

**SECOND JUDICIAL DISTRICT  
COUNTY OF BERNALILLO  
STATE OF NEW MEXICO**

**JOHN DOE “B”,**

**Plaintiff,**

**v.**

**ARCHDIOCESE OF SANTA FE, and  
OUR LADY OF GUADALUPE PARISH,  
Albuquerque, NM,**

**Defendants.**

**COMPLAINT FOR DAMAGES  
FOR CAUSING SEXUAL ABUSE BY PRIESTS,  
FAILURE TO PREVENT SEXUAL ABUSE BY PRIESTS,  
FOR THE SEXUAL ABUSE ITSELF, AND RELATED CLAIMS**

Plaintiff, by and through his attorneys, states as his complaint:

1. Plaintiff is a resident of Bernalillo County, New Mexico.
2. Plaintiff was a victim of childhood sexual abuse that occurred in Albuquerque’s north valley at the Parish of Our Lady of Guadalupe. Plaintiff was an altar boy at the Our Lady of Guadalupe Parish church near his home, where Plaintiff attended catechism classes and church functions.
3. Defendant Archdiocese of Santa Fe (hereinafter “Archdiocese”) is a New Mexico corporation which operates or has operated facilities in northern New Mexico, including in Bernalillo County, New Mexico, including Our Lady of Guadalupe Parish on Griegos NW. The Archdiocese also has offices and does business in Bernalillo County.

4. Our Lady of Guadalupe parish (hereinafter “the Parish”) was, until recently, a part of the Archdiocese. It was under the direction and control of the Archdiocese during the relevant time period of the 1960’s, 1970’s and 1980’s.
5. Our Lady of Guadalupe Parish is now a separate legal entity as part of Roman Catholic Church reorganization in our State, with its primary place of business located in Bernalillo County, New Mexico. Upon information and belief, it is still, however, under the direction and control of the Archdiocese.
6. Father Walter Cassidy was a Roman Catholic priest employed by the Archdiocese and assigned to Our Lady of Guadalupe Parish on Griegos NW in Albuquerque, in the mid 1960’s until the late 1970’s. He is the particular Archdiocesan priest who abused Plaintiff in 1967 or 1968, but Plaintiff alleges, based on what he knows now, that any one of numerous abusing priests could have been assigned to his Parish.
7. Defendants Archdiocese and Parish knew or should have known that Fr. Cassidy was a pedophile priest, and certainly knew that he had complete and unbridled access to children, like Plaintiff, who attended catholic churches, were altar servers, and attended catechism classes and other church functions, all on Parish grounds.
8. Plaintiff’s family was heavily involved with the church near Plaintiff’s home, where Plaintiff was an altar server and was involved in catechism studies. Plaintiff’s parents trusted that Plaintiff would be safe from harm caused by sexual predators while on the premises of the Defendants’ properties. Plaintiff’s mother believed her child would be safe from harm generally when she sent her young son to the Church, and of course she completely trusted that no harm would be caused specifically from employees, agents

and other representatives of the Catholic Church employed by Defendants.

9. Father Cassidy selected Plaintiff from catechism class and took him to the rectory to help him clean the rectory and the apartment where Father Cassidy lived. Plaintiff was approximately ten or eleven years old. Fr. Cassidy interspersed and corrupted the language of the Bible and Jesus and gave the boy alcohol in his drinks, in order to physically rape Plaintiff. The priest told Plaintiff “God will make you a better person” and things to that effect, and that he would be punished somehow if he told anyone about his special relationship with the Church. He was thereafter raped regularly.
10. Plaintiff was raped approximately 50-80 times for over a year, during 1967 and 1968.
11. “Mr. Ed” or “Eddie”, as Plaintiff believes he was called at the parish, was at all times material to this Complaint, an employee of the Archdiocese of Santa Fe, and/or the Parish.
12. “Mr. Ed” or “Eddie” was at least vaguely aware of Fr. Cassidy’s sexual misconduct and actively participated by providing Plaintiff, then a minor, with alcohol and taking him to the priest, to be abused.
13. Although these rapes occurred in the late 1960’s, the damages inflicted amount to a lifetime’s worth of emotional harm and turmoil. Plaintiff could not and did not fully articulate what occurred to him as a boy until just this past year with the help of professionals; he did not realize and connect the harm caused him by the actions of Defendants Archdiocese and the Parish in sheltering and housing a pedophile priest who sexually abused Plaintiff.
14. Plaintiff’s psychological childhood survival strategies eventually crumbled, and Plaintiff

is only now getting help for the first time.

15. The rapes of Plaintiff by Fr. Cassidy was, as a matter of law then, and now, criminal sexual contact and criminal sexual penetration. The rapes of Plaintiff by Fr. Cassidy caused profound harm to this child, who is now in his late fifties.
16. Plaintiff is only now realizing and coming to grips with: the nature of the abuse; the superior knowledge of Defendants of the existence of pedophilia and child sexual abuse in their organization at the time and even now; the fact that he sustained severe injury as a result of horrific childhood sexual abuse; and the role of the Archdiocese and others in creating and protecting a culture that fostered and allowed priests like Fr. Cassidy to rape children.
17. Plaintiff is only now obtaining for the first time in over forty years, professional mental health counseling specifically for these criminal acts of child sexual abuse by a Catholic priest, and the acts of Defendants in connection with negligently allowing or fostering sexual abuse of children in places like parish rectories.
18. Defendants Archdiocese and Parish knew or should have known of Fr. Cassidy's sexual abuse of children, and did nothing to stop it, or warn or provide counseling to the Plaintiff or his family members, in the late 1960's or thereafter. Indeed, Fr. Cassidy's rapes of boys were facilitated by other Parish or Archdiocese employees, such as a particular nun in a different John Doe case involving Cassidy, or in this case, by "Eddie".
19. The Archdiocese of Santa Fe and Parish knew after co-founding and many years of jointly operating the Servants of the Paraclete in Jemez Springs, that priests who

engaged in sexual abuse of children could not be treated or “cured” with prayer, were a continued danger to the safety of children, and should never be introduced to a parish setting where they would have unsupervised access to children. Yet pedophile priests were placed in parishes where they had access to children.

20. At the time Plaintiff was raped by Fr. Cassidy, the Archdiocese jointly owned, operated and managed the Servants of the Paraclete. The institutional knowledge of the Paraclete treatment center is imputed to the Archdiocese.
21. The Archdiocese caused the rapes of Plaintiff by empowering priests to abuse children upon creating a culture where Priests were nearly god-like, and by looking the other way when allegations surfaced about any priest, especially if that priest was otherwise popular and filled churches, schools and pilgrimages with parishioners.
22. Despite the known danger pedophile priests posed to the Catholic children, Defendants Archdiocese and Parish not only agreed to place known or likely pedophile priests into New Mexico parishes, including Our Lady of Guadalupe, but deliberately chose to conceal the fact of the priest’s psychosexual problems, including likely pedophilia, from parish communities.
23. No one ever told Plaintiff or his family members about what was known of the culture of the priests in the Archdiocese of Santa Fe then, nor at any time thereafter, nor to date.
24. Indeed, Fr. Cassidy was protected by the Archdiocese even when civil authorities at CYFD were apprised of allegations against this priest at other times in his career.
25. By 1994, the Archdiocese was aware of numerous allegations of child rapes by Fr. Cassidy, but did not publicly disclose that information or any documents, which could

have been used to intercede in the tortured suffering of victims like Plaintiff.

26. According to publicly available documents, the Archdiocese created, fostered, developed and protected a culture that during the 60's, 70's and 80's, employed over 40 pedophile priests out of a total of about 150 employed parish priests over those years. This figure is one of the highest ratios in the United States of 'number of pedophiles to total priests employed'.
27. According to publicly available documents, the names of other pedophile priests of that era include: Father Andrew Abdon; Father Lionel Abeywickrema; Father Marvin Archuleta; Father Paul Baca; Father Rudy Blea; Father Louis Brouseau; Father Ronald Bruckner; Father Marr Burbach; Father Leo Courcy; Father Edward Francis Donelan; Father John L. Esquibel; Father Dennis Fountain; Father Joseph Anthony Gallegos; Father Sabine Griego; Father Dennis Huff; Father Theodore Isaias; Father Christopher Kerr; Father Robert J. Kirsch; Father Vincent A. Lipinski; Father Clive Lynn; Father Robert Patrick Malloy; Father Armando Martinez; Father Charles Martinez; Father Luis Martinez; Father Diego Mazon; Father Tom McConnell; Father Michael O'Brien; Father John Peris; Father John C. Rodriguez; Father Ronald W. Roth; Father Lorenzo Ruiz; Father Edward Rutowski; Father Julian Sanchez; Archbishop Robert F. Sanchez; Father Clarence Schoeppner; Father George S. Silva; Father Jason Sigler; Father Robert J. Smith; Father Ignacio Tafoya; Father John George Weisenborn.
28. Plaintiff alleges there are other credibly accused priests who have not been publicly named at this point in time, but should be.
29. Plaintiff alleges that truth and transparency would be a part of his own healing and

therapy needs.

30. Whether or not the Defendants knew details about the forty-some sexually abusive priests' specific sex crimes against young males, or the horrid details of Fr. Cassidy's abuse of Plaintiff, Defendants had a duty to keep their premises safe for use by the Plaintiff and other victims, and did not do so, because it had a duty to protect its children from pedophile priests, but failed.
31. Within the careers of the above-listed priests, and others not publicly named to date, there exist patterns and practices of conduct by the Archdiocese that empowered, fostered, protected and caused sexual abuse of children.
32. These patterns and practices include transfers of priests that the Defendant knew or should have known would hurt more children.
33. The agency relationship between the Archdiocese and its priests further enabled the sexual predation on victims, including Plaintiff.
34. The patterns and practices of conduct by the Archdiocese also include turning a "blind eye" to the "collateral damage" to children victims, because priests developed the enormous financial growth and accumulation of wealth and property by the Archdiocese during the relevant decades.
35. In an historical era of rampant, unchecked sexual abuse of minor children by Catholic priests, and given the historical backdrop of same, the Archdiocese and Parish had duties to conduct careful background checks and screening of priests, to keep children safe from the harms caused by pedophilia and child rape. Defendants did not do so, or ignored what was learned in the background checks, or the allegations about priests that

surfaced over time while retaining and supervising such priests.

36. Once lawsuits in the 1990's and 2000's were filed, Defendants determined names of credibly-accused abusive priests, but did not go into each parish where these priests had been assigned and try to locate and help victims. In Plaintiff's case, twenty some years of delayed untreated PTSD was caused by the secrecy policies of the Archdiocese, until he began realizing on his own in the past two years that there were vague connections between the childhood rapes and his emotional turmoil. Those connections are now being realized with the help of professionals for the first time in his mid-50's.
37. The harm and suffering of many victims, including Plaintiff, could have been at least partially alleviated or ameliorated by earlier professional intervention, which the Defendants' policies of secrecy and non-disclosure of documents prevented.
38. A pattern and practice exists of suppressing information about the pedophiles of those days to avoid scandal, and avoid financial losses, which trump efforts to help victim survivors.
39. As a direct and proximate result of the childhood sexual abuse by a priest and the conduct of the ADSF that proximately caused the abuse, Plaintiff suffers severe emotional distress. Plaintiff suffers extreme embarrassment, humiliation, utter destruction and loss of faith, loss of sexual capacity and intimacy, loss of self-esteem, chronic depression, and other damages. He has battled drugs, alcohol and suicide ideation throughout his life, without even understanding why or how this occurred. For the past 6-8 months, Plaintiff has battled flashbacks and depression, finally causing him to contact the Archdiocese of Santa Fe for help, and contacting professional counseling

for the child sexual abuse, where he has been in treatment now for a period of months.

40. Plaintiff is incurring substantial expenses for needed psychological treatment, therapy and counseling, desperately seeking survival strategies suited to his current age and station in life.
41. Plaintiff is entitled to all compensation allowable under New Mexico jury instructions for harms caused by Defendants and their priest, including punitive damages.

**COUNT 1  
BATTERY**

42. Plaintiff realleges the facts and allegations set forth above.
43. The conduct of Fr. Cassidy occurred while he was employed and/or under the supervision and control of the Archdiocese, while acting within the course and scope of his employment.
44. Fr. Cassidy's criminal sexual contact and rapes of Plaintiff are legally cognizable as battery, among other things.
45. The batteries of Plaintiff by the priest were caused in part by the Archdiocese, but in any event, the Archdiocese is responsible for the batteries committed by Fr. Cassidy.
46. Fr. Cassidy produced victims that were brought to him by other employees of the Church. Plaintiff is one such victim.
47. The culture and institutions created by Defendants over a number of decades, and operated by Defendants in the 1960's, caused the parish priest to believe he could feed the minor Plaintiff alcohol, and then rape him over fifty times, with impunity.
48. The Defendants and each of them are responsible for the injuries to Plaintiff proximately resulting from the conduct by Fr. Cassidy.

49. As a direct and proximate result of the batteries, Plaintiff suffers and will continue to suffer damages as described above.
50. The batteries, whether preventable or whether aided-in-agency, were willful, intentional, wanton and/or taken in utter disregard of the safety of others, including Plaintiff, and subject the Defendants, and each of them, to punitive damages, to the extent conduct of Defendants caused, empowered, or fostered the batteries.
43. Defendants' reckless and intentional conduct caused Fr. Cassidy to repeatedly rape Plaintiff.

WHEREFORE, Plaintiff requests judgment against the Defendants in an amount sufficiently reasonable to compensate Plaintiff for damages as described above, including punitive damages, for interest, including pre-judgment interest, costs and such other and further relief as this Court may deem appropriate.

**COUNT II**  
**FAILURE TO USE ORDINARY CARE TO KEEP PREMISES SAFE**

Plaintiff realleges the facts and allegations set forth above.

44. Defendants failed to guard against or warn Plaintiff or his parents of the dangers which Defendants knew (or reasonably should have known) existed at New Mexico parishes, including, but not limited to the risk of harm posed to Plaintiff by pedophile priests in the church.
45. Defendants did not timely locate and root out pedophile priests as the so-called "priest-abuse crisis" came to light.
46. Defendants knew or should have known that there were an increasing number of pedophile priests entering the Archdiocese throughout the 1960's from its own

seminary at Immaculate Heart in Santa Fe, from other seminaries, and from the Servants of the Paraclete in Jemez Springs. In fact, at the time, the Defendant Archdiocese was holding regular meetings with its co-founders of the Servants of the Paraclete, and controlled and directed activities at the Paraclete treatment center.

47. In the 1960's, the Paraclete Center was part of the Archdiocese of Santa Fe.
48. In the 1960's, the Paraclete personnel knew that pedophile priests were not curable with prayer, and needed to be kicked out of the Church, prosecuted, and kept from children.
49. Nonetheless, the Church acting through Defendants retained and protected such priests and placed them around children.
50. The Archdiocese had an obligation to keep rectory premises safe and failed to do so. Indeed, rectories appear to be places that pedophiles felt safe in the 1960's through the 1980's to use to commit crimes against children: safe from the law, safe from public disclosure, and safe from threats to their employment.
51. As a direct and proximate result of such negligence by Defendants, Plaintiff suffered and will continue to suffer damages as described above.
52. The conduct was willful, intentional, wanton and/or taken in utter disregard of the safety of others, including the Plaintiff, and subjects Defendants to punitive damages.

WHEREFORE, Plaintiff requests judgment against Defendants in an amount reasonable to compensate him for damages as described above, including punitive damages, for interest including pre-judgment interest, costs, and such other and further relief as this Court may deem

appropriate.

**COUNT III  
NEGLIGENCE**

53. Plaintiff realleges the facts and allegations set forth above.

54. The Archdiocese and Parish were negligent by, among other things: (a) supervision, hiring and retention of Fr. Cassidy; (b) supervision, hiring and retention of the other dozens of sexually abusive priests in the decades of the 60's - 80's; (c) by allowing children to be unsupervised around Father Cassidy or any ADSF priest in a culture and at a time where a highly significant percentage of priests in New Mexico were engaged in pedophilia and sex crimes against minors; (d) by keeping Fr. Cassidy and the other forty or so sexually abusive priests employed as priests, and protected within a culture of priests with tendencies to sexually molest children or commit crimes against children; (e) by fostering a culture and employment climate that attracted pedophiles, as a matter of pattern and practice, because the pedophiles knew they would be protected and never prosecuted; (f) by failing to warn parents and children of the danger of pedophile priests or employees, and by failing to train parents and children in measures to protect themselves against harm caused by such priests or employees; (g) by negligently and sometimes intentionally failing to learn who the pedophiles even were, during a time when apparently over a quarter or more of the priests being sent into New Mexico's parishes by the Archdiocese were pedophiles; (h) by pretending the Archdiocese did not know who the pedophiles even were, including even those that came directly from treatment centers in the east, or from treatment centers in Jemez Springs, with certain

‘code words’ in their files and history; (i) for failing to notify Plaintiff and other unknown victims during masses, once the Archdiocese became aware that Fr. Cassidy was a pedophile; i.e., the Archdiocese had received reports from victims of Fr. Cassidy who had all been abused while they were very young children (age ranges 4-9) and that counseling can be immediately provided; by keeping documents about the scope and breadth of the ‘priest-abuse problem’ secret and out of the public eye, and even concealing the names of credibly accused priests, causing even more harm to victims.

55. The Archdiocese owned an affirmative duty to the Plaintiff and to other victims, to either seek out victims or to publically disclose the fact that Fr. Cassidy abused very young children, after the Archdiocese learned about Cassidy fully in 1994, such that Plaintiff and other victims could begin their very long healing process twenty years sooner.
56. The Archdiocese was negligent *per se* and otherwise acted in an unsafe and unreasonable manner in the 1960’s – 1980’s which caused the abuse in this case, and in the 1990’s and 2000’s, which prevented Plaintiff from relief of many years of silently suffering without understanding the connections between the harms caused, and the childhood rapes.
57. In addition to direct negligence, the Archdiocese and Parish are vicariously liable for the conduct of Fr. Cassidy via the doctrine of *respondeat superior*, including but not limited to *respondeat superior* based on theories of aiding and assisting in the agency of Fr. Cassidy and the other forty-some abusive priests, by which agency Plaintiff’s sexual abuse occurred.
58. Defendants are directly negligent regardless of their denial of knowledge of the specific details of pedophilia by this or any other pedophile employee.
59. Defendants are negligent vicariously for the particular conduct of this employee, not only

because they knew or should have known what was going on in its ranks, but also because it provided the agency needed for the pedophile priests to use the trappings of religious rhetoric and institutions to get to their victims.

60. Defendants are negligent vicariously as shown by the patterns and practices of hiring and retaining priests who were alleged to be abusing children.

61. As a direct and proximate result of such negligence, Plaintiff suffered and will continue to suffer damages.

62. The conduct of the Archdiocese outlined above was willful, intentional, wanton and/or taken in utter disregard of the safety of others, including the Plaintiff, and subjects Defendants to punitive damages.

WHEREFORE, Plaintiff requests judgment against the Defendants in an amount reasonable to compensate him for damages, including punitive damages, for interest, including pre-judgment interest, costs and such other and further relief as this Court may deem appropriate.

**COUNT IV  
NEGLIGENT AND INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS  
(ALL DEFENDANTS)**

63. Plaintiff realleges the facts and allegations set forth above.

64. The conduct of the Defendants described in all the foregoing, and regarding the predatory acts of Fr. Cassidy, constitute negligent and/or intentional infliction of emotional distress on the Plaintiff.

65. As a direct and proximate result of such conduct, Plaintiff suffers and will continue to suffer damages as described above.

66. Such actions were willful, intentional, wanton and/or taken in utter disregard of the safety of others, including the Plaintiff, and subjects Defendants to punitive damages.

WHEREFORE, Plaintiff requests judgment against Defendants, jointly and severally, in an amount reasonable to compensate him for damages, including punitive damages, for interest, including pre-judgment interest, costs and such other and further relief as this Court may deem appropriate.

LAW OFFICE OF BRAD D. HALL

/s/ Brad D. Hall 05/14/14  
BRAD D. HALL  
320 Gold Av SW #1218  
Albuquerque, NM 87102  
(505) 255-6300, (505) 255-6323 Fax