

THE ECCLESIASTICAL TRIAL COURT  
OF THE PROTESTANT EPISCOPAL CHURCH  
IN THE DIOCESE OF VIRGINIA

In the Matter of:

The Rev. Randolph Merritt Bragg,

Respondent

ORDER

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Pending before the Court is the motion for summary judgment of the Diocesan Review Committee. That motion was filed on March 4, 2009, along with a supporting memorandum and the affidavit of the Complainant, [REDACTED] P [REDACTED].

By its Order dated February 18, 2009, the Court set a deadline of March 18, 2009 for the Respondent to respond to the Committee's motion. No response has been received. Respondent has previously advised the Court that he would not respond to the motion.

The Committee, through its motion and supporting affidavit, has established facts that support a finding of Immorality under Canon 1.1(b), Violation of Ordination Vows under Canon IV.1.1(h), and Conduct Unbecoming a Member of the Clergy under Canon IV.1.1(j). As noted in Rule 9(e) of the Rules of Procedure of the Ecclesiastical Trial Courts, when a motion is made and properly supported, the opposing party may not rest upon mere allegations or denials of the adverse party's pleading but must, by affidavits or otherwise provided in Rule 9, set forth specific facts to show that there is a genuine issue for Trial. In the absence of any response from the Respondent to the motion, the Court finds that the admissible evidence presented by the Committee establishes that there are no genuine issues as to any fact material to a determination that the Respondent committed the Offenses alleged, and summary judgment is otherwise appropriate.


Accordingly, it is the unanimous decision of the participating members of the Court (Mr. Joseph Royster, the Rev. Melissa Hollerith, Col. Jean Reed, the Very Rev. Penelope Bridges, the Rev. Alwin Reiners, the Rev. Susan Eaves, and Ms. Janet Peyton), that the Committee's motion be GRANTED.

The parties are directed to appear at a sentencing hearing at 10:00 a.m. on Wednesday, May 13, 2009 at Trinity Church in Fredericksburg, Virginia.

The clerk shall send a copy of this order to counsel for the parties and to the Complainant.

IT IS SO ORDERED.

Done this 24th day of March, 2009.



Janet P. Peyton  
Presiding Judge