008

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

L. Amato

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretis

Dies notificationis _____

Subsignatio Presbyteri in signum
acceptionis

Subsignatio Ordinarii



CONGREGATIO PRO DOCTRINA FIDEI

(Dimissio e statu clericali ac dispensatio ab oneribus)

Prot. N. 658/2004

Angolorum in California
(Los Angeles, U.S.A.)

D.nus Michael S. TERRA

Die 8 m. Februarii a. 2008

Summus Pontifex Benedictus, Papa XVI

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Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 8 m. Februarii a. 2008

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

Angelus Amato

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretis

Dies notificationis _____

Subsignatio Presbyteri in signum
acceptionis

Subsignatio Ordinarii

RISERVAT

REDACTED

His Eminence
Roger Cardinal MAHONY
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202
U.S.A.



CONGREGATIO PRO DOCTRINA FIDEI
(Dimissio e statu clericali ac dispensatio ab oneribus)

Prot. N. 658/2004

Angolorum in California
(Los Angeles, U.S.A.)

D.nus Michael S. TERRA

Die 8 m. Februarii a. 2008

Summus Pontifex Benedictus, Papa XVI

audita relatione Em.mi et Rev.mi Praefecti huius Congregationis circa gravem agendi rationem supradicti presbyteri archidioecesis Angolorum in California (v.d. Los Angeles, U.S.A.), praemissis praemittendis, suprema atque inappellabili decisione nullique recursui obnoxia,

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Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 8 m. Februarii a. 2008

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

L. Amato

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretis

CONCORDAT CUM ORIGINALI

Notarius Curiae Angelorum
in California

Dies notificationis _____

Subsignatio Presbyteri in signum
acceptionis

Subsignatio Ordinarii

(.unofficial translation)

CONGREGATION FOR THE DOCTRINE OF THE FAITH
(Dismissal from the clerical state and dispensation from clerical obligations)

Prot. No. 658/2004

Archdiocese of Los Angeles in California
(Los Angeles, USA)

Mr. Michael S. TERRA

On the 8th day of February in the year 2008

the Supreme Pontiff Pope Benedict XVI,

after hearing the report of the Eminent and Reverend Prefect of this Congregation concerning the serious reasons for taking action in regard to the above-mentioned priest of the Archdiocese of Los Angeles in California (Los Angeles, USA), and the necessary preliminary details having been tended to, by supreme decision which allows of no appeal or recourse,

has decreed

that, for the good of the Church, dismissal from the clerical state is to be imposed upon said priest.

To this same priest he also grants a dispensation from every obligation connected with Holy Orders according to the following indications.

1. The dismissal and dispensation take effect from the very moment of the Roman Pontiff's decision.
2. The Decree of dismissal and dispensation is to be notified to the priest by a competent local Ordinary, who may never licitly separate these two elements of the Decree. Moreover, said Decree also includes the absolution from censures, insofar as this may be necessary.
3. Notice of this dismissal and dispensation is to be recorded in the parish baptismal registry of aforesaid priest.
4. With regard to the celebration of a canonical marriage, if such should come to pass, the norms established in the Code of Canon Law are to be observed. However, the Ordinary is to see to it that the celebration takes place with due precaution and without outward ostentation.
5. The ecclesiastical authority whose responsibility it is to notify said priest of this Decree is to exhort the priest earnestly to participate in the life of the People of God in a manner that is in keeping with his new situation of life, to be an edifying example and, in this way, to show himself to be an upright son of the Church. At the same time, however, those things that follow are to be made known to him:

- a) *The dismissed priest, by the very fact of his dismissal, loses the rights proper to the clerical state and he loses as well all ecclesiastical dignities and offices; nor is he bound any longer by the other obligations connected with the clerical state;*
- b) *he remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986 §2 of the Code of Canon Law, wherefore he cannot give a homily, nor is he permitted to take on a directorial role in any administrative office dealing with pastoral matters or to perform the duties of parish administrator;*
- c) *likewise he cannot perform any functions in Seminaries or equivalent Institutions; in other institutions of higher studies that depend in any way upon ecclesiastical authority he cannot discharge any administrative function or teaching office;*
- d) *in other institutions of higher studies that do not depend upon ecclesiastical authority he cannot teach any theological discipline;*
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6. Insofar as possible, the Ordinary shall see to it that the new condition of the dismissed priest will not be a source of scandal for the faithful. Nonetheless, if there is any danger of minors being abused, the Ordinary may make known both the fact of the dismissal and the canonical reasons for it.

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8. In a timely manner, the competent Ordinary shall make a brief report to the Congregation concerning the notification that has been made, and should there be any astonishment on the part of the faithful, he shall provide them with a careful explanation.

Anything whatsoever to the contrary notwithstanding.

From the Offices of the Congregation, on the 8th day of February in the year 2008

(signature)
Cardinal William Levada
Prefect

(signature)
Angelo Amato, SDB
Titular Archbishop of Sila
Secretary

Date of notification: _____

Signature of priest signifying his acceptance

Signature of Ordinary

(*unofficial translation*)

CONGREGATION FOR THE DOCTRINE OF THE FAITH
(Dismissal from the clerical state and dispensation from clerical obligations)

Prot. No. 658/2004

Archdiocese of Los Angeles in California
(Los Angeles, USA)

Mr. Michael S. TERRA

On the 8th day of February in the year 2008

the Supreme Pontiff Pope Benedict XVI,

after hearing the report of the Eminent and Reverend Prefect of this Congregation concerning the serious reasons for taking action in regard to the above-mentioned priest of the Archdiocese of Los Angeles in California (Los Angeles, USA), and the necessary preliminary details having been tended to, by supreme decision which allows of no appeal or recourse,

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that, for the good of the Church, dismissal from the clerical state is to be imposed upon said priest.

To this same priest he also grants a dispensation from every obligation connected with Holy Orders according to the following indications.

1. The dismissal and dispensation take effect from the very moment of the Roman Pontiff's decision.
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4. With regard to the celebration of a canonical marriage, if such should come to pass, the norms established in the Code of Canon Law are to be observed. However, the Ordinary is to see to it that the celebration takes place with due precaution and without outward ostentation.
5. The ecclesiastical authority whose responsibility it is to notify said priest of this Decree is to exhort the priest earnestly to participate in the life of the People of God in a manner that is in keeping with his new situation of life, to be an edifying example and, in this way, to show himself to be an upright son of the Church. At the same time, however, those things that follow are to be made known to him:

- a) *The dismissed priest, by the very fact of his dismissal, loses the rights proper to the clerical state and he loses as well all ecclesiastical dignities and offices; nor is he bound any longer by the other obligations connected with the clerical state;*
- b) *he remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986 §2 of the Code of Canon Law, wherefore he cannot give a homily, nor is he permitted to take on a directorial role in any administrative office dealing with pastoral matters or to perform the duties of parish administrator;*
- c) *likewise he cannot perform any functions in Seminaries or equivalent Institutions; in other institutions of higher studies that depend in any way upon ecclesiastical authority he cannot discharge any administrative function or teaching office;*
- d) *in other institutions of higher studies that do not depend upon ecclesiastical authority he cannot teach any theological discipline;*
- e) *in institutions of elementary or secondary studies that depend upon ecclesiastical authority he cannot discharge any administrative function or teaching office; in institutions of elementary or secondary studies that do not depend upon ecclesiastical authority the dismissed and dispensed priest is bound by the same prescriptions against teaching religion.*

6. Insofar as possible, the Ordinary shall see to it that the new condition of the dismissed priest will not be a source of scandal for the faithful. Nonetheless, if there is any danger of minors being abused, the Ordinary may make known both the fact of the dismissal and the canonical reasons for it.

7. Notification of this dismissal and dispensation may be made either personally through a notary or ecclesiastical registrar, or by registered mail. The dismissed priest must return one copy properly signed in attestation of having received and accepted the dismissal, dispensation and precepts; but even should he fail to do so, the effects of the Decree remain intact.

8. In a timely manner, the competent Ordinary shall make a brief report to the Congregation concerning the notification that has been made, and should there be any astonishment on the part of the faithful, he shall provide them with a careful explanation.

Anything whatsoever to the contrary notwithstanding.

From the Offices of the Congregation, on the 8th day of February in the year 2008

(signature)
Cardinal William Levada
Prefect

(signature)
Angelo Amato, SDB
Titular Archbishop of Sila
Secretary

Date of notification: _____

Signature of priest signifying his acceptance

Signature of Ordinary

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature x <u>Michael S. Tera</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>MICHAEL S. TERA</u> C. Date of Delivery <u>2/13/08</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: <u>Michael S. Tera</u> REDACTED		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7005 1160 0005 1652 6423	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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REDACTED

Archdiocese of Los Angeles
3424 Wilshire Blvd., 12th floor
Los Angeles, CA 90010





 REDACTED

Archdiocese of Los Angeles

 3424
 Wilshire
 Boulevard

 Los Angeles
 California
 90010-2202

PERSONAL AND CONFIDENTIAL

12 March 2008

Michael S Terra
 P. O. Box 2020
 Lucerne Valley, CA 92356

Dear Mr. Terra,

I write to inform you that on 8 February last Pope Benedict XVI decreed your dismissal from the clerical state, at which time he also dispensed you from all obligations connected with Holy Orders. I regret that I have no other contact information for you other than this post office box, as I would have preferred to make this communication to you in a more personal manner.

Enclosed with this letter are two authentic, notarized copies of the original Latin-language decree and an unofficial English-language translation of the same, together with a brief explanation of the canonical references made in the document. I would kindly ask you to sign one of the authentic, notarized copies of the decree on the space below which is written "*Subsignatio Presbyteri in signum acceptionis*," to write the date — with the month spelt out in full rather than using a number — in the space following the words "*Dies notificationis*," and then to send this signed and dated copy back to me in the addressed, stamped return envelope provided. You may retain the other authentic copy, the translation and the canonical explanation.

I thank you very much for your attention to this matter, and once more I regret that it was not possible to make more personal contact with you. Should you have any questions or concerns regarding any of this, please feel free to contact me at REDACTED ; I will be happy to offer whatever assistance I can.

With prayerful good wishes, I am

Sincerely yours in Christ.
 REDACTED



COPY

REDACTED

Archdiocese of Los Angeles

3424
Wilshire
BoulevardLos Angeles
California
90010-2202

CONFIDENTIAL

RE: Dismissal of Michael Samuel Terra from the Clerical State,
Annotation of Baptismal Record

21 May 2008

The Reverend Pastor or Parish Administrator
Old Mission Church
751 Palm St.
San Luis Obispo, CA 93401

Reverend and Dear Father/Parish Administrator,

Michael Samuel Terra, born on 6 January 1951, was baptized at the Old Mission Church on 4 March 1951. On 27 May 1978 he was ordained to the Sacred Order of Priesthood for service to the Archdiocese of Los Angeles in California.

On 8 February 2008 His Holiness Pope Benedict XVI dismissed Father Terra from the clerical state and dispensed him from all obligations connected to Holy Orders. I would now ask you kindly to make a notation of this dismissal and dispensation on Terra's baptismal record. The notation may read in these or similar words:

*Dismissed from the clerical state
and dispensed from all clerical obligations
on 8 February 2008.*

I would also ask you kindly to notify me when the above notation has been made.

Thanking you for your assistance in this matter, and with prayerful good wishes, I
am

Sincerely yours in Christ,
REDACTED

Certificate of Baptism



OLD MISSION CHURCH
P.O. Box 1483
SAN LUIS OBISPO, CALIFORNIA
THIS CERTIFIES

That Michael Samuel Terra

REDACTED
Child of

and _____

born in San Luis Obispo, Calif.

on the 6th day of January, 19 51

WAS BAPTIZED

on the 4th day of March, 19 51

According to the Rite of the Roman Catholic Church

by the Rev. _____

the sponsors were { REDACTED

as shown in the Baptismal Register of this Church.

This Certificate issued

this 19th day of January 1965

REDACTED

Rev

Box 1 page 1 No. 1



 REDACTED

Archdiocese of Los Angeles

 3424
 Wilshire
 Boulevard

 Los Angeles
 California
 90010-2202

21 May 2008

The Most Reverend Pietro Sambì
 Apostolic Nuncio to the United States of America
 3339 Massachusetts Avenue, N.W.
 Washington, D.C. 20008

RE: Michael S. Terra
 Notification of Dismissal from the Clerical State

Your Excellency,

Enclosed is a letter addressed to Cardinal William Joseph Levada, Prefect of the Congregation for the Doctrine of the Faith. The letter advises the Congregation that Mr. Michael S. Terra, dismissed *ex officio et pro bono Ecclesiae* from the clerical state by His Holiness Pope Benedict XVI, has been duly notified of the Holy Father's decision, and with the letter a notarized copy of the decree of dismissal is also being returned to the Congregation.

I respectfully ask you to forward this correspondence to the Congregation.

With gratitude for your kind assistance in this matter, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,
 REDACTED

(enclosure)



REDACTED

Archdiocese of Los Angeles

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

Re: Prot. No. 658/2004
Michael S. Terra
Notification of *ex officio* Dismissal from the Clerical State

21 May 2008

Cardinal William Joseph Levada
Prefect
Congregation for the Doctrine of the Faith
00120 Vatican City

Your Eminence:

I write in reply to the above-referenced case and to your letter of 19 February last, informing Cardinal Roger Mahony that His Holiness Pope Benedict XVI had decreed the dismissal *ex officio et pro bono Ecclesiae* of Michael S. Terra from the clerical state.

Terra is living outside the territory of the Archdiocese of Los Angeles, and the only contact information we have for him is a post office box. Inasmuch as he has given no response to any previous efforts to communicate with him, there appeared to be little hope that he would comply with the request to sign and return the rescript of his dismissal. Therefore, in notifying him by registered mail of his dismissal and requesting that he return a signed copy of the rescript to our offices, it was decided to send him authentic copies of the rescript rather than the original copies sent by your Dicastery.

However, Terra did respond to this final request, and returned the enclosed signed authentic copy of the rescript. There is no signature on the line marked "Subsignatio Ordinarii" because it was not possible to have Terra sign the rescript in the presence of a duly authorized ecclesiastical representative. However, I am satisfied that the signature on the document is indeed that of Michael S. Terra and that Terra has been properly notified of his dismissal, in accordance with the requirements of the rescript itself.

Enclosed with the signed authentic copy of the rescript are photocopies of the signed certified mail receipt and of my letter to Terra notifying him of his dismissal.

Thanking Your Eminence for your kind assistance in this difficult matter, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,

REDACTED

(enclosures)



CONGREGATIO PRO DOCTRINA FIDEI
(Dimissio e statu clericali ac dispensatio ab oneribus)

Prot. N. 658/2004

Angelorum in California
(Los Angeles, U.S.A.)

D.nus Michael S. TERRA

Die 8 m. Februarii a. 2008

Summus Pontifex Benedictus, Papa XVI

audita relatione Em.mi et Rev.mi Praefecti huius Congregationis circa gravem agendi rationem supradicti presbyteri archidioecesis Angelorum in California (v.d. Los Angeles, U.S.A.), praemissis praemittendis, suprema atque inappellabili decisione nullique recursui obnoxia,

decrevit

pro bono Ecclesiae dimissionem e statu clericali dicto presbytero irrogandam esse.

Eidem presbytero etiam dispensationem concedit ab omnibus oneribus sacrae Ordinationi conexis iuxta sequentes rationes.

1. Dimissio ac dispensatio vim habent ab ipso momento decisionis Romani Pontificis.
2. Dimissionis ac dispensationis Decretum presbytero a competenti Ordinario loci notificetur, cui numquam fas est duo illa elementa seiungere. Idemque insuper secumfert absolutionem a censuris, quatenus opus sit.
3. Notitia dimissionis ac dispensationis adnotetur in Libris baptizatorum paroeciae praedicti presbyteri.
4. Quod attinet si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriori apparatu.
5. Auctoritas ecclesiastica, cui spectat Decretum praefato sacerdoti notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

a) presbyter dimissus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexas non amplius adstringitur;

b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastoralis neve munere administratoris paroecialis fungi;

c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit;

d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;

e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradenda Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dimissi fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dimissionis necnon causam canonicam divulgare.

7. Notificatio dimissionis et dispensationis fieri potest vel personaliter per notarium aut ecclesiasticum actuarium vel per «epistulas perscriptas» (*registered*). Sacerdos dimissus unum exemplar restituere debet rite subsignatum ad fidem receptionis et acceptionis eiusdem dimissionis ac dispensationis ac simul etiam praeceptorum, quod si non faciat integer manet effectus huius Decreti.

8. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 8 m. Februarii a. 2008

William Card. Levada

Gulielmus Cardinalis LEVADA

Praefectus

L. Amato

REDACTED

F

✠ Angelus AMATO, S.D.B.

Archiep. titularis Silensis

a Secretis

Dies notificationis MARCH 18, 2008

Michael S. Terra

Subsignatio Presbyteri in signum
acceptionis

Subsignatio Ordinarii



 REDACTED

Archdiocese of Los Angeles

 3424
 Wilshire
 Boulevard

 Los Angeles
 California
 90010-2202

PERSONAL AND CONFIDENTIAL

12 March 2008

 Michael S Terra
 P. O. Box 2020
 Lucerne Valley, CA 92356

Dear Mr. Terra,

I write to inform you that on 8 February last Pope Benedict XVI decreed your dismissal from the clerical state, at which time he also dispensed you from all obligations connected with Holy Orders. I regret that I have no other contact information for you other than this post office box, as I would have preferred to make this communication to you in a more personal manner.

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I thank you very much for your attention to this matter, and once more I regret that it was not possible to make more personal contact with you. Should you have any questions or concerns regarding any of this, please feel free to contact me at REDACTED; I will be happy to offer whatever assistance I can.

With prayerful good wishes, I am

 Sincerely yours in Christ
 REDACTED

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- Complete items 1; 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael S. Terra
REDACTED

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Michael S. Terra* ☐ Agent ☒ Addressee

B. Received by (Printed Name)

MICHAEL S. TERRA

C. Date of Delivery

2/15/08

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

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☒ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

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PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



Mission San Luis Obispo

751 Palm Street • San Luis Obispo, California 93401 • Phone (805) 781-8220 • Fax (805) 781-8214
e-mail: office@oldmissionslo.org • Web address: www.missionsanluisobispo.org

Confidential

May 27, 2008

REDACTED

3424 Wilshire Boulevard
Los Angeles, CA. 90010-2202

RE: Dismissal annotation of Michael Samuel Terra

The following notation has been noted on May 27, 2008 Recorded in Volume 8, page 222, record number 1546. "Dismissed from the clerical state and dispensed from all clerical obligations on 8th of February 2008."

Sincerely,
REDACTED



APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3610

No. 5777

May 27, 2008

This No. Should Be Prefixed to the Answer

REDACTED

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

Dear REDACTED

I acknowledge your kind letter of May 21, 2008, with enclosure.

Rest assured that the sealed envelope addressed to His Eminence William J. Cardinal Levada, containing information concerning **Mr. Michael S. Terra**, has been transmitted to the Congregation for the Doctrine of the Faith, through the diplomatic pouch.

With cordial regards and prayerful best wishes, I am,

Sincerely yours in Christ,

Archbishop Pietro Sambi
Apostolic Nuncio

MEMORANDUM

TO: CARDINAL ROGER MAHONY /
 FROM: REDACTED
 SUBJECT: COPIES OF REDACTED MATERIAL TO BE RESENT TO CDF;
 FURTHER INFORMATION IN THE TERRA CASE
 DATE: JULY 30, 2007

I write in response to your emails concerning CDF cases pending in Rome. I apologize for the delay in getting back to you, but I was away on vacation at the time you sent your messages, having returned only last week.

REDACTED

The Terra case. I am surprised that the material submitted should be seen as insufficient, since the complete report was accompanied by full documentation. I am enclosing for your review copies of the report and documentation* sent to Rome. This material can be returned to me at your leisure. Except for the settlement of the civil case involving Terra, there really isn't any new information to send and I doubt that further investigation will turn up anything useful. I am therefore inclined to make direct contact with REDACTED on this case, in order to ascertain with him what may realistically be done to move things forward. Let me know what you think.

REDACTED

* Regarding the documentation tabs, because no tabs numbered 1-25 were available, tabs starting with number 26 were used in assembling the present package. Therefore, it is necessary to add 25 to the number for the documentary exhibit cited in the report to find the corresponding tab for that exhibit.

*- Really well done! Please send to
 CDF via Fed Ex or other carrier - Thanks!
 7-30-31 L RMA*