

Ronald E. Stidham  
4310 Salem St.  
Wichita, KS 67220  
September 10, 2019

Bishop J. H. Lyles  
General Secretary  
Church of God in Christ, Inc.  
930 Mason St.  
Memphis, Tennessee 38126  
jlyles@cogic.org

Peter Davis  
Secretary  
Church of God in Christ –Judiciary Board  
P.O. Box 10141  
Birmingham, Alabama 35202  
davispj11@aol.com

**Sent Via Electronic Mail**

RE: Bishop Enoch Perry III, Charges for Impeachment

Pursuant to Article VIII—Judiciary Board, the following attached document are Charges for Impeachment consisting of

- Charges for Impeachment
- Exhibits

It is my belief; Justice Enoch Perry III has committed egregious violations worthy of Impeachment

Sincerely



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Ronald E. Stidham

cc. Bishop L.F. Thuston  
Encl:

**Before The  
GENERAL ASSEMBLY  
JUDICIAL REVIEW COMMITTEE  
OF THE  
CHURCH OF GOD IN CHRIST, INC.**

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	§
RONALD E. STIDHAM	§
	§
COMPLAINANT(S)	§
	§
VS	§
	§
BISHOP ENOCH PERRY III,	§
	§
RESPONDENT	§

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**PURSUANT TO ARTICLE VIII—JUDICIARY BOARD**

**OFFICIAL CHARGES FOR IMPEACHMENT**

Comes Now Elder Ronald E. Stidham, hereinafter referred to as the Complainant, a member of the Church of God in Christ, Inc., and file this herein petition against Bishop Enoch Perry III, of the Judiciary Board of the Church of God in Christ, Inc., with headquarters in Memphis, Tennessee and alleges and states as follows:

Bishop Enoch Perry III, hereinafter referred to as the Respondent, did violate the rules and regulations of Article VIII—Judiciary Board of the Constitution of the Church of God in Christ, Inc. as follows:

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## STATEMENT OF FACTS

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Bishop Enoch Perry III, Vice-Chairman of the Judiciary Board (hereafter “Respondent”) has knowingly engaged in conduct that is a violation, including the following:

- 1) Refusing to recuse himself in the deliberation of a where he had a clear and documented conflict of interest, and acting in concert with Chief Justice Bishop Martin L. Johnson and Secretary Elder Peter Davis in the use of their official offices to conceal this conflict from the Judiciary Board;
- 2) Collusion with two other elected officers of the Judiciary Board to unfairly influence the outcome of a case; and
- 3) Fraud in the election process.

As a licensed attorney, Respondent is acutely aware of the code of ethics which each state he is licensed to practice in requires him to abide by. His chosen profession requires him under penalty of disbarment to operate with integrity and abide by the Canons of Law in each state and those of the Federal Government. That is what makes these blatant violations of the Constitution of the Church of God in Christ so egregious. These were done willfully and with foreknowledge, almost thumbing his nose at the law, and the General Assembly.

Respondent as a licensed and practicing attorney has operated as General Counsel for the Church of God in Christ, Inc. for a number of years. As General Counsel, Respondent was required to serve as attorney, counselor and advisor to countless Jurisdictions in a wide variety of legal matters. His esteemed position also required that he have an extensive working knowledge of the provisions of Article VIII and the overall governance of the church.

Respondent was eventually terminated from his position as General Counsel. He subsequently ran for a position as a representative of the Board of Bishops for the Judiciary

Board with full knowledge that (a) he did not meet the criteria to be elected to the position he was running for because he was an Auxiliary Bishop, and (b) that if successful, there would be number of potential cases that he would be required to recuse himself because of his unique and intimate relationship with the parties fostered and created by his position and capacity as General Counsel and attorney for so many individuals.

In 2004, Bishop Rufus Kyles served as the Jurisdictional Bishop of Texas Southeast No. 1. I or around May 11, 2004 and possibly some time before and after that date, Bishop Kyles sought and received legal services in a matter related to Williams Temple Church of God in Christ, a church affiliated with Texas Southeast No. 1.

Respondent, in his *capacity* as Chief of Staff of the legal department for the Church of God in Christ, served as legal counsel to Bishop Kyles<sup>1</sup> and his ecclesiastical Jurisdiction. Judge Perry has participated in the resolution of the Kyles case before the Judiciary Board. To date, Judge Perry has made no disclosure of this clear and obvious conflict of interest and has, in fact, co-authored the Final Order in the Kyles case.

The Judicial Code of Conduct adopted in conjunction with Article VIII addresses this precise situation almost verbatim. As the attached transcript confirms, Respondent served as legal counsel in a legal matter within his jurisdiction. He is now actively presiding over a case that arises out of that jurisdiction. There is no grey area, middle ground or safe harbor here. This is one of the most fundamental principles and precepts of jurisprudence and legal representation. It is wrong. It is a violation of the Judicial Code of Ethics. It is a constitutional violation.

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<sup>1</sup> Exhibit 1: Transcript from Business Meeting of Williams Temple Church of God in Christ, Houston, Texas, May 11, 2004.



Moreover, this conduct is a violation of Rule 19-308.4 Misconduct (8.4) of the Rule of Professional Conduct in the state of Maryland.<sup>2</sup> Upon information and belief, Respondent is licensed to practice law in the state of Maryland.

It is important to understand why these charges are being filed. Respondent has developed and now continued in a pattern of conduct that is in violation of the ethical standards in Article VIII, and every jurisdiction that he is licensed to practice law. He took advantage of his influence as former general Counsel and misused the trust that his brethren placed in him as to deceptively gain admittance to the court as a Justice. If this were excusable, the misconduct has not stopped there. Respondent has continued by acts of omission and commission to deceive, conceal and collude with other Justices and individuals outside of the court.

If found guilty of just one of the charges listed in this petition, there are adequate grounds for Respondent to be impeached. Respondent is an officer within the Judiciary Board and must be held to an even higher standard due to his intimate and longstanding knowledge of the policies of the church.

The establishment of the Judiciary Board shall assure that the legitimately aggrieved members of the Church of God in Christ, Inc. are heard, that fairness prevails throughout the brotherhood, and that equal protection and due process are and continue to be the right of every Church member<sup>3</sup>.

The belief one will be treated with fairness and the judges one appears before uphold the highest standards of honesty, integrity and the belief their due process rights will be protected is fundamental to the success of any court.

Maintaining the public's trust and confidence in the courts is integral to the credibility of the judicial branch. This trust cannot be assumed. The court must establish and nurture public trust through its core responsibility of resolving disputes. The court process must not only be just, it must-have the appearance of being just. Public perceptions of the court

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<sup>2</sup> Attached hereto as Exhibit 2 is a copy of Maryland Statutes, Rule 19-308.4 Misconduct (8.4)

<sup>3</sup> Article VIII, Preamble: The Judiciary Board (final paragraph)

system are largely formed by the experiences of individual parties in individual cases, all looking to the court for prompt and fair resolution of their disputes.

Guided by the principles of procedural fairness, courts can enhance public trust and confidence by treating every party — plaintiffs, victims and defendants alike — with dignity and respect, and explaining the court process and court rulings in a timely matter. Trust and confidence are further enhanced through the transparent and consistent application of court procedures, timely resolution of court cases and providing public information regarding the court processes, court services and mechanisms for accessing them.

Court leaders help promote and maintain public trust and confidence by creating organizational cultures that foster integrity, transparency and accountability for court processes and operations<sup>4</sup>.

Any citizen who has to appear in court should have absolute confidence that the judges will be fair and impartial. This is the basic right of due process we all expect and deserve in a civil court, and more so in an ecclesiastical court.

Article VIII of our church constitution is in unwavering agreement that public confidence in the judiciary is eroded by irresponsible or improper conduct by justices. As such, it specifically sets forth the appropriate conduct and standards for a Justice. For example, a justice must avoid all impropriety and appearance of impropriety. He/she must expect to be the subject of constant public scrutiny. He/she must therefore accept restrictions on his/her conduct that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.<sup>5</sup>

Respondent has violated the provisions of Article VIII and failed to protect the integrity of the Judiciary Board.

For the above stated reasons, we file the following charges against Bishop Enoch Perry III, Vice-Chairman of the Judiciary Board.

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<sup>4</sup> National Association for Court Management (<https://nacmcore.org/competency/public-trust-and-confidence/>)

<sup>5</sup> Canon 2 commentary

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## COUNT I

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### CONFLICT OF INTEREST

#### CANON 3: PERFORM THE DUTIES OF OFFICE IMPARTIALLY

##### **A justice should perform the duties of his/her office impartially and diligently:**

The judicial duties of a justice take precedence over all his/her other activities as pastor, district superintendent, district missionary, state supervisor, jurisdictional bishop, and national officers. His/her judicial duties include all the duties of his/her office prescribed by the constitution. In the performance of these duties, the following standards apply.

##### C. Disqualification.

(1) A justice should disqualify himself/herself in a proceeding in which his/her impartiality might reasonably be questioned, including but not limited to instances where:

(a) he/she has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

(b) he/she served as counselor in the matter in controversy, or a counselor with whom he/she previously practiced law served during such association as a counselor concerning the matter, or the justice or such counselor has been a material witness concerning it;

On May 11, 2004, Respondent acted on a request by Bishop Kyles in a matter of controversy, Respondent gave instructions of his interpretation of the constitution of the Church of God in Christ<sup>6</sup>. When the matter concerning Bishop Kyles came before the Judiciary Board, Respondent refused to recuse himself even when the conflict was brought to the attention of the court<sup>7</sup>. Respondent also acted in concert with Chief Justice Johnson and Justice Davis to prevent these conflict of interest issues from being exposed and discussed by the Judiciary Board prior to ruling on the Bishop Kyles case. Respondent knew this was the kind of conflict that would inevitably arise when he made the decision to run for the Judiciary Board. Nonetheless, he has not acted ethically in this matter.

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<sup>6</sup> Exhibit 1

<sup>7</sup> Exhibit 4

A judge must operate with integrity, not according to what he can get by with for the court to be effective. This failure to recuse himself was and is a violation of the Judicial Code of Conduct.

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## COUNT II

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### **JUDICIAL MISCONDUCT**

#### **COLLUSION WITH OTHER PARTIES IN CONJUNCTION WITH A CASE UNDER REVIEW**

Respondent allowed, “The Powers that be” to influence him in a headlong rush to please those who wanted an order in the Kyles case done at the April 2019 call meeting.<sup>8</sup> The pressure to “please” was an overriding factor which prevented Respondent from ensuring Bishop Kyles was afforded his full constitutional right of due process.

#### **CANON 3: PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

##### **A justice should perform the duties of his/her office impartially and diligently:**

The judicial duties of a justice take precedence over all his/her other activities as pastor, district superintendent, district missionary, state supervisor, jurisdictional bishop, and national officers. His/her judicial duties include all the duties of his/her office prescribed by the constitution. In the performance of these duties, the following standards apply.

##### **A. Adjudicative Responsibilities.**

(1) A justice should be faithful to the law and maintain professional competence in it. He/she should be unswayed by partisan interests, public clamor, or fear of criticism.

A justice should accord to every person who is legally interested in a proceeding or his/her counselor, full right to be heard according to law, and, except as authorized by law, must not consider ex parte communications concerning a pending proceeding.

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<sup>8</sup> Exhibit#: Count 7, paragraph 2, Impeachment for Chief Justice Martin L. Johnson

## CANON 2: AVOID THE APPEARANCE OF IMPROPRIETY

**A justice should avoid impropriety and the appearance of impropriety in all his/her activities:**

A. A justice should respect and comply with the Church's constitution, amendments, by-laws, and all appendices thereto and should conduct himself/herself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Respondent showed a blatant disregard for the rule of law, failed to respect, and comply with the Constitution of the Church of God in Christ, Inc.

**Misconduct:** A transgression of some established and definite rule of action, a forbidden act, a dereliction from duty, unlawful behavior, willful in character, improper or wrong behavior; its synonyms are misdemeanor, misdeed, misbehavior, delinquency, impropriety, mismanagement, offense, but not negligence or carelessness. Term “misconduct” when applied to act of attorney, implies dishonest act or attempt to persuade court or jury by use of deceptive or reprehensible methods. *People v. Sigal*, 249 C.A. 2d 299, 57 Cal. Rptr. 541, 549.

*(Black’s Law 6<sup>th</sup> Edition)*

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### COUNT III

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**Fraud in the Judiciary Board Election Process:** Knowingly running for office when he was ineligible.

**Fraud:** A knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment.

*(Black’s Law Dictionary 9<sup>th</sup> Ed)*

Respondent had been appointed by Bishop L.H. Ford to be the General Counsel for the Church of God in Christ, Inc. a position he held until approximately April 2013, a position held by

Respondent for approximately eighteen (18) years. Subsequent to his removal as General Counsel Respondent was consecrated as an Auxiliary Bishop. In April 2014, Respondent ran for an Episcopal position on the Judiciary Board with full knowledge he was not qualified. To be the General Counsel; the one who advised “...*the national organization with regard to interpretation of their constitution or bylaws and one who has*” and has “...*drafted major portion of the amendments to the constitution.*”<sup>9</sup> considered the expert on the Constitution of the Church of God in Christ. To have such an extensive knowledge of the constitution and knowingly run for an office he was not eligible for, displays an egregious lack of integrity and disdain for the rules and regulations of the Church. The General Assembly delegates would believe “Judge Enoch Perry III” would not attempt to deceive them.

Article VIII, Composition and Criteria an amendment to the charter states;

“The Judiciary Board shall be composed of nine (9) members designated in three (3) categories: episcopal, ministerial, and general. Three (3) members shall be jurisdictional bishops (episcopal), three (3) members shall be elders other than bishops (ministerial), and three (3) members shall be from the church at large (general). Each member shall be at least forty-five years of age and an active member of the Church of God in Christ for not less than twenty (20) successive years, a person of mature judgment, proven ability, integrity and knowledgeable in Church of God in Christ constitutional matters.”

As an Auxiliary Bishop, Respondent constitutionally did not qualify for an episcopal position, with his knowledge of the constitution to conceal that fact was an act of fraud.

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<sup>9</sup> 05-CV621 COGIC, INC. vs BOARD OF TRUSTEES of EMMANUEL COGIC, page 9, lines 20-25, page 10, lines 1-3

I, the Complainant Elder Ronald E. Stidham, a member of the Church of God in Christ, Inc., as Complainant in the above and foregoing Complaint, affirm that the statements and allegations contained herein are true, and correct on this Thursday, September 19, 2019.



Ronald E. Stidham  
4310 Salem Ave  
Wichita, Kansas 67220  
(316) 682-5746  
stidhamr@prodigy.net

# Exhibit 1

WILLIAMS TEMPLE  
CHURCH OF GOD IN CHRIST  
2524 Delano Street  
Houston, Texas 77004

May 11, 2004

## BUSINESS MEETING

### Pastor:

Superintendent Destry C. Bell, Sr.

### Board of Trustees:

Norman White	Chairman
James Chestnut	Vice-Chairman
Sharon Parker	Secretary
Robert Price	Treasurer
Cari Barnes	
John Davis	
Merle Plattenburg	
Diane Woodard	

COPY



Special Guests:

BISHOP RUFUS KYLES, Presiding Bishop Texas  
Southeast No. 1

BISHOP J. NEAUL HAYNES, Second  
Vice-President to the General Board

BISHOP W. W. HAMILTON, Secretary to the  
General Board

BISHOP ROY L. H. WINBUSH, Assistant  
Secretary to the General Board

BISHOP NATHANIEL W. WELLS, JR., General  
Board Member

BISHOP A. C. NELSON, Auxillary Bishop

JUDGE ENOCH PERRY, Legal Counsel

JUDGE B. J. WARREN, Legal Counsel

1 introductory words and also the pastor of this church for  
2 all of the courtesies that he has demonstrated and made  
3 available for us while we are here.

4 We are present this evening because we were  
5 asked by the leader of this ecclesiastical jurisdiction to  
6 come in to Macedonia and help us. We have brought with us  
7 three of probably the most astute minds in the Church of  
8 God in Christ and indeed, on the general board, the  
9 presidium of our church. Not only are they leaders who  
10 are astute, but they are very committed to the Church of  
11 God in Christ. Bishop Hamilton lives in San Francisco or  
12 in that area and he left home at 6:00 o'clock this morning  
13 to be here to offer whatever assistance he could.

14 THE CONGREGATION: (Applause).

15 BISHOP J. N. HAYNES: Bishop Wells lives  
16 in Michigan. I don't know how many hundreds of miles but  
17 it's more than the distance from here to Dallas. Say amen  
18 for him.

19 THE CONGREGATION: (Applause).

20 BISHOP J. N. HAYNES: Bishop Roy Winbush  
21 lives in Louisiana and we know him and from time to time,  
22 we expect to see him probably fuss, if he does not show  
23 up, but we are delighted to welcome him.

24 THE CONGREGATION: (Applause).

25 BISHOP J. N. HAYNES: May we also

1 appreciate our chief of staff of the legal department of  
2 our church, Judge Enoch Perry?

3 THE CONGREGATION: (Applause).

4 BISHOP J. N. HAYNES: And who is ably  
5 assisted on this trip by one of the best ecclesiastically  
6 trained minds in Christendom, attorney and Judge B. J.  
7 Warren.

8 THE CONGREGATION: (Applause).

9 BISHOP J. N. HAYNES: God bless you  
10 tonight. I am delighted to be at Williams Temple. I have  
11 a lot of friends here. And this is not my first time  
12 here. I was here when the church was built and dedicated.  
13 I served as interim Bishop one or two times here. I  
14 eulogized Poppa Woodard. And Bishop Bobby Woodard. Momma  
15 Woodard and many of the great events that have occurred at  
16 this church and in this church, I have been a part of.  
17 And I love Williams Temple. I love this church.

18 Let me say something to you. First of all --  
19 you know, I want to say something to you about the church.  
20 First of all, we're not here representing Elder Bell.  
21 We're not here representing Bishop Kyles. We're here  
22 representing the leadership of the Church of God in Christ  
23 everywhere.

24 THE CONGREGATION: Amen. (Applause).

25 BISHOP J. N. HAYNES: And we are here



1 THE CONGREGATION: Pray.

2 BISHOP ROY WINBUSH: When you.

3 THE CONGREGATION: Pray.

4 BISHOP ROY WINBUSH: Let him.

5 THE CONGREGATION: Have his way.

6 BISHOP ROY WINBUSH: He knows about it.

7 That Christ we still serve, that Christ will bring us  
8 through. We got enough damnable stuff that's going on  
9 Iraq and everywhere else and the only hope is the church.  
10 And so the church must never lose its testimony if we're  
11 going to minister to the needs of a dying world.

12 I pray tonight we will leave here knowing this  
13 is the Lord's church and we're part of it. Bless and be a  
14 part.

15 THE CONGREGATION: (Applause).

16 BISHOP J. N. HAYNES: God bless you and  
17 thank God for you. One of the things that I tried to do  
18 in presiding in our jurisdiction, I may preach longer than  
19 I should, but I try to take care of the business at hand  
20 so that when we have a meeting or gathering, it doesn't  
21 take us all night to do what we come to do.

22 We're going to hear from our chief counsel of  
23 the legal department, Judge Enoch Perry. There are some  
24 legal aspects of the church, particularly as it relates to  
25 Williams Temple and we want you to understand that every

1 facet of the church will be under consideration. We  
2 want -- you know, you can't straighten out the Sunday  
3 School and the YPWW needs to be attended to. So I'm going  
4 to ask at this time that you would receive our legal  
5 counsel for the Church of God in Christ everywhere, Judge  
6 Enoch Perry. Say amen for him.

7 THE CONGREGATION: Amen. (Applause.)

8 JUDGE PERRY: Let the redeemed of the Lord  
9 say amen.

10 THE CONGREGATION: Amen.

11 JUDGE PERRY: Come on, say amen.

12 THE CONGREGATION: Amen.

13 JUDGE PERRY: We certainly do honor the  
14 Lord this evening. Certainly give honor and respect to  
15 Bishop Haynes and Bishop Hamilton, Bishop Winbush, Bishop  
16 Wells, Bishop Nelson and Bishop Kyles and the pastor of  
17 this great church and to my colleague Judge Warren who is  
18 the first woman of our church to be on the judiciary  
19 board. Amen?

20 THE CONGREGATION: (Applause).

21 JUDGE PERRY: Thank God for her. And  
22 thank God for each one of you sitting here on tonight.

23 I have already been told not to preach and  
24 sometimes that's a little difficult for me because I'm  
25 excited about where the Lord has brought me from. And



1 sometimes when I stand behind this dais, I just want to  
2 shout about it. So if I get a little excited, just know  
3 that God has been good to me, too.

4 THE CONGREGATION: Amen.

5 JUDGE PERRY: I want to tell you a couple  
6 of things and I'm not asking for your agreement or  
7 disagreement. It's just the way it is and the way we  
8 perceive it. I heard Bishop Haynes and Bishop Hamilton  
9 tell you why we're here and that sort of thing but I want  
10 you to understand some background kind of things before I  
11 go into what I want to say to you.

12 First of all, whenever a complaint comes to  
13 the presiding Bishop and the general board in our church,  
14 they generally send those things to my office to look at  
15 to see just where we are. But these complaints that we  
16 are receiving now are things that are of mega proportion.  
17 The church is just a microcosm of the world at large and  
18 whatever is going on in the world is going on in the  
19 church.

20 But when we start getting complaints from a  
21 local church, particularly one with historical  
22 significance such as Williams Temple, it starts to give  
23 the presiding Bishop and the general board great concerns.

24 Now, perhaps you don't realize it, but in the  
25 country, there is a move that rather than going to court

1 with everything, they are trying to do what they call ADR,  
2 alternative dispute resolution and that consists of  
3 mediations, arbitrations, settlement conferences and  
4 things like that.

5 The presiding Bishop and the general board has  
6 the authority to hear your complaints. This  
7 administration more so than any administration in the  
8 history of our church is greatly concerned about you.  
9 That's why they're here.

10 When we look at our manual, page 5, Section A,  
11 it gives the general board's organization, its powers and  
12 its duties. But section D is the authority and it says  
13 briefly: The presiding Bishop with the approval of the  
14 general board and subject to the will of the general  
15 assembly shall perform all executive duties and  
16 specifically shall perform the following duties. Take  
17 action upon petitions, requests, complaints. And that's  
18 why we're here. The presiding Bishop, the general board  
19 cares about you, cares about this church.

20 You know, oftentimes when we as church folks  
21 can't get along and can't resolve our differences, we  
22 really don't have anything to tell a dead and dying world.

23 THE CONGREGATION: Amen.

24 JUDGE PERRY: Folks think that we're a  
25 bunch of hypocrites anyhow. And when you find the very,



1 very best church with the brightest minds and the most  
2 saved folk and they can't get it together, then what do we  
3 have to say to the world? Amen.

4 THE CONGREGATION: Amen.

5 JUDGE PERRY: I had the opportunity to  
6 review some of your documents. They're a matter of public  
7 record. And the thing that came to my mind that I  
8 remember in the synoptic gospels, Jesus coming to Caesarea  
9 Philippi and he asked question of his disciples: Whom do  
10 men say that I am? You all remember that?

11 THE CONGREGATION: Yes.

12 JUDGE PERRY: And of course, the response  
13 that I like the best is Peter's response because Peter had  
14 the answer. And the Lord gave him to know that flesh and  
15 blood had not revealed that to him.

16 Well, I would like to just use that for a  
17 minute and I'm not going to preach, but I want to just use  
18 that for a minute and ask you the question: Who are we?  
19 Who are you? Are you Williams Temple Church of God in  
20 Christ or are you Williams Temple Baptist Sanctuary? Are  
21 you Williams African Methodist Episcopal? Are you  
22 Williams Missionary Baptist? Because when I read your  
23 documents, that's what I hear shouting: This is a Baptist  
24 church. This is a church that desires to be  
25 congregational in their slant. And I'm not so sure that



1 all of us understand what that means. Let me break it  
2 down to you shortly.

3 In 1871, there was a very famous case called  
4 Watson vs. Jones. And in the Jones case, the decision --  
5 and it's still good case law today after over a hundred  
6 years. The case law says anybody who joins a church gives  
7 their consent to be ruled and governed by the rules and  
8 regulations of that church. So when you come into the  
9 Church of God in Christ, you can't do it like you would do  
10 if you went to Burger King and have it your way. When you  
11 come into the Church of God in Christ, you are simply  
12 saying I want to be a part of this church, and therefore,  
13 I will make it happen for me within the confines of this  
14 church. There are no perfect churches because even in  
15 Jesus' church he had a Judas. In our church we have got a  
16 you and we have got a me. So there are no perfect  
17 churches. Are you with me somebody?

18 THE CONGREGATION: Yes.

19 JUDGE PERRY: But anyway, in 1931,  
20 Williams Temple was organized as a Church of God in Christ  
21 and then I think sometimes in the 50's, it became  
22 incorporated. Maybe later. In the 80s. But anyway, it  
23 was an extended period of time.

24 And some way, somehow, somebody got it crossed  
25 up to think that because you incorporate, you lose your

1 identity as a church. Well, I'm here to tell you, you  
2 don't. When you look at the Texas statute, and I have, it  
3 suggests that you, Williams Temple, can determine the  
4 terms of your relationship to the state. Let me tell you  
5 this. If you don't file your annual report two years in a  
6 row, the State of Texas will drop you and you no longer  
7 are a corporation.

8 My question to you is does that mean that you  
9 cease to be a church because the state has dropped you?

10 And the question is or the response is clearly, no.

11 What you need to understand is that you have  
12 the authority, you have the right to make your own  
13 articles of incorporation and your own bylaws and your  
14 articles of incorporation and your bylaws should not be  
15 repugnant to or inconsistent with or in direct  
16 contravention of the national church.

17 Now, let's look at something. On pages 14 and  
18 15 of our manual, Section D, the local church, it says:  
19 The local church is the basic unit of the structural  
20 organization of the Church of God in Christ. Its  
21 membership shall consist of all who have been set in order  
22 as a church by those authorized to do so after having  
23 first declared their faith in Jesus Christ as their Savior  
24 and declared their faith and believe in the doctrines of  
25 the Church of God in Christ and their willingness to



1 submit to and abide by the government of the Church of God  
2 in Christ.

3 How can you have compliance within the Church  
4 of God in Christ and the people have no say in what's  
5 going into bylaws, articles of incorporation? How can  
6 you have instrumentality that says the pastor is nothing  
7 more than a hireling? In our church, we say that the  
8 pastor is the chief executive officer, not the chairman of  
9 the board of directors.

10 THE CONGREGATION: (Applause).

11 JUDGE PERRY: Now perhaps if you are over  
12 there in the Baptist church, that may be acceptable. But  
13 that's not where we are. In the grand old Church of God  
14 in Christ, the pastor is the chief executive officer of  
15 the local church. And shall have the general oversight  
16 and supervision thereof. The pastor shall have the right  
17 to appoint or remove officers of the local church and to  
18 administer his office in accordance with the charter,  
19 constitution, bylaws of the Church of God in Christ. And  
20 for those of you out here who may not know it, if you look  
21 in the Texas statute that gives rise to a nonprofit  
22 corporation, and I'll just make preference to it, I said I  
23 wasn't going to take too much time, if you look at article  
24 1396-1.02 it gives you some definitions. And this is  
25 right out of the statute. Just baked it fresh this

1 morning. It will tell you what a member is. It will tell  
2 you what a board of directors is. It will tell you what a  
3 president means. And I'll leave that to those of you who  
4 may think that I am just making it up out of whole cloth  
5 because we said we weren't going to get into this too  
6 deeply but we will have an opportunity to come back and  
7 perhaps work with some of you that want to do that which  
8 is right.

9 THE CONGREGATION: (Applause).

10 JUDGE PERRY: You know, when I was a  
11 youngster, there was a little girl that I was just  
12 absolutely crazy about. But you know what? She didn't  
13 want me. I don't care how many cart wheels I did in front  
14 of her, how many little daisies I picked off the lawn to  
15 give to her, she didn't want to be bothered with me.

16 Well, sometimes in church, folks just don't  
17 want to be bothered. And when we find ourselves in a  
18 situation where we can't get along with the existing  
19 situation, and sometimes we just have to kind of move on  
20 and wish everybody well.

21 THE CONGREGATION: (Applause).

22 JUDGE PERRY: Sometimes it just requires  
23 that. And it's not that we're mad or we can't ever be  
24 friends or that sort of thing. It's just that we want  
25 things done in different ways. That's why they make



1 Lexuses, that's why they make Jaguars, that's why they  
2 make Volkswagen, that's why they make Escorts. Are you  
3 with me somebody?

4 THE CONGREGATION: Amen.

5 JUDGE PERRY: Some folks like to shop at  
6 K-Mart, some folks like to go to Neiman's. Don't mean one  
7 is any better than the other or the person is any better.  
8 But, hey, you get used to a certain thing a certain way  
9 and if you can't do it any other way, then it's time to  
10 make some decisions. But I do believe that the people of  
11 God that mean well can come together and reason. It's not  
12 about power. There is only one power and that is the  
13 power of God.

14 THE CONGREGATION: (Applause).

15 JUDGE PERRY: In the 11th Century there  
16 was a guy by the name of Machiavelli who wrote a book  
17 called the Prince and he said that power concedes only to  
18 greater power. And he says power corrupts and absolute  
19 power corrupts absolutely.

20 We need to come together, acknowledge who we  
21 are as members of the Church of God in Christ, realize  
22 that there is a place for the pastor in the leadership of  
23 the church other than preaching on Sunday morning and  
24 being a hireling.

25 THE CONGREGATION: (Applause).

1 JUDGE PERRY: We have got to also  
2 recognize that we have a place for a board of trustees to  
3 oversee the work of the church, some of the financial  
4 matters of the church and work along with the pastor.

5 THE CONGREGATION: (Applause).

6 JUDGE PERRY: Not trying to kill him, not  
7 set traps for him. We also understand that the pastor  
8 don't know everybody, nobody does as was said earlier and  
9 so we come together with collective genius that God has  
10 blessed all of us with so that we can be about the  
11 business of reaching souls in the most effective,  
12 efficient way as possible.

13 THE CONGREGATION: (Applause).

14 JUDGE PERRY: And folk that don't know us,  
15 it's hard for them to understand us. And that's okay.  
16 There was a time when all we were were the holy rollers  
17 but now everybody is into the mode of "yes, Lord". So I  
18 am simply saying to you that if you stick with us a bit,  
19 you'll see that God is in the midst of the grand old  
20 Church of God in Christ.

21 Just about finished. I just want to just let  
22 you know we want to come and work with you on your bylaws,  
23 your articles of incorporation and give you to know that  
24 you don't have to be afraid or don't let anybody tell you  
25 the state's going to come in and do this and the state's

# Exhibit 2

## **RULE 19-308.4. MISCONDUCT (8.4)**

West's Annotated Code of Maryland Rules

West's Annotated Code of Maryland

Title 19. Attorneys

Chapter 300. Maryland Attorneys' Rules of Professional Conduct

Maintaining the Integrity of the Profession [Rules 19-308.1 to 19-308.5]

MD Rules Attorneys, Rule 19-308.4

## **RULE 19-308.4. MISCONDUCT (8.4)**

### Currentness

It is professional misconduct for an attorney to:

- (a)** violate or attempt to violate the Maryland Attorneys' Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b)** commit a criminal act that reflects adversely on the attorney's honesty, trustworthiness or fitness as an attorney in other respects;
- (c)** engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d)** engage in conduct that is prejudicial to the administration of justice;
- (e)** knowingly manifest by words or conduct when acting in a professional capacity bias or prejudice based upon race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status when such action is prejudicial to the administration of justice, provided, however, that legitimate advocacy is not a violation of this section;
- (f)** state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Maryland Attorneys' Rules of Professional Conduct or other law; or
- (g)** knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

### COMMENT

[1] Attorneys are subject to discipline when they violate or attempt to violate the Maryland Attorneys' Rules of Professional Conduct, knowingly assist or induce another to do so or do so through the acts of another, as when they request or instruct an agent to do so on the attorney's behalf. Section (a) of this Rule, however, does not prohibit an attorney from advising a client concerning action the client is legally entitled to take.

[2] Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offense carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although an attorney is personally answerable to the entire criminal law, attorney should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, or breach of trust, or serious interference with the administration of justice are in that category. A pattern of repeated offenses, even ones of minor significance when considered separately, can indicate indifference to legal obligation.

[3] Sexual misconduct or sexual harassment involving colleagues, clients, or co-workers may violate section (d) or (e) of this Rule. This could occur, for example, where coercion or undue influence is used to obtain sexual favor in exploitation of these relationships. See *Attorney Grievance Commission v. Goldsborough*, 330 Md. 342 (1993). See also Rule 19-301.7 (1.7).

[4] Section (e) of this Rule reflects the premise that a commitment to equal justice under the law lies at the very heart of the legal system. As a result, even when not otherwise unlawful, an attorney who, while acting in a professional capacity, engages in the conduct described in section (e) of this Rule and by so doing prejudices the administration of justice commits a particularly egregious type of discrimination. Such conduct manifests a lack of character required of members of the legal profession. A trial judge's finding that peremptory challenges were exercised on a discriminatory basis does not alone establish a violation of this rule. A judge, however, must require attorneys to refrain from the conduct described in section (e) of this Rule. See Md. Rule 18-102.3.

[5] An attorney may refuse to comply with an obligation imposed by law upon a good faith belief that no valid obligation exists. The provisions of Rule 19-301.2 (d) (1.2) concerning a good faith challenge to the validity, scope, meaning or application of the law apply to challenges to legal regulation of the practice of law.

[6] Attorneys holding public office assume legal responsibilities going beyond those of other citizens. A attorney's abuse of public office can suggest an inability to fulfill the professional role of attorney. The same is true of abuse of positions of private trust such as trustee, executor, administrator, guardian, agent and officer, director or manager of a corporation or other organization.

**Model Rules Comparison:** Rule 19-308.4 (8.4) is substantially similar to the language of the Ethics 2000 Amendments to the ABA Model Rules of Professional Conduct, with the exception of adding Rule 19-308.4 (e) (8.4) and redesignating the subsections of Rule 19-308.4 (8.4) as appropriate, adding Comment [4] above, and retaining Comment [3] above from existing Maryland language.



IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS  
DIVISION NINE

ORIGINAL

CHURCH OF GOD IN CHRIST, ET )  
 )  
Petitioner )  
 )  
vs. )  
 )  
BOARD OF TRUSTEE )  
OF EMMANUEL CHURCH OF GOD )  
IN CHRIST, ETAL. )  
 )  
Respondent. )

CASE NO. 05CV621

Exhibit 3

TRANSCRIPT OF HEARING

PROCEEDINGS had before the Honorable Paul Clark, Judge of  
Division Nine of the District Court of Sedgwick County,  
Kansas, at Wichita, Kansas, on the 11th day of April, 2005.

APPEARANCES:

The Petitioner, Church of God in Christ, representative  
appeared and by Mr. Larry Toomey, Attorney at Law, 229 East  
William, 5th Floor, Wichita, Kansas 67202.

Mr. Marc Davis, Attorney at Law, 229 East William, Suite  
300, Wichita, Kansas 67202.

The Respondent, Board of Trustees of Emmanuel, appeared  
by Arlene Burrow, Attorney at law, 1721 Derby, Kansas 67037.

Jo Elaine Heaven, Attorney at Law, Wichita, Kansas 67202.

## I N D E X

## PLAINTIFF'S WITNESSES:

## ENOCH PERRY testifies:

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PLAINTIFF'S REBUTTAL WITNESS:

ENOCH PERRY testifies:

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1 Through Bishop Owen's administration, who completed  
2 Bishop Ford's administration upon his death through  
3 the first administration of the Bishop Patterson and  
4 I have been recently reappointed in the capacity as  
5 of Monday officially of this past week.

6 Q. Okay. Have you had any special education or  
7 continuing education?

8 A. Yes. Well, as you know, we have requirements in  
9 Tennessee for continuing education, as well as,  
10 Pennsylvania. In addition to that I have been to  
11 seminars on ecclesiastical matters down through the  
12 years continuously.

13 Q. Okay. Are you also a member of the church?

14 A. I am a member of the church. I am an ordained elder  
15 and I am also a pastor within the Church of God in  
16 Christ.

17 Q. Do you have duties that you are responsible for as  
18 your position of church counsel?

19 A. Yes, I hire lawyers across the breath of the country  
20 and members of my staff are not barred in a  
21 particular jurisdiction. I hire law firms or  
22 lawyers in that capacity. I oversee all of the  
23 litigation within the Church of God in Christ. I  
24 review all contracts that the church enters into. I  
25

1 generally sit in on the negotiations for the sale or  
2 Louis and we are in the process of revamping the  
3 constitution of our church and I've drafted major  
4 portions of the amendments to the constitution.  
5 We also draft various resolutions that impact the  
6 church that don't quite go to the level of  
7 constitution or changes.

8 Q. Okay. Do you ever oversee any documents that are  
9 issued by the national organization?

10 A. Generally most of the documents of legal nature  
11 that come into the church are sent to the general  
12 secretary and the general secretary in turn sends  
13 those documents to me to my office.

14 Q. Okay. Now, you had testified previously that you  
15 did have some education, now do you have any  
16 special skills that help you in your position or  
17 things you've done over time?

18 A. When you say special skills, can you be a little  
19 more specific.

20 Q. Special skills in the sense of education or which  
21 we addressed a little bit more but more I think  
22 your familiarity of the bylaws or constitution of  
23 the church?

24 A. Well, we're quite familiar with the rules and  
25



## JUDICIARY BOARD OF THE CHURCH OF GOD IN CHRIST

### ***DEMAND & ORDER FOR RECUSAL OF JUSTICE ENOCH PERRY***

April 9, 2019

For the reasons set forth below, a formal demand is hereby made that the Constitutional, ethical and conflict of interest infractions alleged below be resolved by clear and convincing evidence prior to any further action on the Kyles matter pending before this Board.

### **FACTUAL BACKGROUND**

In 2004, Bishop Rufus Kyles served as the Jurisdictional Bishop of Texas Southeast No. 1. I or around May 11, 2004 and possibly some time before and after that date, Bishop Kyles sought and received legal services in a matter related to Williams Temple Church of God in Christ, a church affiliated with Texas Southeast No. 1.

Justice Perry, in his *capacity* as Chief of Staff of the legal department for the Church of God in Christ, served as legal counsel to Bishop Kyles<sup>1</sup> and his ecclesiastical Jurisdiction. Judge Perry is now participating in the resolution of the Kyles case before this Judiciary Board. To date, Judge Perry has made no disclosure of this clear and obvious conflict of interest and has, in fact, co-authored the Final Order in the Kyles case.

### **GOVERNING RULES OF LAW**

#### **Disqualification**

A Justice should disqualify himself/herself in a proceeding in which his/her impartiality might be reasonably questioned, including, but not limited to, instances where:

(b) he/she served as counselor in the matter in controversy, or a counselor with whom he/she previously practiced law served during such association as a counselor concerning the matter, or the justice or such counselor has been a material witness concerning it;

---

<sup>1</sup> Transcript from Business Meeting of Williams Temple Church of God in Christ, Houston, Texas, May 11, 2004.



*Commentary.* If a justice has served as general counsel to a particular jurisdiction, it is considered a conflict of interest for that justice to preside over a case arising out of that jurisdiction.

*Article VIII, Judicial Code of Conduct, Canon 3, C, (1) (b)*

“This independent, objective branch of Church government shall have as its highest objective the protection of the rights of every member of the Church of God in Christ, Incorporated as set forth in the Church constitution. The protection of those rights shall be without regard for official position or social station. Therefore, it shall be crucial that the Judiciary Board decisions are rendered without intimidation, coercion, or undue influence and that the members of said Board are fair, sober, objective and seasoned in their decision making.”

*Article VIII Preamble.*

“15. The Judiciary Board members shall refrain from all conflicts of interest which shall affect their impartial conduct of duty.”

*Duties of the Judiciary, Article VIII of the Constitution of the Church of God in Christ.*

### **CONFLICT OF INTEREST**

The Judicial Code of Conduct adopted in conjunction with Article VIII addresses this precise situation almost verbatim. As the attached transcript confirms, Justice Perry served as legal counsel in a legal matter within his jurisdiction. He is now actively presiding over a case that arises out of that jurisdiction. There is no grey area, middle ground or safe harbor here. This is one of the most fundamental principles and precepts of jurisprudence and legal representation. It is wrong. It is a violation of the Judicial Code of Ethics. It is a constitutional violation.

Moreover, this conduct is a violation of Rule 19-308.4 Misconduct (8.4) of the Rule of Professional Conduct in the state of Maryland.<sup>2</sup> Upon information and belief, Justice Perry is licensed to practice law in the state of Maryland.

### **DEMAND & ORDER**

The following is hereby recommended and demanded and in Order:

1. Immediately cease any and all involvement and discussions related to the Kyles case;
2. Recuse and disqualify himself from deliberation of the Kyles case, as well as any other case wherein there is a conflict of interest or appearance of impropriety; and

---

<sup>2</sup> Attached hereto as Exhibit B is a copy of Maryland Statutes, Rule 10-308.4 Misconduct (8.4)

3. Consider seeking the advice of independent legal counsel prior to making an admission, denial, or other official statement to the court, as more serious charges are likely to result from these and other circumstances that relate to conduct in violation of the Constitution, its Code of Ethics and detrimental to the court.

**Justice E. Charles Connor**

**Justice Jonathan Saffold, Jr.**





**JUSTICE JONATHAN SAFFOLD, JR.**  
6716 N. Atwahl Drive  
Glendale, WI 53209

June 14, 2019

***PETITION FOR IMPEACHMENT***

**VIA E-MAIL**

Bishop Joel H. Lyles,  
General Secretary of General Assembly  
Church of God in Christ

**VIA E-MAIL**

Justice Peter Davis  
Secretary, Judiciary Board

Pursuant to the procedures filing and handling charges set forth in Article VIII of the Constitution of the Church of God in Christ, please accept for filing the following attached/enclosed documents:

- Statement of Purpose
- Petition for Impeachment
- Attached Exhibits

This written petition specifically sets forth the charges and things complained of, with the appropriate copies filed by E-mail with the Secretary of the Judiciary Board.

The electronic signature below constitutes, a certificate that to the best of my knowledge, information and belief, there is good ground to support the charge and that the charge is not made for improper purpose, or to harass.

Very truly yours,

/Jonathan Saffold, Jr./  
JUSTICE JONATHAN SAFFOLD, JR.

## STATEMENT OF PURPOSE

When each judiciary board member took their oath, we promised to assure that the legitimately aggrieved members of the Church of God in Christ, Inc. are heard, that fairness prevails throughout the brotherhood, and that equal protection and due process are and continue to be the right of every Church member.

The people who voted for us did so with the belief and hope that we would discharge our responsibilities and duties with the utmost of respect and prayerful consideration to our God, the Constitution of the Church of God in Christ, and the people blessed and served by that Constitution.

Failure to responsibly discharge these responsibilities with the proper time, consideration and attention they require is not an option for me. If I was not going to faithfully discharge my duties, or for some unforeseen reason was unable to discharge my duties, I would (in respect to the laws of our church's Constitutional assembly) step aside/down and allow someone capable, able and willing, to do so. I've grown up under the doctrines of holiness and righteousness. Those Church of God in Christ principles mean something to me, and they will not allow me to look the other way.

Our Judicial records, orders and decisions must be able to stand and withstand the scrutiny of the American Justice and Judicial Systems. Upon reading our communications, any competent court representative or officer of the law should have the utmost respect for and even appreciation for our Godly and legal processes. We cannot afford to operate as if we are in some special protected and/or obscure '*bubble*'. We must conduct ourselves as responsible officers of the legal systems of our church.

As a church and legally responsible professional organization, we will be judged by our judgments; decided (upon) by our decisions; and evaluated by our evaluations. Therefore, with careful consideration and contemplation we must make judicial decisions and orders that are clear, equitable, fair and just, considering only the evidences presented within our court, ensuring that every litigant/client brought before this court has received their just hearing.

Those we lead must be able to believe in, respect and have confidence in this Judiciary Board, the Judicial process and how this Court integrally works within the framework of the entire National leadership system of our church.

The case concerning Bishop Kyles and all other cases we shall adjudicate are not the only ones on trial here; the Judiciary Board itself is on trial, several of the leadership of our church is on trial, and the church as a respected and viable entity in the world, is on trial. We must be integral and ethical in every possible way.

The scripture states that "*judgment must begin at the house of the Lord*". The world is certainly watching how we in the church are dealing with our internal conflicts and struggles. But more importantly, God will hold us accountable for the decisions and choices we make concerning ourselves, our colleagues, our brothers and sisters and all those we are called upon to serve.

At the 2019 April Call meeting, I arrived the first day at Mason Temple for an early meeting. The entire sanctuary was empty, except for two mothers. Those mothers were looking for the perfect seat in the house where they would have a clear view of Chairman Thuston and the Presiding Bishop in the meeting of the General Assembly. The picture I snapped of them from behind in the empty auditorium was time stamped at 7:34 a.m. The General Assembly meeting was scheduled to start at approximately 11 a.m. I am motivated by the commitment, trust and confidence those two Mothers have placed in us to uphold the high standards of our church.

It is with these and other thoughts in mind that I present the following charges set forth in this petition.

**Justice Jonathan Saffold, Jr.**

**IN RE: PETITION FOR IMPEACHMENT** )  
 )  
**OF** )  
 )  
**CHIEF JUSTICE MARTIN L. JOHNSON** )

# PETITION FOR IMPEACHMENT

- Code of Judicial Conduct, Canon (s) 2, A and B, and 3, C, 1, (a). Article VIII, Duties
- Paragraph 15 (“Conflicts of Interest”)
- Violation of Equal Protection & Due Process Rights of Delegates

<sup>1</sup> An explanation of “why” Petitioner has filed this Petition is attached to the cover letter and provided in the Statement of Purpose, attached hereto as Exhibit A.

## **I. SUMMARY OF CHARGES**

Chief Justice Johnson and Secretary Peter Davis<sup>2</sup> have used their Judicial offices to engage in an on-going course of conduct that has:

- 1) Deceitfully concealed conflicts of interests in matters adjudicated by the court;
- 2) Suppressed & made false statements regarding the existence of pleadings and official correspondence filed by Appellants;
- 3) Compelled the issuance of Final Orders knowingly with incomplete and inaccurate information;
- 4) Failed to carry out adjudicative responsibilities;
- 5) Intentionally disregarded Article VIII accountability provisions requiring written findings of facts and conclusions of law (written legal opinions) to accompany judicial orders;
- 6) Modified and misapplied Article VIII standards of adjudication;
- 7) Colluded with outside parties to influence a decision of the Judiciary Board;
- 8) Conspired to withhold and/or destroy official court records evidencing the allegations herein; and
- 9) Deprived parties of due process and a fair, timely and meaningful resolution of matters before the court.

## **II. COMPLIANCE WITH STANDARDS FOR FILING OF PETITION**

Petitioner files this petition pursuant to the *Constitution*, Article VIII, Judiciary Board, Term of Office, paragraphs 3, B, 1 (a) & (b) which states the following:

(3) "A Judiciary Board member may be removed from office prior to the expiration of his term due to incapacitation, in competency (*sic*) or the commission of acts in violation of the Constitution of the Church of God in Christ".

(B) "Procedure for filing and handling charges".

(1) "A delegate in good standing of the Church of God in Christ having just cause to believe that a member of the Judiciary Board has committed an act repugnant to the Constitution of the Church of God in Christ may file a charge".

---

<sup>2</sup> Official charges are being filed against Secretary Peter Davis in a separate complaint, as well as a Petition for Disciplinary Action in the State of Alabama, wherein he is believed to be a practicing attorney and in violation of its ethical and Professional Responsibility Standards. Secretary Davis is included herein for clarity, as many of the actions described herein were done in tandem and are difficult to separate.

The Code of Judicial Conduct is a mandated addendum or addition to the Church of God in Christ, *Constitution*.<sup>3</sup> This code was adopted in November 15, 1994, and is comprised of canons (rules, standards) which the justices are to comply with and adhere to in carrying out and performing their judicial duties, responsibilities.

"All justices should comply with this Code..." Compliance With The Code Of Judicial Conduct. *An Introduction to Biblical Apologetics for the establishment of the Judiciary Board*.

The Judicial Code, the Code of Judicial Conduct is a mandated addendum or addition to the Church of God in Christ, *Constitution*. The Judicial Code, hereinafter referred to as the Code of Judicial Conduct was adopted in November 15, 1994, and is comprised of canons (rules, standards) which the justices are to comply with and adhere to in carrying out and performing their judicial duties, responsibilities.<sup>4</sup>

### III. STANDARD OF REVIEW

The standard of review to bring a member of the Judiciary Board to trial is "reasonable grounds." Article VIII, Term of Office, 3(B)(2)–(3). A Judiciary Board member may be removed from office prior to the expiration of his term for the commission of acts in violation of the Constitution of the Church of God in Christ. Article VIII, Term of Office, 3(A). The "Reasonable Grounds" standard of review is one of the lowest standards possible under the law. This is appropriate because of the high level of trust, confidence and responsibility the church has placed in the Judiciary Board. An Officer of the Judiciary Board must have the highest level of integrity, honesty and uncompromising adherence to strong moral, ethical and biblical principles

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<sup>3</sup> Article VIII, under subtitle, Organization and Procedure, provision three, mandates that it is the Judiciary Board who shall, with the approval of the General Assembly; prepare and keep in revision a Judicial Code which **shall be an addendum to the Constitution of the Church of God in Christ**" *An Introduction to Biblical Apologetics for the establishment of the Judiciary Board of the Church of God in Christ*, A Judicial Code Is Mandated, p. 1.

<sup>4</sup> "All justices should comply with this Code..." Compliance with The Code of Judicial Conduct. *An Introduction to Biblical Apologetics for the establishment of the Judiciary Board*.

and values. A Judiciary Board member's conduct is held to an extremely high standard, which necessitates a lower threshold of review to ensure compliance.

This is not to be confused with much higher standards of proof like a "preponderance of the evidence", which requires a showing that a particular event is more likely than not to have occurred. The Reasonable Grounds standards is best described as similar to the "Credible Evidence" standard. Credible evidence is evidence that is not necessarily true but that is worthy of belief and worthy of a jury's consideration. Petitioner must only meet the "reasonable grounds" standard to advance this case to trial, under Article VIII.

#### **IV. STATEMENT OF VIOLATIONS**

##### **COUNT 1:**

##### **CHIEF JUSTICE JOHNSON HAS DECEITFULLY CONCEALED CONFLICTS OF INTERESTS IN MATTERS ADJUDICATED BY THE COURT.**

Chief Justice Johnson has concealed clear and blatant conflicts of interest in matters adjudicated by the Judiciary Board in violation of Article VIII, and the ethical Canons of virtually every federal and state court in this country. In May 2014, a case was filed against Bishop Rufus Kyles (hereafter "Appellant" or "Kyles"). No rules of procedure or timelines limiting the filings, consideration of motions or other pleadings were imposed on the parties by the Judiciary Board. As such, parties are free to file motions at any time prior to deliberation of a matter.

Several pleadings and motions were filed with the court in this case, including a dispositive motion filed by Appellant. This motion was pending before the Judiciary Board in the months prior to the 2019 April Call meeting. Appellant's motion was based largely on claims relating to alleged errors by the Board of Bishops in the application of Rules 5(f) and 7(c) in a final ruling made in its meeting at AIM in July 5, 2017.

The minutes from this same meeting of the Board of Bishops at AIM in Charlotte, North Carolina, dated July 5, 2017 (hereafter "BOB Meeting"), reveal that Chief Justice Johnson was a

participant in the discussion and deliberation of the Appellant's Rule 7C plea, as well as the determination of penalties and punishment to be imposed against Appellant. Please note, this is the same ruling made by the BOB that forms the basis for the appeal by Appellant to the Judiciary Board. An excerpt of the BOB Meeting minutes documenting Chief Justice Johnson's participation is included in Exhibit 7, pages 5-6 of the "Addendum to the Appeal from the Board of Bishops" filed and served with Bishop Lyle, the General Secretary for the Church of God in Christ, Chief Justice Johnson and Justice Peter Davis, Secretary (hereafter "the Appellant's Addendum").<sup>5</sup>

In reality, Chief Justice Johnson has participated in the prosecution, deliberation/penalty phase and as Chief Justice on the appeal of a decision that he participated in making. This is a clear violation of Article VIII, Paragraph 15 and Canon 3(C) set forth below.

#### **ARTICLE VIII–JUDICIARY BOARD, DUTIES, ¶ 15**

The Judiciary Board members shall refrain from all conflicts of interest which shall affect their impartial conduct of duty.

#### **CODE OF JUDICIAL CONDUCT, CANON 3.**

**A Justice should perform the duties of his/her office impartially and diligently:**

*The judicial duties of a justice take precedence over all his/her other activities as pastor, district superintendent, district missionary, state supervisor, jurisdictional bishop, and national officers. His/her judicial duties include all the duties of his/her office prescribed by the constitution. In the performance of these duties, the following standards apply.*

##### **C. Disqualification.**

A justice should disqualify himself/herself in a proceeding in which his/her impartiality might reasonably be questioned, including but not limited to instances where:

- (a) *he/she has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;*

---

<sup>5</sup> An excerpt from the Minutes of Board of Bishops Meeting, July 5, 2017, Pages 5-6 (Appellant's Addendum), is attached hereto as Exhibit B.



Repeated attempts to reconcile this conflict of interest with Chief Justice Johnson have been made pursuant to our biblical mandate, including the following:

- (1) A Memorandum dated April 2, 2019 requesting that the Board address two (2) integrity/conflict of interest issues before taking any action in the Appellant's case<sup>6</sup>;
- (2) A "Demand & Order for Recusal", dated April 9, 2019, specifically detailing conflict of interest and breach of professional responsibility issues<sup>7</sup>;
- (3) Failed attempts to discuss the conflicts in telephone calls and conferences because it was not included as a specific agenda item (Explanation: not old business because never discussed; not new business because must be on the agenda to discuss);
- (4) Failed attempt to discuss in an official meeting during April call (refused to place the matter on the agenda); and
- (5) Attempt to resolve in a private meeting private meeting with Justices King, Perry, Davis and Johnson.

Chief Justice Johnson has refused to address, discuss or resolve the conflict in every attempt made by Petitioner to bring this matter to a peaceful close. In the third phase of Biblical resolutions of conflicts between brothers, Matthew 18:17 reads *"<sup>17</sup> And if he shall neglect to hear them, tell it unto the church:"*. We are currently in this third phase of resolution, as Chief Justice Johnson has "neglected to hear them."

Moreover, Chief Justice Johnson threatened to have an Associate Justice and fellow Bishop removed from a meeting of the Judiciary Board by security for any further attempt to discuss, reveal or disclose the conflict prior to the final vote and disposition of the Appellant's case in that same meeting. The record and Final Order in the Appellant's case will confirm that Justice E. Charles Connor abstained from voting and removed himself from chambers because he

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<sup>6</sup>Attached hereto as Exhibit C (Memorandum Dated April 2 discussing undisclosed pleadings & requesting a discussion regarding potential undisclosed conflicts of interest).

<sup>7</sup> Attached hereto as Exhibit D is the Demand & Order for Recusal, April 9, 2019.

deemed the official vote to be flawed, illegal and an embodiment of Judicial Misconduct pursuant to Article VIII of the Constitution.<sup>8</sup>

**COUNT 2:**

**SUPPRESSED AND WITHHELD PLEADINGS AND OFFICIAL DOCUMENTS FILED  
WITH THE COURT; FALSE STATEMENTS REGARDING THE EXISTENCE OF  
PLEADINGS AND OFFICIAL CORRESPONDENCE**

Chief Justice Johnson and Secretary Davis have intentionally and deceitfully conspired to suppress an Addendum filed by Appellant to his pleadings. This illegal and unethical conduct has (1) deprived the Judiciary Board of an opportunity to consider all legal arguments in the deliberation of the Appellant's case, and in doing so, (2) further hid and concealed evidence of Chief Justice Johnson's involvement in the Kyle's case serving in multiple capacities and conflicting roles, as set forth above in Count 1. The "Addendum to the Appeal from the Board of Bishops" was filed with Bishop Lyles, the General Secretary for the Church of God in Christ, Chief Justice Johnson and Justice Peter Davis, Secretary, on or around March 23<sup>rd</sup>, 2019 (hereafter "the Appellant's Addendum").<sup>9</sup>

The conspiracy to conceal, mislead and deceive the Judiciary Board just prior to an important vote was carried out in at least three (3) ways. First, Chief Justice Johnson and Secretary Davis refused to distribute the Appellant's Addendum to the members of the Judiciary Board prior to an important deliberation by the Judiciary Board in the Appellant's case. Second, both Justices are on record denying the receipt and very existence of the Appellant's Addendum, even after multiple written and verbal requests for distribution of the Appellant's Addendum were made. (Judiciary Board meeting on Tuesday, April 2, 2019). Finally, Chief Justice Johnson used his position as meeting chair in adopting a process of deliberation that precluded any discussion of his conflicts of interest or the merits of the Amended pleadings by Appellant.

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<sup>8</sup> Attached hereto as Exhibit E is the Final Order to Vacate, dated April 10, 2019.

<sup>9</sup> Attached hereto as Exhibit B.

The following items have been attached to this petition as evidence of delivery and receipt of the Appellant's Addendum, which Chief Justice Johnson and Secretary Davis continued to deny knowledge of and receipt, and have yet to distribute to this Board:

- Signed affidavits of service of the Appellant's Addendum to Justice Davis and Chief Justice Johnson<sup>10</sup>;
- Email confirmations of delivery to Chief Justice Johnson and Justice Davis<sup>11</sup>; and
- An express acknowledgement of delivery by Justice Davis, Secretary of receipt of the Appellant's Addendum on March 25<sup>th</sup>, 2019.<sup>12</sup>

As a defense to his actions in the concealment of court records, Secretary Davis has emphatically stated on numerous occasions that any documents delivered to the court are "immediately forwarded to the Chief Justice for determination of what to do next." Of course, Chief Justice Johnson has repeatedly pushed the envelope back to the Secretary, stating that the "Secretary is the custodian of court records." As an alternative explanation, Secretary Davis has also stated that he "forgot" he had received the pleading, even though he sent a very cordial email to the sender confirming receipt.

The receipt and subsequent denial of the existence of the Appellant's Addendum is significant. Chief Justice Johnson and Secretary Davis took affirmative actions to make sure no one ever received the only document filed with the court that confirms Chief Justice Johnson's participation in the BOB meeting. Without that document, there is no other way to confirm Chief Justice Johnson's conflicting roles in this case.

The above facts detailing concealment were combined with, and related to, a blatant attempt by Chief Justice Johnson to quickly resolve the Appellant's case on an April 2<sup>nd</sup> conference call. After minimal discussion was cut short by Chief Justice Johnson, the vote for a Final Order was called and pressed by Chief Justice Johnson without distributing the Appellant's

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<sup>10</sup> See Affidavits of Service of Bishop Kyles & Ronald E. Stidham attached hereto as Exhibits F and G.

<sup>11</sup> Attached hereto as Exhibit G.

<sup>12</sup> See Exhibit G.

Addendum, even though he had it in his possession for at least a week. During that conference call, Chief Justice Johnson emphatically stated that the Judiciary Board was “in possession of all documents relevant and necessary to resolve this case.” The foregoing conduct is a clear violation of the following Constitutional Provision:

**PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

***B. Administrative Responsibilities.***

*(1) A Justice should diligently discharge his/her administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other justices and court officials.*

**CODE OF JUDICIAL CONDUCT, CANON 3.**

**COUNT 3:**

**COMPELLED THE ISSUANCE OF FINAL ORDERS KNOWINGLY WITH  
INCOMPLETE AND INACCURATE INFORMATION**

Chief Justice Johnson and Secretary Davis have demanded that the Judiciary Board deliberate and issue final orders based on inaccurate and incomplete information in violation of Canon 3, set forth below:

**PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

**B. Administrative Responsibilities.**

*(1) A Justice should diligently discharge his/her administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other justices and court officials.*

**CODE OF JUDICIAL CONDUCT, CANON 3.**

In the meeting of the Judiciary Board on May 29<sup>th</sup> at the National Women’s Convention, Secretary Davis distributed a brief filed by Appellant prior to the commencement of the meeting. During that meeting, the Judiciary Board met ex-parte with the Board of Bishops in violation of the rights of Appellant, and then proceeded to call a vote on an Order in the same case. At no time was any discussion allowed or made of the pleading filed by Appellant. The motion and

accompanying brief, even though relevant to the issue being deliberated, was ignored in its entirety. When the issue was brought to Secretary Davis, he stated, Appellant's matter is now closed, and there would be no further discussion of the case. This is a blatant violation of the Canon 3(B)(1) set forth above, and has the effect of depriving appellants of due process promised in Article VIII.

Additionally, in the April 2<sup>nd</sup> conference call referenced in Count 2 above, the vote for a Final Order was called and pressed by Chief Justice Johnson without distributing the Appellant's Addendum, even though he had it in his possession for at least a week.<sup>13</sup> Chief Justice Johnson emphatically and falsely stated that the Judiciary Board was "in possession of all documents relevant and necessary to resolve this case." This pleading, filed in or around March 25, 2019, has never been circulated to the Judiciary Board, largely upon information and belief, because it contains the only written evidence of Chief Justice Johnson's ethical and conflict of interest violation of Article VIII.

#### **COUNT 4:**

##### **FAILURE TO CARRY OUT ADJUDICATIVE RESPONSIBILITIES**

Chief Justice Johnson and Secretary Davis have used their elected positions to wrongfully control and censor information, and in ways that give the appearance of impropriety and bias in favor of one party over the other, in violation of the following provisions:

#### **CODE OF JUDICIAL CONDUCT:**

##### **CANON 2. AVOID THE APPEARANCE OF IMPROPRIETY**

*A Justice should avoid impropriety and the appearance of impropriety in all his/her activities:*

*A. A justice should respect and comply with the Church's constitution, amendments, by-Laws, and all appendices thereto and should conduct himself/herself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.*

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<sup>13</sup> See Exhibit C (Memorandum Dated April 2 discussing undisclosed pleadings).

### **CANON 3. PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

#### ***B. Administrative Responsibilities.***

- (1) *A Justice should diligently discharge his/her administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other justices and court officials.*

Chief Justice Johnson and Secretary Davis have made and enforced arbitrary rules to silence the opinions of Associate Justices. Specifically, Petitioner was not allowed to file a written opinion dissenting from the majority opinion in the Appellant's case. Secretary Davis deliberately set the deadline for filing of dissenting opinions at the same time the vote on the final order was taken. Petitioner pointed out to Justice Davis in telephone conversations, in writing, and in a meeting of the Judiciary Board that this is an obvious error.

Logistically, this policy poses two obvious issues. First, how can a dissenting opinion be filed at the same time the vote is taken on a final order? In other words, why would a Justice ever write a dissenting opinion on a matter that hasn't been put to a vote? Second, assuming my position does not prevail, how could a justice possibly know the legal reasoning, factual basis or standards used by the majority to support the final vote? In our meeting during April call, Chief Justice Johnson stated the deadline set by Justice Davis was inappropriate and that such a deadline has never been imposed in the past. He stated, "A dissent can always be filed with the General Secretary, whenever it's written."

In regard to the Final Order, the actual vote was taken, but the majority did not draft a written opinion or explanation of its finding of facts or conclusions of law used to formulate its opinion. As a result, Petitioner requested transcripts of the two prior meetings of the Board, which should have been distributed in the normal course of court procedure and operation. Despite repeated attempts to gain access to these records, including offers to bear the expense to have them transcribed for everyone, both Secretary Davis and Chief Justice Johnson refused to



provide these court records, stating they may be destroyed pursuant to a new policy they planned to adopt.

Petitioner was forced to write a dissenting opinion guessing the rationale of the majority. When Petitioner requested that Secretary Davis file the dissent with the General Secretary, he refused to do so stating it was now “too late”.<sup>14</sup> Chief Justice Johnson recanted his earlier position and supported this decision by Secretary Davis.

### **COUNT 5:**

#### **INTENTIONAL DISREGARD OF ARTICLE VIII ACCOUNTABILITY PROVISIONS REQUIRING WRITTEN FINDINGS OF FACTS AND CONCLUSIONS OF LAW (WRITTEN LEGAL OPINIONS) TO ACCOMPANY JUDICIAL ORDERS**

The Judiciary Board has the final say in matters of Constitutionality. To offset this tremendous power and responsibility, Article VIII requires accountability and transparency for decisions of the Judiciary Board. This accountability is achieved through the Article VIII requirements that findings of facts and conclusions of law accompany judicial decisions. Article VIII provides as follows:

#### **Article VIII–Judiciary Board, Organization and Procedures, ¶ 1(a);**

The chairman shall preside over all judicatory sessions. He shall also assign the task of writing the findings of facts and conclusions of law to one or more Judiciary Board members, or he may elect to write the facts and conclusions of law himself. The chairman shall also submit an annual report to the chairman of the General Assembly. This written report shall list all cases considered by the Judiciary Board that year and the Board’s disposition of each case.

Chief Justice Johnson and Secretary Davis have dispensed with the above Article VIII provision. This is evidenced by Secretary Davis’ bold statements on record on numerous occasions, with the agreement of Chief Justice Johnson, that the Judiciary Board has the power to make decisions with no obligation to explain itself. This newly adopted authority and practice by

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<sup>14</sup> See E-mail correspondence re Chief Justice Johnson & Secretary Davis denying right to file dissenting opinion attached hereto as Exhibit H.

this administration has promoted and contributed to the discord and confusion of the litigants on both sides of the cases.

For example, the uncertainty created by this practice has prompted Appellant to write briefs requesting the court dismiss the case in its entirety because he believed the unexplained order issued by the court was in his favor, but the Judiciary Board has somehow maintained that it was not in his favor without explanation. On the other hand, the Board of Bishops had to request a special meeting with the Judiciary Board seeking clarity for its unexplained decision. This practice is a breach of judicial duty and violation of Article VIII accountability provisions.

There are no court opinions filed by this court because there has never been enough discussion in any case to generate any findings of fact or conclusions of law.<sup>15</sup> The lack of compliance with Article VIII is directly tied to the conduct and administration of the Chief Justice and Secretary. There is no identification of all the relevant issues or standard of review in our discussions. Deliberation is a free for all and a contest of who can talk the loudest and longest. In the end, the Chief Justice somehow makes a determination of who prevailed and asks that an order be drafted. There are no conclusions of fact. There are no conclusions of law. There are only decisions.

As an experienced attorney and active participant in every meeting, Petitioner has no idea concerning the rationale or justification for our decisions under this administration. Moreover, on this Board, a Justice could easily participate in the conference calls and deliberations through mere silence, never commenting, never reading any pleadings or briefs, never offering an opinion, reasoning or rationale. A Justice could theoretically simply flip a coin and cast a vote that counts every bit as much as a fellow justice who has taken the time to fulfill their duty to the office of

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<sup>15</sup> Transcripts of the Judiciary Board's meetings and deliberations may have been destroyed.

Associate Justice. There is no accountability. There are no stated standards. The administration of this court ensures there will never be time or opportunity to discuss difficult issues.

There is no legal basis offered, or written, for most opinions or decisions. There is no urgency or professionally reasonable sense of obligation to respond to official correspondence or requests of the Judiciary Board. As a result, things go unaddressed for prolonged periods of time. The Secretary functions more as the adjutant to the Chief Justice and cannot catalogue or keep track of official filings and correspondence to the court. We make most decisions based on no legal principles I am aware.

When Justice Johnson was elected “Chief Justice” in January, his first official statement to the Judiciary Board was a quote from 1 Kings 3:7, from Solomon when he replaced David as King: <sup>7</sup>“Now, Lord my God, you have made your servant king in place of my father David. But I am only a little child and do not know how to carry out my duties”. Chief Justice Johnson stated, “Similar to King Solomon, I do not know what to do”. These prophetic words are truth, and have come to fruition.

#### **COUNT 6:**

#### **MODIFIED AND MISAPPLIED ARTICLE VIII STANDARDS OF ADJUDICATION**

The Judiciary Board is an appeals court. It has the power under Article VIII to determine the constitutionality of rules and procedures of the lower courts. If the Constitutionality of a rule is not at issue, then the Supreme Court must determine if the rules were followed. Chief Justice Johnson has misstated the role of the Judiciary in the judicial process and failed to articulate or apply the proper standards of review in violation of the following provision of Article VIII<sup>16</sup>:

#### **PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

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<sup>16</sup> Clear examples of this are contained in the transcripts of our two meetings Chief Justice Johnson and Secretary Davis have refused to provide access and may have destroyed.

**B. Administrative Responsibilities.**

*(1) A Justice should diligently discharge his/her administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other justices and court officials.*

**CODE OF JUDICIAL CONDUCT, CANON 3.**

**COUNT 7:**

**COLLUDED WITH OUTSIDE PARTIES TO INFLUENCE A DECISION OF THE  
JUDICIARY BOARD**

In the meeting of the Judiciary Board during the 2019 April Call meeting, a substantial amount of time was spent drafting and redrafting the final order in Appellant's case. The majority was in disagreement regarding the final wording of the opinion they had voted and approved.

There was growing frustration by Secretary Davis at the difficulty and time being spent revising the order. In a side meeting with the Chief Justice and Vice Chief Perry, Justice Davis emphatically and urgently stated, "Let's get this finished. The powers that be want this order done today!" Chief Justice Johnson then motioned Secretary Davis and Vice Chief Perry into a private room and closed the door for a private discussion.

In deliberations leading up to the April Call meeting, Chief Justice Johnson rushed the Board to in an uncharacteristic fashion and an unreasonable degree to make a decision in the Appellant's case, even though the Board did not have all relevant information to make the decision. A review of the audible transcripts will reveal an unmistakable and inexplicable urgency to get this matter concluded prior to April Call. The comment by Justice Davis confirming the private external pressure from persons outside the Judiciary Board to conclude this matter further is a plausible and logical explanation as to why the Board was forced by Chief Justice Johnson to take a vote after a 3½ hour meeting, on whether to adjourn its meeting or vote

on a matter with incomplete information. Chief Justice Johnson was in favor of calling for a vote with an incomplete record. This conduct is a clear violation of Canon 2 set forth below:

### **AVOID THE APPEARANCE OF IMPROPRIETY**

**A justice should avoid impropriety and the appearance of impropriety in all his/her activities:**

- B. A justice should not allow his/her family, social, or other relationships to influence his/her judicial conduct or judgment. He/she should not lend the prestige of his/her office to advance the private interests of others; nor should he/she convey or knowingly permit others to convey the impression that they are in a special position to influence him/her. He/she should not testify voluntarily as a character witness.

### **CODE OF JUDICIAL CONDUCT, CANON 2.**

#### **COUNT 8:**

#### **CONSPIRED TO WITHHOLD AND/OR DESTROY COURT RECORDS**

Chief Justice Johnson and Secretary Peter Davis have denied repeated requests to provide access to records of our conference calls, as per the Court's established operating procedures. Moreover, Secretary Davis specifically stated he and the Chief Justice were planning to adopt a new policy on meeting records and transcripts, which would include destroying the recordings of our prior two conference calls wherein the Judiciary Board discussed the Appellant's matter. Chief Justice Johnson did not deny this intent in emails addressing this specific issue and has affirmed Secretary Davis decision to conceal official court records.<sup>17</sup>

These transcripts are important because they contain direct evidence of many of the ethical violations stated herein, including multiple violations of Roberts Rules of Order in an effort to deny fellow justices the opportunity to be heard, the suppression of discussion related to Chief Justice's conflict of interest, the false statements made by Chief Justice Johnson and Davis denying the existence of any pleadings filed by Appellant, lack of conclusions of fact or

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<sup>17</sup> See E-mail correspondence with Chief Justice Johnson and Secretary Davis denying access to records of recorded meetings, attached hereto as Exhibit I.

conclusions of law to form the basis for the judicial order, Chief Justice Johnson's misstatements of the role of the Judiciary and the Board of Bishops, and a profound disregard for the rights of litigants on appeal to the Judiciary Board.

**Preamble, Judicial Code of Conduct, Conduct**

*A justice's conduct should conform to the requirements of the Church of God in Christ ecclesiastical law and doctrine, both in judicial service and in the justice's ecclesiastical, business, and personal affairs. A justice hearing a case should use procedural laws only for legitimate purposes and not to harass or intimidate others. A justice should demonstrate respect for the ecclesiastical and appellate court's judicial, ethical, procedural and evidential system and those who serve it including advisors, lawyers, prelates, pastors, elders, women in the ministry and lay persons.*

**PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

**B. Administrative Responsibilities.**

- (1) *A Justice should diligently discharge his/her administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other justices and court officials.*

**CODE OF JUDICIAL CONDUCT, CANON 3**

The destruction of official records is not only an ethical and procedural violation, it is an illegal violation that would form the basis alone for disbarment of an attorney, along with criminal prosecution, depending on the specific records destroyed. This conduct cannot be tolerated from the highest legal authority of our church which is charged with enforcing the ethical violations of others.

**COUNT 9:**

**DEPRIVED PARTIES OF DUE PROCESS AND A FAIR, TIMELY AND MEANINGFUL  
RESOLUTION OF MATTERS BEFORE THE COURT**

In addition to the conduct set forth in previous counts, herein incorporated by reference, Chief Justice Johnson and Secretary Davis have used their elected offices to obstruct the fair and impartial adjudication of cases and preclude the Judiciary Board from carrying out its



administrative responsibilities. Chief Justice Johnson and Secretary Davis have adopted ambiguous, elusive and selectively biased procedures of internal operation that vary under different circumstances, give no meaningful or objective consideration to the legal arguments of the litigant parties, and arbitrarily and unfairly delays and denies the administration of justice in violation of the following provisions:

**Article VIII–Judiciary Board, Preamble: The Judiciary Board, ¶ 8,** *The establishment of the Judiciary Board shall assure that the legitimately aggrieved members of the Church of God in Christ, Inc. are heard, that fairness prevails throughout the brotherhood, and that equal protection and due process are and continue to be the right of every Church member.*

## **PERFORM THE DUTIES OF OFFICE IMPARTIALLY**

### **B. Administrative Responsibilities.**

*(1) A Justice should diligently discharge his/her administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other justices and court officials.*

## **CODE OF JUDICIAL CONDUCT, CANON 3**

Although it may appear to be trivial, the Chairman of a meeting has a substantial amount of control and influence over the agenda and matters discussed in Board meetings. Through limited agenda items that define and censor the Board’s deliberations, Chief Justice Johnson and Secretary Davis have exerted control over the Judiciary Board that constricts deliberation in a manner that fails to meet a minimal standard of consideration or deliberation of arguments. As a result, there is no measure of accountability imposed on Associate Justices to carry out the administrative responsibilities of the court, or to address all issues presented to the court on appeal.

Specifically, Chief Justice Johnson and Secretary Davis have routinely refused to allow or facilitate discussion on key issues on appeal before the court, even when properly raised pursuant to the established operating procedures of the Robert’s Rules of Order, as required by Article

VIII. Plainly stated, this administration is not considering or evaluating the specific issues of law or fact in a competent, professional or “*manner that promotes public confidence in the integrity and impartiality of the judiciary.*” This conduct has deprived parties of due process and a fair and meaningful resolution of issues presented on appeal.

## **V. PRAYER FOR RELIEF**

Pursuant to the foregoing, Petitioner requests the General Assembly order the following relief:

1. The General Assembly initiate an independent investigation into the matters stated herein;
2. While this matter is pending, relieve Chief Justice Johnson and Secretary Peter Davis from all administrative responsibilities related to the Judiciary Board;
3. That all records, correspondence and any other official court business be turned over to the appropriate officers pro tem, pending the final resolution of this Petition for Impeachment;
4. After a finding of “reasonable grounds” for trial, remove Chief Justice Johnson from the position of Chief Justice of the Judiciary Board;
5. Upon a finding of truth to any of the counts herein, all of which would be grounds for suspension of a license to practice law or preside over a judicial body in the civil law arena, pursuant to Article 8, remove Justice Johnson from the the Judiciary Board.

**DATE: JUNE 14, 2019**

/Jonathan Saffold, Jr./

**JUSTICE JONATHAN SAFFOLD, JR.**