JUDICIARY BOARD CHURCH OF GOD IN CHRIST, INC.

1

CHURCH OF GOD IN CHRIST, INC.)	
PLAINTIFF)	
)	APRIL 2013
VS.)	
)	ORDER 106-11
BISHOP THOMAS L. HOLSEY,)	
RESPONDENT/APPELANT	Ś	

STATEMENT OF THE CASE

This is in response to Bishop Thomas L. Holsey's inquiry, dated April 18, 2013 as to the status of his probation.

On November 15, 2010 Respondent, Bishop Thomas L. Holsey was placed on probation at a trial in which he was found guilty of one count of misfeasance by the trial court of the Board of Bishops. Pursuant to this trial and its findings, Respondent agreed to be placed on probation for a period of two (2) years commencing effectively on November 15, 2010 and ending November 15, 2012. Respondent was subject to the stipulated and agreed upon conditions of said probation.

On or about April 12, 2011, this Honorable Court, on appeal from Respondent vacated the January 27, 2011 Order of the Board of Bishops and remanded the case back to the Board of Bishops for "further review, clarification and implementation", of the Board of Bishops Order (clarified) of November 15, 2010.

It is the determination of this court that the clock has run out and Respondent has completed the probationary time limit as ordered by trial court. We offer no opinion as to the satisfactory completion of each condition of the probation, as this would or should be rightly determined by the trial court. Sufficed to say, if Respondent at any point had failed to complete any condition of the probation, it is the responsibility of trial court to convene a hearing on such failure, and if Respondent's failure to comply is sustained, the trial court could have exercised its authority to suspend probation, extend the length of probation or apply such other measures to bring Respondent into compliance. Probation is the period during which a person is subject to critical examination and evaluation.

However at this point, the clock has run and Respondent cannot be compelled to participate in a hearing (if requested) regarding his possible failure to satisfactorily complete any or all of the probationary conditions. Thus, to do so would violate his constitutional rights. The term of probation was completed on November 15, 2012. At this time there is no legitimate need to keep Bishop Thomas L. Holsey on probation. As of this date, all terms and conditions of probation have been fully satisfied.

The Respondent having been placed on probation for a period of two years by Order of the Board of Bishops' court dated November 15, 2010 and the Judiciary Board not being aware of any material violations of probation during the period of supervision, and after notifying the Board of Bishops of this Court's intent to terminate and discharge the Respondent absolutely. Noting that on April 12, 2011, this Honorable Court extended supervisory jurisdiction over this case and as such renders a final Decision Relative To The Conclusion, or completion of Respondent's probation as ordered by the trial court of the Board of Bishops.

IT IS HEREBY ORDERED THAT:

The Respondent, Bishop Thomas L. Holsey is released from probation effective immediately.

DATED: May 29, 2013

Thomas Jackson, Jr. Chief Just