

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

Kristina Archibeque

JOHN DOE “C”,

Plaintiff,

D-202-CV-2014-03331

v.

**ARCHDIOCESE OF SANTA FE, and
QUEEN OF HEAVEN 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 committed by the parish priest in Albuquerque’s northeast heights at Queen of Heaven Parish. Plaintiff was raped by the parish priest in the fall of 1986 when Plaintiff was a minor.
3. Defendant Archdiocese of Santa Fe (hereinafter “Archdiocese”) is a New Mexico corporation which operates and has operated facilities in central and northern New Mexico, including in Bernalillo County, New Mexico, and including the Queen of Heaven Parish. The Archdiocese also has offices and does business in Bernalillo County.
4. Queen of Heaven 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. Recently, the Archdiocese incorporated the parish as a separate entity, but upon information and belief, the parish is still under the direction and control of the Archdiocese.

5. Queen of Heaven Parish is a separate legal entity, with its primary place of business located in Bernalillo County, New Mexico.
6. The Archdiocese assigned one of its priests to Queen of Heaven to serve as pastor from 1979 until 1991. The pastor was a Roman Catholic priest employed by the Archdiocese. This priest raped Plaintiff.
7. The name of the priest is known to Plaintiff, and to Defendants, but is unnecessary in this complaint. Any of the dozens of credibly accused pedophile priests in the Archdiocese of Santa Fe in the 1960's-1980's could have been assigned to any of its parishes, including Queen of Heaven, and raped Plaintiff. The name of the particular priest is largely irrelevant to most of Plaintiff's claims, which are institutional in nature.
8. In light of allegations that this particular parish priest had sexually abused boys in northern New Mexico communities, including Las Vegas, New Mexico during the 1970's, the Archdiocese transferred this particular priest to Queen of Heaven in Albuquerque.
9. Defendants Archdiocese and the Parish knew or should have known that the pastor assigned to Queen of Heaven was a pedophile priest.
10. Defendants knew that their priest had complete and unbridled access to minors, like Plaintiff, who attended catholic churches, had been altar servers, had attended catechism

classes and other church functions, and was raised in a community and culture where the Catholic Church was completely bound together with the very fabric of Northern New Mexico communities, families and individual souls.

11. Defendants did not warn parishioners about this pedophile priest's predatory tendencies, nor was the access to minors like Plaintiff restricted in any way by the Archdiocese.
12. Plaintiff's family was devoutly and heavily involved with the Catholic Church in northern New Mexico. Plaintiff was an altar server from the time he was six years old. Plaintiff was raised to respect and revere priests, and Plaintiff aspired to the priesthood for many years. The Church taught Plaintiff to revere, believe and obey priests. These teachings made Plaintiff vulnerable to being preyed upon by agents of the Archdiocese.
13. Plaintiff excelled in school in math and science, and graduated from his northern New Mexico high school one year ahead of schedule. Plaintiff was sent to the University of New Mexico campus for a preliminary enrichment program summer of 1986, before enrolling in the fall of 1986 as a 17 year old.
14. Defendant Archdiocese owns real estate, churches, schools, and buildings all over Northern New Mexico, and therefore appeared to Plaintiffs' parents without much thought, and with no doubt, as completely interwoven into the fabric of the community as an institution of trust. Plaintiff's family members believed Plaintiff would be safe from harm caused specifically by employees, agents and other representatives of the Catholic Church employed by Defendants. It is not surprising that as a minor suddenly living on campus at UNM, Plaintiff was directed by his family to make contact with the parish priest at Queen of Heaven in Albuquerque, who previously had been a priest in

the Las Vegas area, because Plaintiffs' family automatically trusted him completely.

15. As a devout Catholic in a new city, Plaintiff sought out the faith community at Queen of Heaven.
16. As a youngster moving to the city of Albuquerque, Plaintiff's family directed him to seek out the parish priest to avoid the dangers and harms associated with being a minor living alone in the city.
17. Though blessed with talent in math and science, Plaintiff primarily wanted to be a priest. Plaintiff was torn between pursuing academics and pursuing the priesthood.
18. Plaintiff sought the guidance and advice of the Archdiocesan priest assigned to Queen of Heaven. At 17 years old, Plaintiff was at a crossroads, and wanted information on becoming a priest, while his family wanted Plaintiff to find safety and guidance in a trusted institution of religious faith.
19. Plaintiff found that the rectory at Queen of Heaven Parish always had a number of teenage boys hanging around. In particular, Plaintiff found that the pastor at Queen of Heaven had filled the rectory with boys, drawn in part by the ready access to beer and "comraderie".
20. Plaintiff then met with the priest, and among other questions about the priesthood, he asked about celibacy and expressed concern that he might struggle with a vow of chastity. When he confessed this concern to the Archdiocesan pastor, the priest told Plaintiff there was "wobble room" when it came to the priestly vow of chastity. Plaintiff was told that priests and their alter servers had a way of "helping each other out" with respect to sexual activity, including mutual masturbation, and that if sins were thereby

committed, then priests could provide each other with absolution upon confession.

21. Plaintiff observed that the teenage boys hanging around the rectory at Queen of Heaven had ready access to alcohol, even though in the 1980's the legal drinking age was 21.
22. Plaintiff of course had no idea that the Queen of Heaven pastor was part of a culture where about a third of the priests were pedophiles or ephebophiles.
23. Plaintiff observed that the Queen of Heaven priest, Fr. Sabine Griego, maintained a "rec room" in the rectory where teenage boys – often under the influence of alcohol – were encouraged to play and wrestle, either with each other or with the Archdiocesan priest himself. Plaintiff was exposed to these observations in connection with Plaintiff's desire to become a priest; the Archdiocesan priest was showing Plaintiff the culture within the Church and demonstrating how priests avoided problems with celibacy and vows of chastity.
24. Plaintiff, along with numerous other teenage boys, had a standing invitation in the fall of 1986 to spend the night in the rectory after consuming alcohol and spending time in the "rec room," rather than driving back to UNM campus dormitories.
25. On one occasion in the fall of 1986, Plaintiff spent the night in the rectory at Queen of Heaven on a couch after being provided alcohol by the pastor of the Archdiocesan Parish. In the middle of the night, Plaintiff was raped by the priest.
26. Plaintiff found himself shamed into utter, silent shock. He was unable to return to Queen of Heaven until years later; his faith was torn asunder. Consumed by fundamental confusion, Plaintiff's grades dropped precipitously. Plaintiff dropped out of school with his self-worth damaged. However, Plaintiff managed to suppress comprehension of the

rape, especially where it could not be shared with devout extended family members back home, out of fear of ruining their faith, and deep humiliation.

27. Without understanding whether there was any connection between the rape as a minor and what followed thereafter, Plaintiff grew into a distrustful and angry adult, even though he was able to eventually return to school and become an engineer.
28. Although this rape occurred in 1986, the damages inflicted amount to a lifetime's worth of emotional harm and turmoil. The damages inflicted include irrational hatred and disgust for the church and authorities, irrational parenting problems on his own part in his thirties, an inability to trust, and anger management issues. Plaintiff did not make a connection between being a teenage rape victim, and years of anger management medication. He is only now in 2013-2014 beginning to realize and connect his emotional problems to the actions of the Archdiocese in sheltering and housing a rapist priest in a culture that allowed and fostered sexual predation on young men in the 1960's through 1980's.
29. The rape of Plaintiff by the parish priest was, as a matter of law then and now, criminal sexual contact and criminal sexual penetration. The rape of Plaintiff by the Archdiocesan priest caused profound harm to this teen, now in his mid-forties.
30. Plaintiff is only now in 2014 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, and the fact that he sustained severe emotional injury as a result of being raped as a teenager. Plaintiff is only now obtaining for the first time in over twenty-five years, professional mental health counseling specifically regarding the

acts of child sexual abuse by a Catholic priest, and the acts of Defendants in connection with allowing or fostering sexual abuse of children and minors in places like parish rectories.

31. The Archdiocese allowed a culture of abuse to take root in New Mexico in the decades prior to the rape of Plaintiff. The Archdiocese even fostered this culture of abuse by implementing a code of silence regarding allegations of abuse against its priests, and by transferring abusive priests from parish to parish when rumors of abuse began to stir. To this day, the Archdiocese does not want the public to know the extent of the abuse of minors by its priests, the number of those minors who are still silently suffering, the numbers who have come forward as adults decades later, the numbers who committed suicide along the way or otherwise have disappeared into alcohol or substance abuse, or the extent of the damage to the communities and parishes that occurred in New Mexico. The Archdiocese resists transparency and disclosure, preferring to coerce victims into signing confidentiality agreements for a bit of money.
32. Archbishop Sheehan claims in the media a legacy of stopping the sexual abuse of minors by priests in the 1990's and 2000's, but still has not provided documents and transparency about the extent of the culture of those years, and the relationship between causing the harms to boys of those days that surface years later as delayed, untreated PTSD.
33. For Plaintiff, part of healing requires Archdiocese of Santa Fe full disclosure of the transfers of all priests in that era between parishes and treatment centers, and the reasons for all these transfers.

34. Plaintiff, an engineer in Northern New Mexico, found in 2013-2014 that his childhood psychological survival strategies regarding being a rape victim by a priest, no longer effectively suppressed the harms caused by the childhood sexual abuse, and he needed help. With no idea of where to turn, he went to the Archdiocese of Santa Fe.
35. Archdiocese representatives told Plaintiff that the priest who had abused him was dead.
36. Plaintiff learned from the Archdiocese of Santa Fe that there apparently were other priests who sexually abused boys as well in the 1980's, which surprised Plaintiff, as he somehow obtained the impression from the rapist-priest that he was the only victim. During his psychological crumbling of 2013-2014, Plaintiff began examining publicly available materials, and learned there was a culture in the 1960's, 1970's and 1980's, directly connected to causing his own rape by one of the Archdiocese of Santa Fe priests.
37. Plaintiff also learned that during the relevant era, there were over 40 priests who had sex with minors, over a time where there were only about 150 priests employed by the Archdiocese.
38. Plaintiff was then shocked to learn from the internet that the priest who abused him was not dead, and felt deceived. Plaintiff thereafter sought an attorney for assistance.
39. Plaintiff alleges that the Archdiocese deliberately chose to conceal the fact of the Queen of Heaven pastor's problems, including likely pedophilia, from the parish communities in Las Vegas and Albuquerque, just as the Archdiocese deliberately concealed from him that the priest who raped him was still out there.
40. Whether or not the Archdiocese knew all the details of the pastor at Queen of Heaven's sexual abuse of young males in the parishes they sent him to work at, the Archdiocese

had a duty to keep the Church premises safe for use by the Plaintiff, and others.

41. The Archdiocese failed in this duty to keep the premises safe.
42. Institutionally, whether or not the Archdiocese knew the details of the 30-some percent of its priests' sexual misconduct with children and teenagers, the Archdiocese had a duty to keep all their properties safe for use by parishioners, consistent with how they held themselves out to families as an institution of safety and trust.
43. The Archdiocese failed in this duty. Institutionally, many priests were abusing many, many minors in our State, and confessing their sins to each other for absolution and to maintain secrecy so as to prevent liability in the civil society.
44. Plaintiff observed other teens and minors functioning as part of an alcohol-driven sex culture at Queen of Heaven, including one teenager who lived with the Priest at the Queen of Heaven rectory. Plaintiff was particularly concerned at the time about the live-in boy at Queen of Heaven who he observed.
45. The Archdiocese had a duty to protect minors and children in its parishes from abuse by its priests in many parishes, including the Parish at Queen of Heaven in Albuquerque.
46. The Archdiocese failed in this duty.
47. The Archdiocese, through its Archbishop, had and still has the power to allow, disallow, and control a clergyman's service within the geographical jurisdiction of the Archdiocese.
48. Plaintiff has located the names of many of the priests who were credibly accused of abusing minors in public documents. According to publicly available information, the Archdiocese allowed a number of credibly accused pedophile priests to serve as clergy

within its jurisdiction.

49. Fr. Andrew Abdon was credibly accused of sexual abuse.
50. The Archdiocese allowed Fr. Andrew Abdon to serve within its jurisdiction.
51. Fr. Lionel Abeywickrema was credibly accused of sexual abuse.
52. The Archdiocese allowed Fr. Lionel Abeywickrema to serve within its jurisdiction.
53. Fr. Marvin Archuleta was credibly accused of sexual abuse.
54. The Archdiocese allowed Fr. Marvin Archuleta to serve within its jurisdiction.
55. Fr. Paul Baca was credibly accused of sexual abuse.
56. The Archdiocese allowed Fr. Paul Baca to serve within its jurisdiction.
57. Fr. Rudy Blea was credibly accused of sexual abuse.
58. The Archdiocese allowed Fr. Rudy Blea to serve within its jurisdiction.
59. Fr. Louis Brousseau was credibly accused of sexual abuse.
60. The Archdiocese allowed Fr. Louis Brousseau to serve within its jurisdiction.
61. Fr. Ronald Bruckner was credibly accused of sexual abuse.
62. The Archdiocese allowed Fr. Ronald Bruckner to serve within its jurisdiction.
63. Fr. Marr Burbach was credibly accused of sexual abuse.
64. The Archdiocese allowed Fr. Marr Burbach to serve within its jurisdiction.
65. Fr. Leo Courcy was credibly accused of sexual abuse.
66. The Archdiocese allowed Fr. Leo Courcy to serve within its jurisdiction.
67. Fr. Edward Francis Donelan was credibly accused of sexual abuse.
68. The Archdiocese allowed Fr. Edward Francis Donelan to serve within its jurisdiction.
69. Fr. John L. Esquibel was credibly accused of sexual abuse.

70. The Archdiocese allowed Fr. John L. Esquibel to serve within its jurisdiction.
71. Fr. Dennis Fountain was credibly accused of sexual abuse.
72. The Archdiocese allowed Fr. Dennis Fountain to serve within its jurisdiction.
73. Fr. Joseph Anthony Gallegos was credibly accused of sexual abuse.
74. The Archdiocese allowed Fr. Joseph Anthony Gallegos to serve within its jurisdiction.
75. Fr. Sabine Griego was credibly accused of sexual abuse.
76. The Archdiocese allowed Fr. Sabine Griego to serve within its jurisdiction.
77. Fr. Dennis Huff was credibly accused of sexual abuse.
78. The Archdiocese allowed Fr. Dennis Huff to serve within its jurisdiction.
79. Fr. Theodore Isaias was credibly accused of sexual abuse.
80. The Archdiocese allowed Fr. Theodore Isaias to serve within its jurisdiction.
81. Fr. Christopher Kerr was credibly accused of sexual abuse.
82. The Archdiocese allowed Fr. Christopher Kerr to serve within its jurisdiction.
83. Fr. Robert J. Kirsch was credibly accused of sexual abuse.
84. The Archdiocese allowed Fr. Robert J. Kirsch to serve within its jurisdiction.
85. Fr. Vincent A. Lipinski was credibly accused of sexual abuse.
86. The Archdiocese allowed Fr. Vincent A. Lipinski to serve within its jurisdiction.
87. Fr. Clive Lynn was credibly accused of sexual abuse.
88. The Archdiocese allowed Fr. Clive Lynn to serve within its jurisdiction.
89. Fr. Robert Patrick Malloy was credibly accused of sexual abuse.
90. The Archdiocese allowed Fr. Robert Patrick Malloy to serve within its jurisdiction.
91. Fr. Armando Martinez was credibly accused of sexual abuse.

92. The Archdiocese allowed Fr. Armando Martinez to serve within its jurisdiction.
93. Fr. Charles Martinez was credibly accused of sexual abuse.
94. The Archdiocese allowed Fr. Charles Martinez to serve within its jurisdiction.
95. Fr. Luis Martinez was credibly accused of sexual abuse.
96. The Archdiocese allowed Fr. Luis Martinez to serve within its jurisdiction.
97. Fr. Diego Mazon was credibly accused of sexual abuse.
98. The Archdiocese allowed Fr. Diego Mazon to serve within its jurisdiction.
99. Fr. Tom McConnell was credibly accused of sexual abuse.
100. The Archdiocese allowed Fr. Tom McConnell to serve within its jurisdiction.
101. Fr. Michael O'Brien was credibly accused of sexual abuse.
102. The Archdiocese allowed Fr. Michael O'Brien to serve within its jurisdiction.
103. Fr. John Peris was credibly accused of sexual abuse.
104. The Archdiocese allowed Fr. John Peris to serve within its jurisdiction.
105. Fr. John C. Rodriguez was credibly accused of sexual abuse.
106. The Archdiocese allowed Fr. John C. Rodriguez to serve within its jurisdiction.
107. Fr. Ronald W. Roth was credibly accused of sexual abuse.
108. The Archdiocese allowed Fr. Ronald W. Roth to serve within its jurisdiction.
109. Fr. Lorenzo Ruiz was credibly accused of sexual abuse.
110. The Archdiocese allowed Fr. Lorenzo Ruiz to serve within its jurisdiction.
111. Fr. Edward Rutowski was credibly accused of sexual abuse.
112. The Archdiocese allowed Fr. Edward Rutowski to serve within its jurisdiction.
113. Fr. Julian Sanchez was credibly accused of sexual abuse.

114. The Archdiocese allowed Fr. Julian Sanchez to serve within its jurisdiction.
115. Archbishop Robert F. Sanchez was credibly accused of sexual abuse.
116. The Archdiocese allowed Robert F. Sanchez to serve within its jurisdiction.
117. Fr. Clarence Schoeppner was credibly accused of sexual abuse.
118. The Archdiocese allowed Fr. Clarence Schoeppner to serve within its jurisdiction.
119. Fr. George S. Silva was credibly accused of sexual abuse.
120. The Archdiocese allowed Fr. George S. Silva to serve within its jurisdiction.
121. Fr. Jason Sigler was credibly accused of sexual abuse.
122. The Archdiocese allowed Fr. Jason Sigler to serve within its jurisdiction.
123. Fr. Robert J. Smith was credibly accused of sexual abuse.
124. The Archdiocese allowed Fr. Robert J. Smith to serve within its jurisdiction.
125. Fr. Ignacio Tafoya was credibly accused of sexual abuse.
126. The Archdiocese allowed Fr. Ignacio Tafoya to serve within its jurisdiction.
127. Fr. John George Weisenborn was credibly accused of sexual abuse.
128. The Archdiocese allowed Fr. John George Weisenborn to serve within its jurisdiction.
129. In an era of rampant, unchecked sexual abuse of minor children by Catholic priests, and given the historical backdrop of same, the Archdiocese had duties to conduct careful background checks and screening of priests, and to keep children safe from the harms caused by pedophilia and child rape.
130. The Archdiocese failed in these duties, and hundreds of victims were created, including Plaintiff.
131. The victims began coming forward in the 1990's, and are still coming forward to date,

including Plaintiff, regarding their abuse by Catholic Priests that were working for the Archdiocese of Santa Fe at the time they raped.

132. Plaintiff's rape was committed by Fr. Sabine Griego in 1986 at Queen of Heaven.

133. There are many examples of negligent hiring and retention by the Archdiocese of Santa Fe, and a pattern and practice exists within the institution of protecting these priests, and keeping secret any information that could lead to scandal.

134. Fr. Robert Smith provides a particularly telling example of the ADSF's failure to conduct careful background checks and screening of priests.

135. Fr. Robert Smith was expelled from Christ the King Seminary in New York after admitting to sexually abusing three boys.

136. Nonetheless, Fr. Robert Smith was allowed to begin working as an Archdiocesan priest in 1970.

137. Fr. Smith was later sent to the Servants' of the Paraclete "Via Coeli" facility in Jemez Springs after admitting to sexually abusing another boy in Albuquerque, New Mexico.

138. The Archdiocese controlled the operations of the Servants of the Paraclete after co-founding it with a Catholic order during the decades prior to the abuse of Plaintiff.

139. The Servants of the Paraclete, located in Jemez, N.M., near the geographic center of the Archdiocese of Santa Fe, was designed in part, to treat sex offender priests from all over the country, as well as from the Archdiocese of Santa Fe.

140. Even after formally separating from co-founder and co-operator status with the Servants of the Paraclete, the Archdiocese of Santa Fe maintained a relationship with the Servants, and hired many priests who received treatment at the Servants of the Paraclete.

141. A number of the “credibly accused” priests listed above came to the Archdiocese from the Servants of the Paraclete. Another telling example is Fr. George Weisenborn, who was found by his Archdiocese employer in the Connecticut area to be a rapist of boys, a thief, and an alcoholic. His employer wrote to the Vatican in Latin about the problem of Weisenborn stealing parish money and using it to drink and sexually prey on boys; the Vatican referred them to The Servants of the Paraclete in New Mexico. The Servants required ten thousand dollars to take Fr. George in. Not long thereafter, Fr. Weisenborn was assigned to Parish priest work in Albuquerque’s south valley, where he promptly began sexually abusing young male victims. Fr. George was later transferred to other parishes, such as Penasco.
142. A number of the credibly accused priests listed above came to the Archdiocese from other sex-abuse treatment programs besides the Servants of Paraclete.
143. Upon additional allegations of sexual abuse stemming from his time at Queen of Heaven, the pastor of Queen of Heaven, Fr. Sabine Griego was sent to a “renewal institute at Southdown” (in Canada). After his stay at Southdown was completed, he returned to ministry as a chaplain at St. Joseph Hospital in Albuquerque.
144. However, many other credibly accused priests came from Roman Catholic seminaries, including the Immaculate Heart Seminary in Santa Fe, New Mexico, that was operated by Defendant Archdiocese of Sante Fe. Some Immaculate Heart seminarians include Fr. Michael O’Brien, Fr. Walter Cassidy, and other well known pedophile priests. Fr. O’Brien abused dozens of boys in numerous parishes from 1970 to 1990.
145. Defendants Archdiocese and Parish knew or should have known of sexual abuse of

minors, and did nothing to stop it at Queen of Heaven in the 1980's, or warn or provide counseling to the Plaintiff or his family members who lived in other parts of the Archdiocese in the 1970's and 1980's, until it was too late, and Plaintiff was raped in 1986.

146. According to the publicly available documents from the 50's, 60's, and 70's, the Archdiocese of Santa Fe and Parish knew that priests who engaged in sexual abuse of children could not be treated or "cured" with prayer at the Servants of the Paraclete, 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 minors, and yet did so anyway.

147. The Archdiocese of Santa Fe and Parish knew that priests who engaged in sexual abuse of children were often exposed to the culture of sexual predation of minor males at seminaries leading to their own false and horrific belief that "consent" could be obtained from children and minors who wanted to be priests; priests abused at seminaries as students, or otherwise exposed to the culture of 'fake celibacy', were a continued danger to the safety of children in the parishes, and should never be introduced to a parish setting where they would have unsupervised access to minors, and yet the Archdiocese of Santa Fe did so anyway.

148. 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 Queen of Heaven Parish, but deliberately chose to conceal the fact of the priest's problems, including likely pedophilia, from parish

communities.

149. Further, no one from the Archdiocese of Santa Fe told parishioners like Plaintiff's family in northern New Mexico in bulletins or from the pulpit that a priest accused of child sexual abuse had been transferred to Queen of Heaven.

150. Indeed, some priests were explicitly told NOT to discuss the topic of priest abuse of children with their parishioners – even in the 1990's and 2000's under Archbishop Michael Sheehan, when they did minister to victims or bring up the topic from the pulpit.

151. Whether or not the Defendants knew details about this particular priest's crimes against young males (including at least one minor who apparently was "kept" at the rectory for sex), Defendants had a duty to keep their premises safe for use by the Plaintiff, and did not do so, and had a duty to protect its children from pedophile priests, but failed.

152. As a direct and proximate result of the childhood sexual abuse, Plaintiff suffered and continues to suffer severe emotional distress. Plaintiff now suffers from extreme embarrassment, humiliation, utter destruction and loss of faith, loss of sexual capacity and intimacy, loss of self-esteem, depression, anger issues, and other damages. For the past few months, after beginning to realize the childhood source of some of his emotional problems, Plaintiff has battled flashbacks and depression, causing him to contact the Archdiocese of Santa Fe to seek professional counseling for the child sexual abuse. Plaintiff is now incurring substantial expenses for needed psychological treatment, therapy and counseling, seeking survival strategies suited to his current age and station in life.

153. Plaintiff is entitled to all compensation allowable under New Mexico jury instructions

for harms caused by Defendants, including punitive damages.

COUNT 1
BATTERY (ARCHDIOCESE AND PARISH)

154. Plaintiff realleges the facts and allegations set forth above.
155. The conduct of the parish priest at Queen of Heaven in 1986, Fr. Sabine Griego, 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.
156. This parish priest represented the precise culture of the institution at the time, counseling Plaintiff about 'how to be a priest' without worries about any vow of chastity, through a system of 'helping each other out', and 'absolution' for any sins that might thereby be created, and even future sin.
157. The culture and institutions created by Defendants over a number of decades, and operated by Defendants in the 1980's, caused the parish priest to believe he could feed the minor Plaintiff alcohol and then rape him in 1986, with impunity.
158. The Defendants and each of them are responsible for the injuries to Plaintiff proximately resulting from the conduct of their priest.
159. The criminal sexual contact and rape of Plaintiff by the priest is legally cognizable as battery, among other things.
160. Defendants aided-in-agency all batteries committed by parish priests in the 70's and 80's, and in particular the Queen of Heaven pastor's battery in 1986 of Plaintiff.
161. As a direct and proximate result of battery, Plaintiff suffered and will continue to suffer damages as described above.

162. 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 the conduct of Defendants caused and empowered and fostered said batteries of minors by its parish priests in a culture where nearly one third of the priests were sexually molesting minors.

163. Defendants' reckless and intentional conduct caused Fr. Sabine Griego to 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
(ARCHDIOCESE AND PARISH)

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

165. Defendants failed to guard against or warn Plaintiff or his parents and family members of the dangers which Defendants knew or reasonably should have known existed in New Mexico parishes, including, but not limited to the risk of harm posed to Plaintiff by pedophile priests in the church in the 1980's.

166. As the transfers by Archdiocese officials (of the priests listed above as having had credible accusations made against them) began piling up, the Archdiocese knew or should have known that minors were not safe on church premises anywhere. Indeed, Plaintiff moved from a parish in the Las Vegas area, to a larger Albuquerque Parish

because his family believed he would be safe at a Catholic parish, but in fact he was not safe, and was raped by a pedophile priest.

167. The Archdiocese had an obligation to keep the rectory premises safe for minors and failed to do so. Yet rectories appear to be places where it was the pedophiles who felt safe in the 1960's, 1970's, and 1980's; rectories were a safe place to use to commit sex crimes against minors. A pedophile priest was safe from disclosure, safe from CYFD investigations, and safe from prosecution by the law. In the instant case, the Queen of Heaven rectory was a party house for teenaged boys, even including a 'live-in' teen or pre-teen, apparently there for the pleasure of the priest.

168. As a direct and proximate result of such conduct by Defendants, Plaintiff suffered a rape as a minor, and suffers long time emotional and personality damages he is just now in 2013-2014 beginning to connect to that rape.

169. The conduct of Defendants to hide information about pedophile priests is well documented and indicates not just negligent conduct, but conduct that was and is willful, intentional, wanton and/or taken in utter disregard of the safety of others, including the Plaintiff, and further subjects Defendants to punitive damages.

170. Defendants continue to this day to try to keep the parishioners and the public from knowing even the names of the pedophile priests and their transfer history.

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
(ARCHDIOCESE AND PARISH)**

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

172. The Archdiocese and Parish were negligent by, among other things: (a) supervision, hiring and retention of any of the many parish priests who sexually abused minors, and in particular of the priest that raped Plaintiff; (b) by allowing children and minors to be unsupervised around any of the credibly accused priests in this Archdiocese in a culture and at a time where a highly significant number of priests in New Mexico were engaged in pedophilia and sex crimes against minors, including at Queen of Heaven in 1986; (c) by keeping any of the many credibly accused priests employed as priests, and protected within a culture of other priests with tendencies to sexually molest children or commit crimes against children, including the pastor at Queen of Heaven as of 1986; (d) 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 not likely to be prosecuted; (e) 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, until hundreds of cases had been brought forward; (f) by sometimes failing to learn who the pedophiles even were, during a time when apparently nearly a third or more of the priests being sent into New Mexico's parishes were pedophiles as a result of seminarian training or treatment at the Paraclete; (g) by pretending they did not know who the pedophiles even were 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, or from seminaries where students were occasionally molested by priests as part of the culture; (h) for failing to notify Plaintiff and other unknown victims once the Archdiocese became aware that the pastor at Queen of Heaven was a potential rapist, i.e., after the Archdiocese received reports of such behavior; (i) the Archdiocese owed an affirmative duty to the Plaintiff and to other victims, to either seek out other victims or to publically disclose the fact that certain priests abused minors, so that the victims could begin their very long healing process much sooner, and in this case Defendants knew about Fr. Griego in the 90’s, yet did not locate and find Plaintiff so he could have received treatment twenty years earlier than he is; (j) by focusing on “wallets in the pews” and the financial growth of the Archdiocese to such a degree that a “blind eye” was turned towards reports of sexual abuse when it involved priests who otherwise generated financial growth for the Church, or (k) were negligent *per se* and otherwise acted in an unsafe and unreasonable manner by aiding-in-agency the culture of priests who sexually preyed on parishioners.

173. In addition to direct negligence alleged above, the Archdiocese and Parish are vicariously liable for the conduct of the Queen of Heaven priest via the doctrine of *respondeat superior*, including but not limited to *respondeat superior* based on theories of aiding and assisting in the agency of the Queen of Heaven pastor, by which agency Plaintiff’s sexual abuse occurred.

174. Defendants are directly negligent regardless of their anticipated and routine denial of knowledge of the specific details of pedophilia by the Queen of Heaven pastor in 1986, or by any other pedophile priest. Plaintiff understands that bishops and employees of the

Archdiocese were not physically present when their employee raped him as a teenager in an Albuquerque rectory.

175. Defendants are negligent vicariously for the particular conduct of the Queen of Heaven pastor, Fr. Griego, and all other pedophile priests.

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

177. The conduct outlined above was willful, intentional, wanton and/or taken in utter or reckless 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)**

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

179. The conduct of the Archdiocese and the Parish regarding the predatory acts of any of its pedophile priests (including the one who raped Plaintiff in 1986) constitute negligent and/or intentional infliction of emotional distress on the Plaintiff.

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

181. Such actions were willful, intentional, wanton and/or taken in utter and reckless 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

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