



DIOCESE OF TUCSON

192 SOUTH STONE AVENUE

P. O. Box 31 • Tucson, Arizona 85702-0031
Telephone: 520-792-3410 • FAX: 520-792-0291

TRIBUNAL OFFICE

SHERRY-TETA
April 28, 1997
Ref: Prot. 4/92

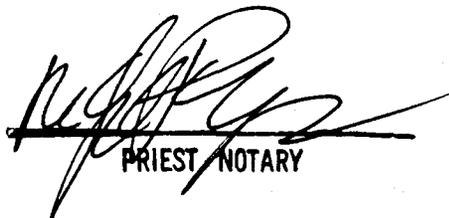
Joseph Cardinal Ratzinger, Prefect
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00193 Roma, Italia

Your Eminence!

In accordance with Canon 1630 § 1, and in reference to the Sherry-Teta case, the accused and his advocate have responded within the fifteen day deadline to a sentence confectioned on April 16th, 1997, by a panel of judges in this diocese. The panel of judges delivered an affirmative sentence in which they decided definitively on all five allegations and, among them there were three serious charges proved with moral certitude against the accused, each meriting the final penalty of immediate dismissal from the priesthood without any possibility of being reinstated into the clerical state. The accused and his advocate have made an appeal through this tribunal, in accordance with Canon 1630, § 1, directing this appeal to the Congregation for the Doctrine of the Faith.

Therefore, in accordance with Canons 1474 and 1634, § 3, where it is my duty as the presiding and recording judge to transmit a copy of the Acts authenticated by the attestation of a priest-notary to your Congregation as the appellate court for cases involving solicitation, you will soon be receiving a full copy of the Acts through the diplomatic service at Washington, D.C. to Rome. We hope and trust that the nine volumes of Acts will arrive at your office within a short time. Unfortunately, we have experienced long delays in our communications by mail from the Congregations in Rome and I hope and trust that you will not experience the same delay in our transmission of the Acts

This case, as you know from your letter of June 8, 1992 to our Ordinary, the Most Reverend Manuel D. Moreno, D.D., with the protocol number 4/92, involves a priest by the name of Reverend Michael J. Teta, of this diocese. His advocate's name is Reverend Gregory Ingels, from the Archdiocese of San Francisco. I know that Father Ingels has been in communication with your office several times during the past seven years. This case was opened in 1990.


PRIEST NOTARY

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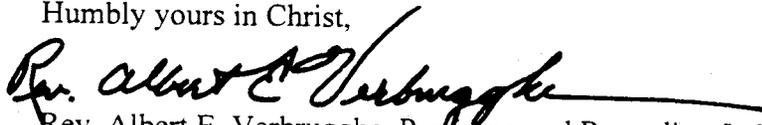


In February, I came to Rome to discuss this case at your Congregation and spoke with the Reverend Gianfranco Girotti, OFM Conv., getting his advice and informing him that the case was coming to a close and that the Congregation would soon be receiving a copy of the Acts, whether an appeal was made or not.

I hope and trust that you will find everything in order. There are seven volumes of testimony, plus an eighth volume in three parts, containing the final two briefs of the advocates, and the sentence. The ninth volume contains an index for the first seven volumes, translations, among which is that of your Instructio of 1962, typed transcriptions of hand-written testimony plus other material relative to the case.

With all due regard and asking for your blessing, I remain,

Humbly yours in Christ,



Rev. Albert E. Verbrugghe, Presiding and Recording Judge
MA, MBA, STD, LLD, JCD, Advocate of the Roman Rota



PRIEST - NOTARY

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DIOCESE OF TUCSON

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(520) 792-3410 FAX (520) 792-0291

OFFICE OF THE BISHOP

April 28, 1997
Prot. 4/92

Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00193, Roma, Italia

Your Eminence!

Under separate cover, and from our Tribunal office at Tucson, you will find the entire Acts for the Sherry-Teta penal case, the documents to which you made reference to me in your letter of June 8, 1992, during the process (Protocol Number 4/92). The principal allegation of this trial was solicitation connected to the confessional, but there were two other serious charges, related to Canon 1395, §§ 1, 2, each of the three meriting, according to the final sentence, immediate dismissal from the priesthood without the possibility of reinstatement to the clerical state. There were two other allegations which were also declared affirmative by the panel of judges.

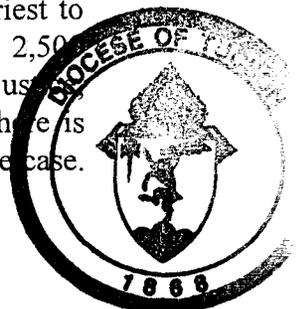
The accused and his advocate have chosen to appeal the case to your eminent Congregation.

This case has already gone on for seven years. At the beginning, I brought in a priest from Chiago to be the presiding judge. This priest had not only studied in Rome as a mature priest during the crucial years of the formulation of the new Code, but, during these years, 1977 to 1984, he also acquired several pontifical doctorates (at the Gregorian and the Lateran), passed all the examinations at the Roman Rota, and is a qualified and certified, though inactive (since he lives in this country) Advocate of the Roman Rota. He spent nine years at the Chicago Tribunal as judge both in the Metropolitan tribunal and the Chicago Provincial Tribunal (1984-1993).

He has been working on this particular case all through these years and he himself has interviewed all except one of the many young men who claimed that they were "victims" of the accused priest, and also has interviewed all of the other diocesan priests of Tucson who had dealings with the accused cleric. In 1993, I persuaded this priest to come to Tucson permanently to be my Judicial Vicar. The Acts contain about 2,500 pages, including the two briefs of the defending advocate and my promoter of justice, respectively, plus the sentence itself of the panel of three judges. In addition, there is another volume containing an index of the Acts, plus other materials relative to the case.


PRIEST - NOTARY

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The presiding and recording judge has informed me that he has already written to you about the official appeal made through him to your Congregation as the court of appeal for all cases involving solicitation.

I make this plea to you to assist me in every way you can to expedite this case, because the accused was a priest in whom I had great confidence at one time, but who, unfortunately, worked among our former seminarians, and, terrible to say, evidently corrupted many of them -- or so they themselves have related to our examiners.

If there is anything that my presiding judge, Father Verbrugghe, can do on this case in Rome, I should be willing to have him come over to present his own reactions over and above what he has narrated in the sentence as well as his own experience in interviewing the young men who have suffered at the hands of the priest who is accused of these atrocious delicts. However, Father Verbrugghe spends his summers in Mexico, the better to be able to deal with the many Hispanics in our diocese. He will not return until the middle of September.

We have been paying the accused priest his sustenance, health and car insurance this entire time, plus allowing his advocate from San Francisco -- the choice of the accused priest himself -- to come here on several occasions for special meetings -- also at our expense. I sent Father Verbrugghe to Rome this past Febraury in order to speak with one of your priests, Reverend Gianfranco Girotti, OFM Conv., to find out what we could do in the event of an appeal.

Please accept my sincere prayers for you and your staff,

Yours sincerely in Christ our Lord,

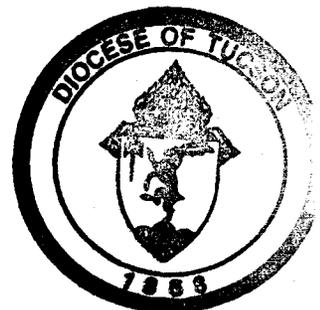


Most Reverend Manuel D. Moreno, D.D.
Bishop of Tucson, Arizona



PRIEST - NOTARY

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CONGREGAZIONE
PER LA DOTTRINA
DELLA FEDE

8 giugno 1992
00193 Roma,
Piazza del S. Uffizio, 11

4/92

PROF. N.

Si prega citare il numero nella risposta.

Your Excellency:

Since this Congregation is competent in such matters, the Supreme Tribunal of the Apostolic Signatura has forwarded to us the recourse prepared by the Reverend Gregory Ingels, Judicial Vicar of the Archdiocese of San Francisco, in behalf of the Reverend Michael J. Teta, a priest of your Diocese. It would be our understanding that Father Teta is presently facing a judicial process before your Diocesan Tribunal on an allegation of having committed an act of solicitation in the confessional.

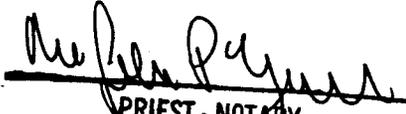
Apart from the initiative taken by Father Ingels, an accusation of solicitation is a serious matter reserved to this Dicastery and the conduct of such cases is governed by its norms. In this regard, we would very much appreciate your giving assurance that the judicial process for Father Teta is being pursued in fact in accordance with this Congregation's "Instructio", a copy of which is herewith enclosed for your convenience. The procedural norms of this "Instructio" are indeed still in force even if some adjustments are necessary in terms of the new code of canon law and, in particular, as far as references to the canons are concerned.

When your Diocesan Tribunal will have passed its definitive

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enclosure

Most Reverend **Manuel D. Moreno**
Bishop of Tucson, Arizona
USA


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sentence in the case in question, we would kindly request that Your Excellency arrange for a copy of that sentence along with all the acts of the case to be sent to this Dicastery.

With an assurance of kindest regards and good wishes, I am

Sincerely yours in Christ,

Joseph Louis Dabringier

[Handwritten Signature]
PRIEST - NOTARY

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