

JUDICIARY BOARD OF THE CHURCH OF GOD IN CHRIST, INC.

EMMANUEL CHURCH OF GOD IN CHRIST
WICHITA, KANSAS

Appellee,

vs

KANSAS SOUTHWEST
CHURCH OF GOD IN CHRIST, INC.

Appellant.

CASE NO. 02-04

DECISION ON APPEAL FROM THE GENERAL BOARD

This case comes before this Court on the Appellee's Appeal from the General Board's denial of a request for transfer from Kansas Southwest Jurisdiction to Kansas Central Jurisdiction.

FACTS

The Appellee, Emmanuel Church of God In Christ is located in the Kansas Southwest Jurisdiction where Bishop Joseph Gilkey is Jurisdictional Bishop. Elder Joshua Stidham for 38 years was the Founder and Pastor of Emmanuel Church of God In Christ located at Wichita Kansas. Pastor Stidham died October 20, 2004. He was funeralized and buried on October 26, 2004 and on October 31, 2004, the membership was notified by Superintendent James Watson that Bishop Gilkey was appointing Elder Ronald Love as the Pastor of Emmanuel Church of God In Christ. The Emmanuel Church membership was in opposition to this appointment, and Bishop Gilkey subsequently removed Elder Love and he, the Bishop maintained the supervision and management of Emmanuel Church of God

In Christ.

In a related matter, on March 5, 2008, in a Kansas State Court Case No. 05 C4 0621,

Church of God In Christ, Inc. and Kansas Southwest Church of God In Christ vs.

Emmanuel Church of God In Christ was dismissed, subsequent to a mediated settlement. A

part of this mediated settlement was an agreement that Emmanuel Church of God In

Christ would request within 15 days a transfer from Kansas Southwest Jurisdiction to

Kansas Central Jurisdiction. A request for transfer was made to the National Church and

the request for transfer was heard by the General Board and ultimately denied.

The Applicable Law

The Law Governing The Filling Of Vacancies in Pastorates

All vacancies that occur in the pastorate of a local church shall be filled by the Jurisdictional Bishop. The supervision and management of the Church shall remain with the Jurisdictional Bishop or his designee until such time as a Pastor is appointed to fill such vacancy." [Sec. D, Par. 17, COGIC Constitution, as amended May 1, 1982.]

Transfer of Local Church

(1) No local church shall be authorized to change or transfer its Jurisdictional affiliation to another Jurisdiction unless at least two-thirds ($\frac{2}{3}$) of the church's membership agrees to such transfer.

(2) Two-thirds ($\frac{2}{3}$) of the membership must be present and voting after due notice before authorization can be given to move the church from one Jurisdiction to another.

(a) The Pastor of the church shall notify in writing the General Secretary of the Church Of God In Christ, the Jurisdictional Bishop where the church is affiliated and the Jurisdictional Bishop where the church intends to transfer, which notice shall be given at least thirty (30) days before the local church's membership can act on said transfer. The notice shall include the following information:

1. Name of Pastor
2. Name and location of the Church
3. Current membership enrollment
4. Jurisdiction where church is affiliated

SUMMARY

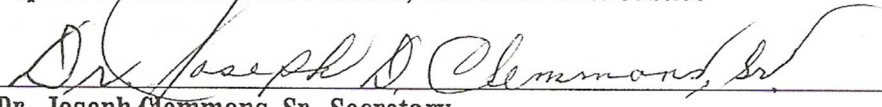
Emmanuel Church of God In Christ, Wichita, Kansas, is a recognized congregation of the Church of God in Christ, Inc. with Headquarters in Memphis Tennessee and is an integral part of the Kansas Southwest Jurisdiction where Bishop Joseph Gilkey has been the Presiding Bishop of this Jurisdiction for the 35 years where this Church has served.

The request by certain members of Emmanuel Church of God In Christ to transfer from Kansas Southwest Jurisdiction, is hereby denied, which affirms the decision of the General Board.

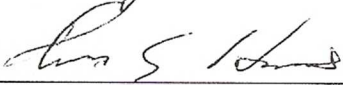
ORDERED AND DECREED this 22 day of January, 2009.

Bishop Samuel P. Nesbitt, Chief Justice

Superintendent Thomas Jackson, Associate Chief Justice



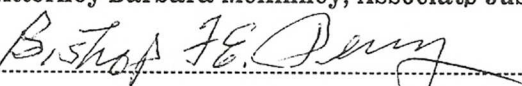
Dr. Joseph Clemmons, Sr., Secretary




Elder Thomas Hammonds, Associate Justice



Attorney Barbara McKinney, Associate Justice

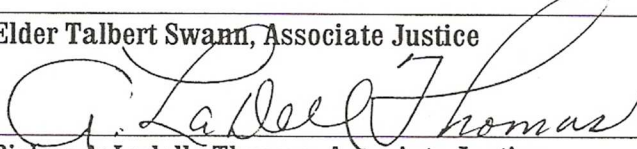


Bishop Floyd E. Perry, Associate Justice



Dr. Velda Slack, Associate Justice

Elder Talbert Swann, Associate Justice



Bishop A. Ladelle Thomas, Associate Justice