



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

June 17, 2019

***PETITION FOR IMPEACHMENT
OF
JUSTICE PETER J. DAVIS***

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 of Peter J. Davis
- 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.

**CHURCH OF GOD IN CHRIST, INC.
GENERAL ASSEMBLY**

IN RE: PETITION FOR IMPEACHMENT)
)
OF)
)
JUSTICE PETER J. DAVIS)

Filed Pursuant To Article VIII

PETITION FOR IMPEACHMENT

Comes Now, Justice Jonathan Saffold, Jr. of Glendale, WI, 6716 N. Atwahl Drive, a delegate in good standing in the Church of God in Christ, hereinafter referred to as Petitioner and files this Petition For Impeachment, against Justice Peter J. Davis, duly elected as Secretary of the Judiciary Board (hereafter “Justice Davis”) for grievous constitutional violations committed by him in his official capacity as Secretary of the Judiciary Board, for the reasons set forth in Petitioner’s Statement of Purpose¹ and hereinafter to follow. Petitioner has first hand knowledge and “just cause” to believe and assert that Justice Davis has committed acts that are repugnant to, and in violation of, the following specific constitutional provisions:

- 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

The Code of Judicial Conduct provides that “Every judiciary board member is responsible for the observance of the Rules of Ethics of the Judiciary Board. A justice should also aid in securing their observance by other ecclesiastical legal officers. Neglect of these responsibilities compromises the independence of the Judiciary Board and the Church’s interest which it serves.”

¹ 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

In reviewing these charges, it is important to note that Secretary Peter Davis has used his Judicial office in concert with Chief Justice Martin L. Johnson (hereafter “Chief Justice” or “Chief Justice Johnson”) to engage in the course of conduct summarized below. In some instances, he acted alone; in the majority of instances, he was a co-conspirator. As such, the facts that amount to ethical and constitutional violations perpetrated by Justice Davis are substantially the same as those charged against the Chief Justice in a separate and distinct Petition for Impeachment, filed with the General Assembly. In summary, Justice Davis has²:

- 1) Harassed, made threats and engaged in acts of coercion and intimidation that constitute an obstruction to justice, collusion and that are unbecoming an officer of the court;
- 2) Participated in the deceitful concealment of conflicts of interests in matters adjudicated by the court;
- 3) Suppressed & made false statements regarding the existence of pleadings and official correspondence filed by Appellants;
- 4) Facilitated the issuance of Final Orders knowingly with incomplete and inaccurate information;
- 5) Failed to carry out adjudicative responsibilities;
- 6) Intentionally disregarded Article VIII accountability provisions requiring written findings of facts and conclusions of law (written legal opinions) to accompany judicial orders;
- 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.

² Justice Davis has violated several provisions of Professional Conduct for attorneys. A Disciplinary Action in the State of Alabama, wherein Justice Davis is believed to be a practicing attorney and in violation of numerous of its ethical and Professional Responsibility Standards has been prepared.

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".

The Code of Judicial Conduct is a mandated addendum or addition to the Church of God in Christ, *Constitution*.³ 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.⁴

³ 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.

⁴ "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*.

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 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:

OBSTRUCTION OF JUSTICE IN THE FORM OF HARASSMENT, THREATS, ACTS OF COERCION AND INTIMIDATION

Justice Davis has failed to uphold the integrity and independence of the Judiciary, and failed to conduct himself in a manner that avoids the appearance of impropriety, in violation of Canons 1 and 2 of the Judicial Code, set forth below.

CODE OF JUDICIAL CONDUCT, CANON 1.

A Justice Should Uphold the Integrity and Independence of the Judiciary.

An independent and honorable judiciary is indispensable to justice in The Church of God in Christ. A justice should participate in establishing, maintaining, and enforcing, and should himself/herself observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved.

CODE OF JUDICIAL CONDUCT, CANON 2.

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.

When learning of the Petition for Impeachment of Chief Justice Johnson, rather than responding with factual evidence in defense of such claims, Justice Davis sent a letter by email, in his official capacity as a national officer of the church, threatening to retaliate against Petitioner by (1) taking some form of adverse action against Petitioner's local church by filing charges with Petitioner's Jurisdictional Prelate, (2) filing charges for a civil action of defamation in the General Assembly, and (3) filing charges with the Wisconsin State Bar.⁵

⁵ Attached hereto as Exhibit B is a copy of the threatening letter from Justice Davis.

Threat of Jurisdictional Charges. The matters alleged in the Petition against Chief Justice Johnson contain Constitutional (Article VIII) violations, and have no relevance to the local church or jurisdiction where Petitioner serves. By virtue of his office with the Court, Justice Davis knows and understands that charges brought within a local jurisdiction must originate from the local church body. Consequently, the statement Justice Davis made concerning filing charges in Petitioner's local jurisdiction is actually and essentially a veiled threat to somehow stir up strife within Petitioner's local church so that charges can be filed within his jurisdiction.

Threat of Civil Action. The filing of charges with the General Assembly is the right of every delegate in good standing. However, Petitioner is an attorney and well aware that the defamation claim he threatens against Petitioner is a "civil" matter, not a "constitutional" matter to be appropriately considered by lower courts, Judiciary Board or General Assembly. Therefore, the General Assembly would have no jurisdiction to hear such a case unless it passes a resolution or constitutional amendment to become a civil court, which is unlikely. This threat is an attempt to harass and would be waste of valuable time and resources by the General Assembly. Justice Davis has recourse here. Petitioner has filed charges that can be corroborated and substantiated with documentation; Justice Davis should assist the Chief Justice in filing an answer in response to the Petition, with corroborating documentation.

Involvement of the General Board. Justice Davis has failed to uphold the integrity and independence of the Judiciary by including and thereby soliciting a General Board Member in his e-mail that demands a retraction of the Petition filed by Petitioner for Impeachment of Chief Justice Johnson. The inclusion of the General Board member in an email of this nature

amounts to pressure on the recipient to comply with the terms of the demand made by Justice Davis.⁶

The impeachment petition is a matter for the General Assembly. No General Board Member has been included on any other correspondence between Petitioner and Justice Davis to date, and the General Board has no constitutionally identified role in this process or these proceedings. Only Justice Davis can identify the true purpose of his letter. However, Petitioner believes this is a tactic and attempt by Justice Davis, whether factual or not, to display power, support and agreement of the General Board with the demands and actions stated in his threatening letter. A Petitioner should not be punished for exercising a Constitutional right. This conduct cannot be tolerated at any level of church governance.

COUNT 2:

JUSTICE DAVIS HAS CONSPIRED AND PARTICIPATED IN THE CONCEALMENT OF CONFLICTS OF INTERESTS OF THE CHIEF JUSTICE.

Justice Davis has assisted Chief Justice Johnson in the concealment of 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

⁶ The General Board member has never played a role in any communication sent by Justice Davis to Petitioner. The evidence suggests this is a unilateral, unsolicited and unwise decision by Justice Davis acting on his own. There is absolutely no implication, innuendo or assertion that the General Board member has done anything inappropriate or inconsistent with his high standing and regard in the church.

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”).⁷

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.

⁷ An excerpt from the Minutes of Board of Bishops Meeting, July 5, 2017, Pages 5-6 (Appellant’s Addendum), is attached hereto as Exhibit C.

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;*

Justice Davis has been present and/or included in every attempt by Petitioner to reconcile this conflict of interest with Chief Justice Johnson 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 case⁸;
- (2) A "Demand & Order for Recusal", dated April 9, 2019, specifically detailing conflict of interest and breach of professional responsibility issues⁹;
- (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.

Justice Davis and Chief Justice Johnson have both 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 *"¹⁷ And if he shall neglect to hear them, tell it unto the church:"*. We are currently in this third phase of resolution, as Justice Davis and Chief Justice Johnson has "neglected to hear them."

⁸Attached hereto as Exhibit D (Memorandum Dated April 2 discussing undisclosed pleadings & requesting a discussion regarding potential undisclosed conflicts of interest).

⁹ Attached hereto as Exhibit E is the Demand & Order for Recusal, April 9, 2019.

COUNT 3:

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

Justice Davis and Chief Justice Johnson 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 23rd, 2019 (hereafter "the Appellant's Addendum").¹⁰

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, Justice Davis and Chief Justice Johnson 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, Justice Davis assisted Chief Justice Johnson in using their positions in adopting a process of deliberation that precluded any discussion of his conflicts of interest or the merits of the Amended pleadings by Appellant.

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

¹⁰ Attached hereto as Exhibit C.

- Signed affidavits of service of the Appellant's Addendum to Justice Davis and Chief Justice Johnson¹¹;
- Email confirmations of delivery to Chief Justice Johnson and Justice Davis¹²; and
- An express acknowledgement of delivery by Justice Davis, Secretary of receipt of the Appellant's Addendum on March 25th, 2019.¹³

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. Justice Davis and Chief Justice Johnson 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 2nd 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 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

¹¹ See Affidavits of Service of Bishop Kyles & Ronald E. Stidham attached hereto as Exhibits F and G.

¹² Attached hereto as Exhibit G.

¹³ See Exhibit G.

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 4:

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

Justice Davis and Chief Justice Johnson 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 29th 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 2nd 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.¹⁴ 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 5:

FAILURE TO CARRY OUT ADJUDICATIVE RESPONSIBILITIES

Justice Davis and Chief Justice Johnson 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.*

CANON 3. PERFORM THE DUTIES OF OFFICE IMPARTIALLY

¹⁴ See Exhibit C (Memorandum Dated April 2 discussing undisclosed pleadings).

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.*

Justice Davis and Chief Justice Johnson 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”.¹⁵ Chief Justice Johnson recanted his earlier position and supported this decision by Secretary Davis.

COUNT 6:

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.

Justice Davis and Chief Justice Johnson 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

¹⁵ 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.¹⁶ 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

¹⁶ 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.

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.¹⁷

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

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

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 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, Justice Davis and Chief Justice Johnson 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. Justice Davis and Chief Justice Johnson 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 Secretary and Chairman collectively have 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, Justice Davis and Chief Justice Johnson 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, Justice Davis and Chief Justice Johnson 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 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 Justice Davis from the position of Secretary 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 Davis from the the Judiciary Board.

DATE: JUNE 17, 2019

/Jonathan Saffold, Jr./

JUSTICE JONATHAN SAFFOLD, JR.

EXHIBIT A

STATEMENT OF PURPOSE

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.

EXHIBIT B

THREATENING LETTER/EMAIL
FROM JUSTICE DAVIS

From: Peter J. Davis davispj11@aol.com

Subject: Demand for retraction

Date: June 15, 2019 at 11:19 AM

To: Jonathan Saffold justicejsaffold@gmail.com

Cc: mjohn2814@aol.com, Bishop Sedgwick Daniels hreducational@aol.com, Bishop J. Lyles jlyles@cogic.org

PJ

Justice Saffold:

Demand is hereby made to IMMEDIATELY retract the libelous and defaming material that you have printed against me, Peter Johnson Davis. You are to cease and desist from printing and/or causing false and malicious statements to be made and/or printed about or pertaining to me. You are attempting to defame and slander my good name with baseless allegations against me as a Justice on the Judiciary Board of the Church of God in Christ, Inc. Furthermore, you are attempting to defame my good name as a practicing attorney ,as I am a member in good standing within the State of Alabama.

If you fail to make a retraction regarding the foregoing, charges will immediately be brought against you with Wisconsin State Bar and , with the General Assembly of the COGIC and with Ecclesiastical Jurisdiction of which you are apart. These charges are being brought as you are acting in a manner inconsistent with that of an ethical attorney and moreover, your actions definitely defy that of a principled, ordained elder within COGIC.

Peter J. Davis, Esq.

On Jun 14, 2019, at 3:00 PM, Jonathan Saffold <justicejsaffold@gmail.com> wrote:

Attached to this email for filing is a Petition for the Impeachment of Chief Justice Martin L Johnson. All documents, including the cover letter, petition and exhibits are contained in one PDF file. Please let me know if you require anything further to effectuate this filing.

Justice J. Saffold

<Petition for Impeachment of Justice ML Johnson - 6-14-19.pdf>

EXHIBIT C

APPELLANT'S ADDENDUM

Bishop Rufus Kyles, Jr.
3405 Parkside Drive
Pearland, Texas 77584
(713) 530-1689
bisoprkyles@yahoo.com

March 23, 2019

Bishop Joel H. Lyle Jr.
General Secretary
Church of God in Christ, Inc.
930 Mason Street
Memphis, Tennessee 38126
jlyles@cogic.org

Bishop Martin Luther Johnson
Chief Justice Judiciary Board
Church of God in Christ, Inc.
1009 Fordham Road
Neptune, New Jersey 07753
mjohn2814@aol.com

Elder Peter Davis
Secretary, Judiciary Board,
Church of God in Christ, Inc.
secretay.judiciary@gmail.com

Via Electronic Mail

Greetings in the name of our Lord and Savior Jesus Christ,

Enclosed you shall find an addendum to a petition submitted August 3, 2017 to the Judiciary Board, as an Ecclesiastical and final Appeals Court of the Church of God in Christ.

/S/ *Rufus Kyles, Jr.*
Bishop Rufus Kyles, Jr.

Encl:

CHURCH OF GOD IN CHRIST, INC.

BOARD OF BISHOPS AIM Convention Meeting 2017



Bishop Charles E. Blake, Sr.
Presiding Bishop

Bishop Albert Galbraith, Jr.
First Vice Chairman

Bishop William H. Watson, III
Secretary

Bishop John H. Sheard
Chairman

Bishop Roger Jones
Second Vice Chairman

Bishop Adrian D. Williams
Asst. Secretary

4 under Meetings according to the Board of Bishops Rules and Operations. Bishop Watson explained that 30 percent of the bishops present at a meeting constitutes a quorum, with the exception of the Annual meeting held during the holy convocation. There are currently 85 bishops registered for the AIM Convention. With 69 bishops present, we have a quorum.

Bishop Ahmed Screven then read the Rules of Engagement before moving forward to conduct the business in the chambers. Bishop Watson brought attention to the acknowledgment of the minutes. Bishop Watson made a motion to accept the minutes, and there was a second. Bishop A. LaDell Thomas, Jr. made reference to a few misspelled names in the minutes. Bishop Watson asked him to send him the names that needed to be corrected by email. Bishop Fortson asked a question about the 50th anniversary of Dr. Martin Luther King and will the Board of Bishops have a part in that celebration. He also asked about the Judiciary Committee and the regional bishops list. Bishop Watson stated that Bishop Blake was in charge of anything dealing with Dr. Martin Luther King's 50th anniversary, and the Judiciary Committee was on the agenda for today and tomorrow, and the list of regional bishops will be emailed to Bishop Fortson the next day.

Bishop Martin Luther Johnson arose to ask if the Judiciary Board is a national office of the Church of God and Christ and could the board acknowledge their existence in the chambers. The Chairman of the Board of Bishops, Bishop John Sheard, replied to Bishop Martin Luther Johnson and said that his request will be granted. Secretary Bishop Watson acknowledged the Judiciary Board member Bishop Martin Luther Johnson with a round of applause. The minutes were accepted with corrections noted.

Bishop Roger Jones then introduced the Chairman Bishop John Sheard, who thanked God and greeted General Board Member Bishop Sedwick Daniels and Judiciary Board Member Bishop Martin Luther Johnson. Bishop Sheard stated that it is always a pleasure to meet with the Board of Bishops and find ways to improve the College of Bishops. He also said that the main objective is to improve the College of Bishops. Bishop Sheard also said that we have the greatest church on the face of the earth. Bishop Sheard then acknowledged that the Board of Bishops enjoyed Bishop Whitehead. Also, Bishop Sheard stated how good and how pleasant it is for some fellowship. There was much discussion on fellowship by Bishop Sheard. Bishop Sheard then introduced the Chairman of the Grievance Committee, Bishop Roy Dickson. Bishop Sheard stated that the board will hear the conclusion of Bishop Dixon's report on the next day.

Bishop Watson brought attention to the Executive Committee's report. He stated that the Executive Committee convened to review sanctions for Bishop Kyle. Bishop Watson stated that the recommended sanctions and Bishop Kyles' response were sent out by email to all the bishops. Bishop Watson informed the chambers that Bishop Kyles invoked his right to Rule 7C. He then read the names of the members on the Executive Committee. Bishop Watson read the entire Memorandum Report that went out to the Board of Bishops. Bishop Watson then stated that these recommendations were taken and made a motion to receive their recommendations. Bishop Donald Murray asked if it is a violation of prosecuting law to allow the defendant after the statute of limitations has run out to plead Rule 7C. Atty. Watson stated that the only law that applies are the laws that we have for the chambers. There was much discussion by Atty. Watson and clarity was given and accepted. Bishop G. Wesley Hardy asked, "What will Bishop Kyles have

left after 50 months of suspension?” Then, Bishop Hardy asked Bishop Watson to read Bishop Kyles' response. There was much discussion, and Bishop Watson replied that he would email them to him. Bishop Mann had an unreadiness, and Atty. Watson brought clarity. Bishop Fortson wanted to add an amendment to time served +2 years suspension and to take into consideration his age, his years he served the church, and the two years he has been without income.

Bishop Watson responded that the Board of Bishops had nothing to do with him not receiving income, and there was much discussion. Bishop Fortson asked to amend Bishop Kyle's sentencing from 50 months to 3 years with time served and reducing the financial liability from \$50,000 to \$15,000. There was much discussion and explanation by Bishop Watson. According to Bishop Screven, the parliamentarian, the amendment could be denied because it was a hostile amendment. The amendment was then Denied by Bishop Watson. Micah 6:8 was read by Bishop Fortson to substantiate and solidify his amendment. Bishop Watson reminded the bishops in the chambers that they only have two times to speak, two minutes each time. Bishop A. LaDell Thomas, Jr. was concerned and said, “It is dangerous to make a destiny decision with an emotional mindset.” He also stated that the rules did not give the despondent an opportunity to negotiate. Atty. Watson stated that when you are considering what is just and what is right, remember that there is a young lady that was impacted by the admitted conduct of Bishop Kyles. There was much discussion.

Bishop Walden stated that we should uphold the doctrine of the Church of God in Christ and the bible. We are leaders and should be leading the people, and the shepherd is not supposed to be sleeping with the sheep. If you do the crime, you will have to do the time.

No person found guilty can go before the judge and tell the judge how he wants to be sentenced. Bishop Walden stated that we should look at what's right and look at the one that has the most power and that is Jesus Christ. (Much Discussion) Bishop Brandon Porter, General Board Member, said that a decision in this case must be made. The church and the world are all looking at how we handle this case. Bishop stated that we don't assassinate, we restore, but when you fail to admit it is your fault, how can we handle you any other way. We are writing history, and it will dictate our future, stand strong. The Board of Bishops were asked to please handle the business that you've been ordained to handle. Bishop Watson then stated that the motion is on the floor and voted on and that the I's have it. Bishop Smith and Bishop Screven quoted a statement from the Roberts Rules of Order to bring clarity on the motion that was just received. There was much discussion.

A bishop brought a question to the floor asking what did we agree to. Bishop Watson stated that we agreed to a 50 calendar month suspension with time served, and all cleric duties are stripped from him.

- A. He can't preside or participate in the national, jurisdictional, district, local events, or services as a cleric.
- B. He cannot wear any clerical vestments of Church of God in Christ or any other church.
- C. He cannot sit in the pulpit.
- D. He cannot provide any counseling—marital or spiritual counseling to parishioners or others.
- E. He cannot perform any ordinances accordingly and not limited to marriage, water baptism, communion, funerals, etc.

Bishop Watson gave clarity with much discussion concerning what the board agreed to. Bishop Watson introduced the Chairman for final remarks. Bishop Sheard asked all bishops to give \$200, and he called all that gave. Meeting was adjourned.

Board of Bishops
Meeting AIM
Charlotte, NC
July 7, 2017

Bishop Roger Jones opened the meeting and turned it over to Bishop Harvey Lewis for the devotional. Bishop Harvey Lewis opened with a song, "Love Lifted Me" and prayed. Bishop Harvey Lewis then expounded on his book entitled, How to Purchase Property Without Money When the Property is not for Sale. Assistant Secretary Bishop Adrian Williams called for the dean and the assistant dean of the EPTP program. Bishop Gary Hall talked about the program and how more ideas are needed to make the program better. Bishop McCombs asked the Board of Bishops if there were any areas or topics that they would like discuss and present in one of the sessions. Bishop McCombs then opened the floor for questions and answers. There was much discussion.

Second Vice Chairman Bishop Roger Jones thanked God and then thanked Bishop Adrian Williams and his EPTP team for doing a wonderful job. Bishop Roger Jones called for Bishop Collins for the certification of the house. The Sgt. at Arms Bishop Bobby Warren asked that all bishops silence their cell phones while in the chambers. At 10:20 a.m. Bishop Collins certified the house with 61 bishops. Bishop Collins said that the Church of God in Christ is blessed to have 325 Bishops in the College of Bishops both foreign and domestic. There was much discussion.

EXHIBIT D

APRIL 2, 2019 MEMORANDUM



MEMORANDUM
JUDICIARY BOARD OF THE CHURCH OF GOD IN CHRIST
~ CONFIDENTIAL ~

April 2, 2019

To: Fellow Justices

From: Justice E. Charles Connor & Justice Jonathan Saffold, Jr.

RE: Kyles et al - Response to Proposed Order

This memorandum is submitted in response to the proposed order distributed in the Kyles matter scheduled and scheduled for discussion this evening. The most difficult part of this memorandum is where to begin dismantling its flaws.

We have a Proposed Order that has nothing to do with any issue that has been discussed or resolved by this Court, a selective recital and omission of relevant and key facts, issues that have been formally and appropriately appealed that have been ignored, apparent non-disclosure of documents that are or may be relevant to the Proposed Order, no written opinions in opposition of memoranda that have been submitted, opinions that cannot be sustained by any substantive rule of law or procedure, unresolved issues regarding the propriety of the penalties imposed and possible conflicts of interest. The following is a high level summary. If desired and appropriate, detailed arguments can be drafted on each item above and below in a separate document.

A. This Proposed Order Has No Relevance to What Was Discussed or Deliberated.

Search memory, notes, recollection or the official recording of our meeting two weeks ago and you will find no discussion or conclusion that resembles the Proposed Order. At the conclusion of that conference call, it was stated (not agreed) that a proposed order would be drafted that made a request to the Board of Bishops to reconsider the penalties in the Kyles case. This resolution was questionable not only because of its flawed logic, which was questioned by both Justices Connor and Lewis, but also, because it was never put to an official vote. Never was a dismissal of this matter as drafted in the Proposed Order discussed in this context, analyzed or agreed upon.

This order is flawed by its inaccuracies, unfounded and inappropriate to consider as a starting point for discussion because it is no way a summary of what was decided two weeks ago. Again, in our last call, it was decided that a proposed order that requests from the Board of Bishops a reconsideration of their penalties would be drafted and distributed for review and comment.

B. This Proposed Order Contradicts Itself and Fails on Its Merits.

The key fact omitted in the Proposed Order is that the admission at issue, pursuant to Rule 7(c), is made over a year after the Rule 5(f) statute of limitations had run, which was addressed in my memorandum dated March 25, 2019, that has also apparently been ignored. Nonetheless, let's consider the logical path the Proposed Order attempts to walk.

The Proposed order appropriately follows a sequential progression of events that concludes quite simply as follows:

“Given that there was no adjudicatory hearing by way of Appellant’s waiver, therefore, there is now no action from which to appeal.”

There’s no question that “sequential logic” is effective and the proper methodology here. The problem with the Proposed Order, however, is not the methodology or vehicle ushering us to the finish line. Rather, the problem is the Proposed Order veers off course because a few very important items have been omitted from consideration.

In other words, the Proposed Order leaves out key steps in the sequence, namely the fatal Rule 5(f) violation. Rule 5(f) is not a suggestion, good idea, or philosophical goal. It is a serious legal rule of procedure that insures fairness and justice and that requires final resolution of a legal action within 545 days, and when violated, is fatal and dispositive to a case. If we apply the same logic used in the Proposed Order, but use the true and actual factual and procedural records, we get to the same place, but with a different passenger. The same conclusion is appropriate – “there is no action from which to appeal” – but in favor of Bishop Kyles.

If the case had properly been dismissed as it should have been, there would be no reason for Bishop Kyles to invoke Rule 7(c), because there would be no case against him. Stated alternatively, the Rule 7(c) plea/admission came well after this case should have properly been dismissed. If the the case had been properly dismissed pursuant to the Rules of Procedure, there would be no reason for a Rule 7(c) plea. Common sense suggests that no one would plead guilty to a tribunal if there is no cause or reason to do so. If Rule 7(c) applies, it must be considered as a matter independent of this case, which in turn means that the issue quite possibly not properly be before this court.

C. Bishop Kyles Has Appealed the 7(c) Plea Citing Numerous Flaws in the Process.

Bishop Kyles has filed an appeal of his Rule 7(c) plea that has not been considered by this Board. To not examine and address the merits of this appeal is in error. It is unthinkable to issue an order imposing a Rule 7 plea without addressing the errors cited on appeal of that plea.

This Court is the last stop and hope to internally resolve ecclesiastical issues. It is our duty to consider, resolve and not ignore all of the arguments made on an appeal, and to explain in writing, as a measure of accountability, our rationale and reasoning based on the laws and

governing rules of this church. We have not been afforded the luxury of simply “Passing” on tough, lengthy issues or politically charged issues.

D. The Penalty Imposed By the Board of Bishops Nullified Any Right Bishop Kyles Had to Invoke Rule 7(c).

Rule 7(c) is a Rule that embodies a procedure available to Bishops. By prematurely imposing a penalty that stripped Bishop Kyles of his Bishopric and any form of Pastoral duties, a Rule 7 plea is unavailable. Rule 7 pleas are available to Bishops as a form of mercy and designed to be plead in lieu of other defenses during the actual case, as opposed to a last option after all others have been exhausted. It is also a time and expense saving mechanism. A Rule 7 plea is appropriately plead before the penalty phase, not afterward.

In this instance, once Bishop Kyles was punished and stripped of all positions, he no longer had any privileges as a bishop or pastor. This includes access to Rule 7(c) and precludes his use of the same. This argument is admittedly not as compelling as the others, but as we contemplate the issues, it’s one that should nonetheless, be addressed.

E. This Order is Premature Because There May Be Pleadings that Have Not Been Verified and/or Disclosed to this Court.

It appears that a filing was made with the Court on March 23rd that relates to this case. On or around March 29th, a request was made to the Secretary that any pleadings or documents filed with the court be distributed and disclosed to all members. There has been no response to this request or disclosures that have been distributed. How can we deliberate without all of the information?

It is disappointing that we cannot trust that information will be distributed accurately and timely. We have pledged to the entire church that we would conduct ourselves in an exemplary manner that is beyond reproach, as we are in a position to judge the conduct of others. Make disclosure of the documents. It is unacceptable to withhold these items from consideration or not to even acknowledge their existence. It creates an uneven playing field within our body and will serve only to undermine the trust and confidence of this Board.

F. There are Two (2) Integrity Issues Related to Conflicts of Interest That Must Be Addressed Before an Order Can Be Issued in this Case.

We have been made aware of credible information concerning two (2) Justices that need to be addressed prior to any further discussion of this case on its merits. Interestingly enough, one of the potential conflicts is a part of the filing referenced above that has apparently been suppressed and censored from review by this court. At a minimum, the alleged filing, if it exists, contains information that raises a question of impropriety in the form of an obvious potential conflict of interest that has not been disclosed.

Both issues regarding the conflict of interest must be identified and addressed before proceeding any further. Not to do so would amount to blatant misconduct and gross error by this court. To issue an Order without at least addressing this very relevant issue in the suppressed March 23rd filing referenced above has the potential to undermine the confidence of the entire church.

These are issues too sensitive to be discussed over the telephone. The letter authored by Bishop's Sheard on behalf of the Board of Bishops dated March 13th, went undisclosed for an extended period of time, and then unaddressed for nearly a month. There has already been substantial delay. A delay of one more week for the purpose of discussing these issues in person at April Call will help to resolve a host of vital issues facing this Court. As the Proposed Order demonstrates, phone conferences involving controversial issues have the potential to yield outcomes that do not resemble the discussions. This is an issue that we cannot afford to miss, risk accuracy or allow something to be lost in the translation.

CONCLUSION

In short, the process and procedure this court has apparently adopted to resolve legal issues is confusing. We serve this church in a capacity so important that it gives us the final say in both judicial and constitutional matters, which are often times very difficult to digest, analyze and resolve. The importance and complexity of these issues call for the engagement and collective input of all nine justices to ensure fair, consistent and just resolutions.

Any legal argument or position worth adopting can be stated in writing and defended. Committees and courts are similar, but are distinguished by at least one important factor. Courts arrive at decisions through legal arguments, briefing and deliberation. This is our assurance that we have arrived at the proper conclusion and it is a way to hold each person accountable for their respective opinion.

We are a court, not a committee. The responsibility of this court is to dispense adjudicate and dispense the law, NOT outcomes. There are numerous issues that need to be addressed and analyzed in this case. Trial courts issue rulings, appellate courts consider and analyze errors in proceedings, and must be beyond reproach.

There must appropriately be an official postponement of any discussion of the Kyles case until our meetings in Memphis next week for all of the forgoing reasons. There are too many sensitive issues to hash out in a telephone conference where all justices are not present and the winner is the person who speaks the loudest and longest.

EXHIBIT E

DEMAND & ORDER FOR
RECUSAL



JUDICIARY BOARD OF THE CHURCH OF GOD IN CHRIST

DEMAND & ORDER FOR RECUSAL OF CHIEF JUSTICE MARTIN L. JOHNSON

April 9, 2019

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

FACTUAL BACKGROUND

The minutes from a 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 Kyles Rule 7C plea, as well as the determination of the penalties and punishment to be imposed against Bishop Kyles.

The participation of Chief Justice Johnson in the BOB Meeting is documented and confirmed in the published minutes of that meeting. An excerpt of those minutes 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 Kyles Addendum”).¹

Chief Justice Johnson and Secretary Davis have intentionally and deceitfully suppressed the Kyles Addendum, and in doing so, concealed evidence of Chief Justice Johnson’s involvement in the Kyle’s case, serving in multiple capacities and conflicting roles. This conspiracy to conceal, mislead and deceive has been carried out in two ways. First, Chief justice Johnson and Secretary Davis have refused to distribute the Kyles Addendum to the members of the Judiciary Board. Second, both Justices are on record denying the receipt and very existence of the Kyles Addendum after written and verbal requests for distribution of the Kyles Addendum. (Judiciary Board meeting on Tuesday, April 2, 2019).

The following items have been attached to this document as evidence of delivery and receipt of the Kyles Addendum, which Chief Justice Johnson and Secretary Davis continue to deny knowledge of and receipt:

¹ Attached hereto as Exhibit A.

- Signed affidavits of service of the Kyles Addendum to Justice Davis and Chief Justice Johnson²;
- Email confirmations of delivery to Chief Justice Johnson and Justice Davis³; and
- An express acknowledgement of delivery by Justice Davis, Secretary of receipt of the Kyles Addendum on March 25th, 2019.⁴

It should be noted, the Secretary has emphatically stated on numerous occasions that any documents delivered to the court are immediately forwarded to the Chief Justice.

The receipt and subsequent denial of the existence of the Kyles Addendum is significant. Chief Justice Johnson and Secretary Davis took affirmative actions to deceitfully suppress the only document filed with the court that confirms Chief Justice Johnson's participation in the BOB meeting. This concealment is combined with a blatant attempt by Chief Justice Johnson to quickly resolve the Kyles case on an April 2nd conference call. The vote for a Final Order was called and pressed by Chief Justice Johnson without distributing the Kyles 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.

GOVERNING RULES & LAWS

Constitutional Provisions

"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.*⁵

"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.*⁶

A Board Member shall disqualify himself or herself in a proceeding in which his or her impartiality might be questioned.

Judiciary Board Code of Ethics

² See Affidavits of Service of Ronald E. Stidham attached hereto as Exhibits B.

³ Attached hereto as Exhibit C.

⁴ See Exhibit C.

⁵ See Exhibit D.

⁶ Id.

CONFLICT OF INTEREST

Chief Justice Johnson has not properly disclosed that he participated in the above meeting, nor has he properly recused himself from the proceedings in the Kyles case. To aggravate matters, he has willfully and intentionally suppressed a pleading filed in this same case that contains an Exhibit confirming his participation in the BOB Meeting wherein important decisions in the Kyles case were discussed and deliberated.

Chief Justice Johnson has actively participated in the Kyles matter in three (3) conflicting capacities - prosecution, jury deliberations, and now, as Chief Justice over the final disposition of this case on appeal. Chief Justice Johnson has been provided with several opportunities to self-report his involvement in these multiple capacities, but has failed to do so. This conduct is a clear violation of multiple provisions of Article VIII, as well as the Code of Ethics of the Judiciary Board. Moreover, Chief Justice Johnson, through his concealment and pressure on the Board to resolve this case under these unfair and unjust circumstances, conspired to deprive the Appellant of his Constitutional Due Process rights and a fair and impartial deliberation of his case. Chief Justice Johnson has used his power, authority and position to unfairly manipulate the outcome of this case in opposition to the Appellant.

The grievous behavior of Chief Justice Johnson has already had the effect of undermining the integrity and confidence of the national church in the impartiality, credibility and fairness of any ruling made by this court.

BREACH OF PROFESSIONAL RESPONSIBILITY AS OFFICERS OF THE COURT

Chief Justice Johnson and Secretary Davis are attorneys that are bound by the Rules of Professional Conduct of the respective bars in their states of practice. These professional and ethical standards of conduct are always in effect and applicable, whether a lawyer is actively practicing law, representing a client or engaged in routine every-day life activities. The rules serve to maintain the integrity of the legal profession and ensure the high standards that the public has for officers of the judicial system are upheld.

Upon information and belief, Chief Justice Johnson does not actively practice law in the state of New Jersey, but is still, nonetheless, held to the following standard of integrity:

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit an act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer 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;

*RPC 8.4 Misconduct, New Jersey Disciplinary Rules of Professional Conduct*⁷

⁷ See Exhibit E.

Upon information and belief, Secretary Davis practices law in the State of Alabama. The Rules of Professional Conduct state the following concerning “Maintaining the Integrity of the Profession”:

It is professional misconduct for a lawyer to:

- (c) Engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) Engage in conduct that is prejudicial to the administration of justice;
- (f) Knowingly assist a judge or judicial officer in conduct that is a violation of applicable Canons of Judicial Ethics or other law; or
- (g) Engage in any other conduct that adversely reflects on his fitness to practice law.

*Rule 8.4, Alabama Rules of Professional Conduct Maintaining the Integrity of the Profession.*⁸

These Justices have clearly violated the standards of the legal profession, the oaths they have been sworn to uphold, and will be subject to discipline for the infractions herein should they be reported to their respective state bar associations. The conduct described above documents a pattern of behavior that is deliberate, dishonest, deceitful and prejudicial to the administration of justice. Such violations for a judge or attorney are viewed in every jurisdiction in this country as “just cause” for removal from office and grounds for suspension from the practice of law (disbarment).

RESOLUTION & ORDER

To resolve these matters, it is urged that Chief Justice Johnson fully comply with the following:

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;
3. Make disclosure of any and all documents, letters, correspondence, pleadings related to the Kyles case or any other pending or potential matter that has come into his possession since being elected as Chief Justice; and
4. 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

⁸ See Exhibit F.

EXHIBIT F

AFFIDAVITS OF SERVICE

AFFIDAVIT OF SERVICE BY MAIL

I, Ronald E. Stidham, the undersigned mailer, being of sound mind and under no duress, do hereby certify, attest and affirm that the following facts are true and correct, to wit:

1. That on March 25, 2019, on behalf of Bishop Rufus Kyles, Jr, the undersigned personally mailed the following documents and transmitted them via Electronic Mail to wit:

Addendum to Bishop Kyles Appeal

at Wichita, Kansas one complete set of copies of the documents as described above properly enveloped and addressed to addressee(s) and address(es) as follows:

Bishop Joel H Lyles
jlyles@cogic.org

Bishop Martin Luther Johnson
mjohn2814@aol.com

Peter J. Davis
davispj11@aol.com

Bishop Rufus Kyles, Jr
bishoprkyles@yahoo.com

2. That I am at least 18 years of age.

3. That I am not related to the recipient(s) by way of blood, adoption, marriage or employment, but serve as a "disinterested third party" (herein server) and further,

4. That I am in no way connected to or involved in or with, the person and or matter at issue in this action.

I now affix my signature to these affirmations this 3rd date of April, 2019 at Wichita, Kansas.

Ronald E. Stidham

Re: Addendum to Bishop Kyles Apeal

From: Joel Lyles (jlyles@cogic.org)

To: stidhamr@prodigy.net

Cc: mjohn2814@aol.com; secretary.judiciary@gmail.com; bishoprkyles@yahoo.com

Date: Monday, March 25, 2019 04:16 PM CDT

Received, thank you.

On Mon, Mar 25, 2019 at 5:09 PM RON STIDHAM <stidhamr@prodigy.net> wrote:

At Bishop Kyles request, I am forwarding this to the appropriate parties.

Ronald E. Stidham



COGIC's #1
Urban Christian eMagazine
"Good News For God's People-The Whole Truth"
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AFFIDAVIT

On March 25, 2019 I, Bishop Rufus Kyles, requested and do hereby give my express consent for Elder Ronald Stidham to act, communicate and submit Rule 5(f) and Rule 7 (c) appeal and addendum documents to the Judiciary Board of the Church Of God In Christ on my behalf.

Signed this 7th day of April 2019.


Rufus Kyles

EXHIBIT G

ACKNOWLEDGEMENT
OF
DELIVERY/CONFIRMATION

Re: Addendum to Bishop Kyles Apeal

From: Peter J. Davis (davispj11@aol.com)

To: stidhamr@prodigy.net

Date: Monday, March 25, 2019 05:17 PM CDT

Thank you Brother Stidham! Good to hear from you!
God Bless!
Peter Davis
Secretary
Judiciary Board

Sent from my iPhone

On Mar 25, 2019, at 4:29 PM, RON STIDHAM <stidhamr@prodigy.net> wrote:

Email to the email address secretary.judiciary@gmail.com was rejected so I forwarded forward this to the one I had.

Ronald E. Stidham

----- Forwarded Message -----

From: RON STIDHAM <stidhamr@prodigy.net>

To: Joel Lyles <jlyles@cogic.org>; Bishop Martin Luther Johnson <mjohn2814@aol.com>;
secretary.judiciary@gmail.com <secretary.judiciary@gmail.com>

Cc: Bishop Rufus Kyles <bishoprkyles@yahoo.com>

Sent: Monday, March 25, 2019 04:09:23 PM CDT

Subject: Addendum to Bishop Kyles Apeal

At Bishop Kyles request, I am forwarding this to the appropriate parties.

Ronald E. Stidham

<New Addendum to Rule 7_final_final.pdf>

Re: Addendum to Bishop Kyles Apeal

From: Joel Lyles (jlyles@cogic.org)

To: stidhamr@prodigy.net

Cc: mjohn2814@aol.com; secretary.judiciary@gmail.com; bishoprkyles@yahoo.com

Date: Monday, March 25, 2019 04:16 PM CDT

Received, thank you.

On Mon, Mar 25, 2019 at 5:09 PM RON STIDHAM <stidhamr@prodigy.net> wrote:

At Bishop Kyles request, I am forwarding this to the appropriate parties.

Ronald E. Stidham



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EXHIBIT H

E-MAIL REJECTING DISSENTING
OPINION



Dissenting Opinion

Jonathan Saffold <justicejsaffold@gmail.com>
To: "Justice Peter J. Davis" <davisjp11@aol.com>

Tue, May 14, 2019 at 9:28 AM

Are you in receipt of the dissenting opinion yesterday and do I need to do anything further to have it included with the official opinion in the Kyle's case?

Peter J. Davis <davisjp11@aol.com>
To: Jonathan Saffold <justicejsaffold@gmail.com>

Tue, May 14, 2019 at 10:11 AM

Justice Saffold,

A dissent was due at the time the Court rendered it's decision(or shortly thereafter). But not a month or so later. We will not keep revisiting this matter. However, I am in receipt of your dissent. It will be distributed to the justices.

Sent from my iPhone

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>
To: "Justice Peter J. Davis" <davisjp11@aol.com>

Tue, May 14, 2019 at 11:25 AM

Bcc: "Justice Martin L. Johnson" <mjohn2814@aol.com>, Justice Enoch Perry III <ep3law@gmail.com>

At the time of our meeting, I specifically asked when the dissenting opinion was due. Chief Justice said there was no time limit and agreed the time limit you imposed was unreasonable.

How can I write a dissenting opinion when I don't know what the final order is going to be? No other deadline was imposed. Also, I requested the transcripts of our meetings, which are supposed to be distributed within one week of the meeting. You have refused to give them to me, stating that they will most likely be destroyed. Those transcripts would have helped me to formulate my dissent.

At the end of the day, you can continue to contest even the most standard and simplest of matters as it relates to the fulfillment of your duties to the court. I simply want an explanation. How could I have filed a dissenting opinion when I didn't know what the final opinion would be? Please tell me also, when the deadline was for filing the dissenting opinion, if it was different than what the Chief Justice stated in our meeting.

Justice will prevail roll down like a river, despite your opposition to the process.

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>
To: "Justice Peter J. Davis" <davisjp11@aol.com>, "Justice Martin L. Johnson" <mjohn2814@aol.com>, Enoch Perry III <ep3JdB2@gmail.com>, Justice Enoch Perry III <ep3law@gmail.com>

Thu, May 16, 2019 at 4:45 PM

Is there anything else required from me to officially file this dissent? Are you officially rejecting it or not?

The Secretary is the custodian of the records. It is not my job to track down the Chief Justice every time you are confused concerning what to do. If this is the case, should I start sending all correspondence to the Chief, instead of the Secretary?

Please consult with the Chief Justice and let me know if it is rejected. It's one or the other. I just need to know. This is an unnecessary waste of time.

JS

[Quoted text hidden]

Peter J. Davis <davispj11@aol.com>

Thu, May 16, 2019 at 5:15 PM

To: Jonathan Saffold <justicejsaffold@gmail.com>

Cc: "Justice Martin L. Johnson" <mjohn2814@aol.com>, Enoch Perry III <ep3JdB2@gmail.com>, Justice Enoch Perry III <ep3law@gmail.com>

Dissents must be filed in a timely manner. Yours was not. Perhaps, next time you will file in a timely manner.

Sent from my iPhone

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>

Thu, May 16, 2019 at 5:26 PM

To: "Justice Peter J. Davis" <davispj11@aol.com>

Cc: "Justice Martin L. Johnson" <mjohn2814@aol.com>, Enoch Perry III <ep3JdB2@gmail.com>, Justice Enoch Perry III <ep3law@gmail.com>

Justice Davis, do you recall chief justice stating that they could be filed anytime and that you're deadline was unreasonable because there's no way I could file a dissenting opinion until I know what the order is?

In addition, do you recall ever giving me a deadline?

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>

Thu, May 16, 2019 at 5:39 PM

To: "Justice Peter J. Davis" <davispj11@aol.com>

Cc: "Justice Martin L. Johnson" <mjohn2814@aol.com>, Enoch Perry III <ep3JdB2@gmail.com>, Justice Enoch Perry III <ep3law@gmail.com>

I'm disappointed with your decision Justice Davis, but you did answer my question, as requested.

I know what I was told by Chief Justice in front of everyone that there there's no deadline on filing a dissenting opinion. In addition, I was never given a firm deadline to file a dissent. In addition, I asked for transcripts that are supposed to be distributed within a week and I offered to pay for them so I could finish my dissent. I was denied access to those court records.

Both Chief Justice and Justice Perry are included on this thread, so if there's no comment contrary to what you stated by the Chief Justice, I will assume that's the final decision am my dissent has been rejected by the court.

Thanks for the response.

JS

Peter J. Davis <davispj11@aol.com>

Thu, May 16, 2019 at 5:50 PM

To: Jonathan Saffold <justicejsaffold@gmail.com>

Cc: "Justice Martin L. Johnson" <mjohn2814@aol.com>, Enoch Perry III <ep3JdB2@gmail.com>, Justice Enoch Perry III <ep3law@gmail.com>

Justice Saffold:

You're correct, the Court reserves the right to reject your dissent.
I have no intentions of debating this matter with you.
Pjd

Sent from my iPhone

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>
Draft

Fri, May 17, 2019 at 10:17 AM

[Quoted text hidden]

EXHIBIT I

E-MAILS DENYING ACCESS TO
RECORDS

available or exist pretty soon.

I'm simply asking for clarification.

[Quoted text hidden]

mjohn2814@aol.com <mjohn2814@aol.com>
To: justicejsaffold@gmail.com

Sat, Apr 27, 2019 at 7:29 PM

Justice Saffold: I concur that each Justice should have complete access to the records. However, we are in a transition mode which obviously hampers an expeditious transfer of records. Additionally I'm aware of a reproduction expenditure which has not been fully addressed as of yet. Finally, my ultimate goal is harmony, collegiality and effectiveness. Prayerfully, each Justice will identify with that goal without compromising their personal integrity. Peace, MLJ

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>
To: "Justice Martin L. Johnson" <mjohn2814@aol.com>

Sat, Apr 27, 2019 at 7:40 PM

I do appreciate your response and I don't want to belabor the issue.

I understand the transition. These are records from the last two meetings of our Board and have nothing to do with our transition. I've offered to pay for the transcription myself.

As you've mentioned, each Justice should be afforded complete access to the records. My willingness to personally bear the expense of transcription should afford me complete access to the records that he has in his possession. I'm not asking for anything outside of the Secretary's possession.

Again, I do appreciate your quick response and I'm simply asking for your concurrence let the records can be transcribed at my expense, and not destroyed. The only reason I am contacting you regarding this is the Secretary has stated he works for you and you make the final decision on whether a Justice can obtain the records.

He has the audio but will not release them or allow me to pay for them without your permission because he stated you are contemplating a change in the access policies.

With your permission, I would simply like access to the records of the Court and proceedings that I participated in.

[Quoted text hidden]

mjohn2814@aol.com <mjohn2814@aol.com>
To: justicejsaffold@gmail.com

Sat, Apr 27, 2019 at 8:02 PM

Justice Saffold; I will explore further the established procedures as they relate to matters of the nature and when I am sure I will respond in kind. As of now I have no idea of the costs involved. Justice Perry are my experts in these matters. I will consult with them and get a better understanding of processes and procedures. Honestly, I too am limited; as you can appreciate, I am new at this also, However I am willing to work with you as you work with me to find the answers and solutions. I'm out for the rest of the evening, making final preparations for the Lord's Day. Be blessed and preach the Word as you understand it. Peace, MLJ

[Quoted text hidden]

Jonathan Saffold <justicejsaffold@gmail.com>
To: justice.integrity.connor@gmail.com

Wed, May 1, 2019 at 10:34 AM

[Quoted text hidden]

available or exist pretty soon.

I'm simply asking for clarification.

[Quoted text hidden]

mjohn2814@aol.com <mjohn2814@aol.com>
To: justicejsaffold@gmail.com

Sat, Apr 27, 2019 at 7:29 PM

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Jonathan Saffold <justicejsaffold@gmail.com>
To: justice.integrity.connor@gmail.com

Wed, May 1, 2019 at 10:34 AM

[Quoted text hidden]