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ROGER D. SCHWENKE

May 3, 1999

The Rt. Rev. John B. Lipscomb, Bishop Diocese of Southwest Florida 8411 25<sup>th</sup> Street, East Parrish, Florida 34219

Bishop Lipscomb,

In accordance with the provisions of Title IV, Canon 4.28, of the Constitution and Canons of the Episcopal Church, the enclosed is hereby submitted.

The Rev. W. Thomas Leckrone +

1631 Valley Forge Drive Lancaster, Ohio 43130

Ph. 740/654-6565 Fax 740/654-6579

Encl.: Notice of Appeal

#### NOTICE OF APPEAL

# TO THE COURT OF REVIEW OF PROVINCE IV FROM A JUDGMENT OF THE ECCLESIASTICAL COURT OF THE DIOCESE OF SOUTHWEST FLORIDA

In re:

The Standing Committee of the Diocese of Southwest Florida, Complainant

V.

The Rev. W. Thomas Leckrone, Respondent

#### Notice of Appeal

In accordance with Title IV, Canon 4, Sec. 28, of the Constitution and Canons of The Episcopal Church, notice is hereby given that The Rev. W. Thomas Leckrone, Respondent in the above named case, appeals to the Court of Review for Province IV from the final judgement entered in this action on the 8<sup>th</sup> day of April, 1999.

#### Judgement From Which Appeal Is Taken

Said judgement found that the Respondent committed the offenses of: violation of ordination vows, actions which constituted immorality, and actions which constituted conduct unbecoming a member of the clergy. The sentence to be adjudged was that of deposition.

### Grounds of the Appeal

1. Denial of Due Process due to multiple violations of Canons contained in the Constitution and

Canons of the Episcopal Church.

2. Denial of Due Process due to multiple violations of the Provisions contained in the Policy and

Procedures Regarding Sexual Misconduct Manual of The Diocese of Southwest Florida.

- 3. Errors by the Ecclesiastical Court in interpreting Canons of the Church.
- 4. Errors by the Ecclesiastical Court in interpreting Rules contained in Appendix A of Title IV.
- 5. Errors by the Ecclesiastical Court in interpreting and Rules contained in the Federal Rules of Evidence.
- 6. Abuse of Discretion by the Ecclesiastical Court.
- 7. Malfeasance by the Ecclesiastical Court.
- 8. Non-Feasance by the Ecclesiastical Court.
- 9. Ineffective Assistance of Counsel.
- 10. Appellant reserves the right to propose additional grounds as they become known.

May 3, 1999

The Rev. W. Thomas Leckrone, Appellant

1. Thomas Joshow

1631 Valley Forge Drive Lancaster, OH 43130

Phone: 740/654-6575 Fax: 740/654-6579

Attachments: 1) Decision of the Trial Court

- 2) Notice from the Ecclesiastical Authority dated April 15, 1999
- 3) Notice from the Ecclesiastical Authority dated April 29, 1999

I certify that copies of this document were served via U.S. mail to:

Mr. Roger D. Schwenke, Esq., Presiding Judge of the Ecclesiastical Court

Mr. Thomas C. MacDonald, Esq., Church Attorney for the Standing Committee of The Diocese of Southwest Florida

The Rt. Rev. Dorsey F. Henderson, Presiding Judge, Province IV Court of Review

Clerk, Province IV Court of Review

May 3, 1999

The Rev. W. Thomas Leckrone, Appellant

1631 Valley Forge Drive Lancaster, OH 43130

Phone: 740/654-6575 Fax: 740/654-6579