

TELEGRAM & GAZETTE

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N. Mexico grand jury indicts Holley

The Associated Press

ALAMOGORDO, N.M. — An Otero County grand jury yesterday indicted a retired Roman Catholic priest, formerly of Worcester County, on eight felony charges of sexually molesting young boys here about 20 years ago.

David A. Holley, 65, was charged with five counts of aggravated sodomy, two counts of sodomy and one count of sexual assault, District Attorney Bert Atkins said. The counts involve eight boys.

Holley and the Roman Catholic Diocese of Worcester are defendants in a lawsuit filed last month in Albuquerque by attorney Bruce Pasternack on behalf of some of the alleged victims.

The alleged victims were "between 11 and 13 years old at the

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time of the commission," Atkins said in a telephone interview.

The offenses were alleged to have occurred in Alamogordo beginning in 1972 when Holley was a priest at St. Jude Mission Church and extending through April 1974, when Holley was believed to have left Alamogordo, Atkins said.

Five of the alleged victims are plaintiffs in the lawsuit: Robert Curtis of Albuquerque, allegedly molested in 1972; Noel Clark of Hobbs, allegedly molested in 1972; Ed Francis of Alamogordo, 1972; and Albuquerque brothers Gary and Mark Sanchez, both in 1972. The other three, not named in the lawsuit, were molested in 1973 and 1974, the criminal complaint alleges.

Other plaintiffs in Pasternack's suit include Michael Sandoval of Wheat Ridge, Colo.; Ed Francis' brothers, Gregg Francis of Alamogordo and Andrew Francis of Tulsa, Okla.; and Joseph Hafermann of Hennepin County, Minn.

Defendants in the lawsuit include the dioceses of Worcester, Mass., and of El Paso, Texas, which once included Alamogordo, as well as the Servants of the Paraclete retreat in Jemez Springs, N.M., which has been a treatment center for troubled priests including pedophiles.

Holley was ordained in Worces-

ter and served in Massachusetts from 1962 to the early 1970s, at parishes in Grafton, East Douglas, Boylston and Worcester.

"There is a statute of limitations on these crimes," Atkins said, "however there is case law in New Mexico that indicates when someone leaves the state, the statute is tolled — that is, it stops running. Our investigation has shown that Holley has not returned to the state of New Mexico since 1976."

He said the statute of limitations on the various charges ranged from two to six years and that all the cases filed here remain within the statutory range.

Atkins said Holley is believed to be living now in Suitland, Md., near Washington, D.C.

There was no telephone listing for Holley there, and he could not be located immediately for comment.

Atkins said his prosecution is independent of the lawsuit filed by Pasternack and independent of any church investigation.

"I'd say the church has cooperated with this investigation here," he said, however.