

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURES

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff John Doe 101 files this his Original Petition and Request for Disclosures, complaining of Defendants Roman Catholic Archdiocese of San Antonio, by and through Apostolic Administrator and Auxiliary Bishop Reverend Oscar Cantu, D.D., his predecessors and successors, as Archbishop of the Roman Catholic Diocese of San Antonio, and Father (former) Louis White, and would show the Court the following:

I.

Parties

1. Plaintiff John Doe 101 ("Doe" or "Plaintiff") resides in Wilson County, Texas. His identity has been made known to Defendants. John Doe was a minor at the time when all physical and sexual abuse occurred that is the subject of this suit.

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURES - Page 1

- 2. Defendant Roman Catholic Archdiocese of San Antonio ("Archdiocese"), by and through Apostolic Administrator and Auxiliary Bishop Reverend Oscar Cantu, D.D., his predecessors and successors, as Archbishop of the Archdiocese of San Antonio, is an unincorporated religious association and service of process may be perfected at its principal place of business of 2718 W. Woodlawn San Antonio, Texas 78228.
- 3. Defendant Louis White (hereinafter "Father Louis") was a Priest of the Archdiocese of San Antonio at all relevant times. He was laicized in 1989 and his current location is unknown to Plaintiff at this time.

II.

Discovery Control Plan

1. Plaintiff pleads that this case be placed on Discovery Control Plan Level III, and be controlled by a Scheduled Order to be agreed to by the parties and the court.

III.

Factual Background

- 1. At all times material herein, Father Louis was a Roman Catholic Priest with the Archdiocese of San Antonio. While working for the Archdiocese of San Antonio, he was assigned as an associate pastor to Sacred Heart Church in Floresville, Texas from 1976-1977.
- 2. Plaintiff and his family were devout Catholics. Plaintiff attended Catholic mass weekly, attended Catholic school at Sacred Heart, and trained and performed as an altar server for Sacred Heart Church ("Sacred Heart").
- 3. In 1976, Plaintiff was bullied and beaten by older students who attended Sacred Heart school with him. Father Louis intervened on Plaintiff's behalf to stop this beating.

- 4. After Father Louis intervened, he began asking Plaintiff on a regular basis to come help him in the shop located in the rectory at Sacred Heart.
- 5. While Plaintiff was at the workbench in the rectory's shop, Father Louis fondled and masturbated Plaintiff's penis. On subsequent occasions, Father Louis would direct the Principal's office to pull Plaintiff out of class and send him to the rectory to assist with altar server duties. Father Louis would then sexually molest Plaintiff, often in the priest's rectory bedroom. Father Louis also sexually abused Plaintiff before and after events where Plaintiff served as an altar boy.
- 6. Father Louis' abuse of Plaintiff escalated and became more aggressive and grew to includ oral sex and repeated anal penetration. These rapes and other abuses occurred when Plaintiff was 12 years old at Sacred Heart in Father Louis' bedroom, the shop at the rectory, and in the church. The repeated assaults continued for approximately six months, occurring approximately two to three times per week.
- 7. Father Louis also gave Plaintiff sacramental wine to drink during the time he was abusing him.
- 8. During the time of the abuse, Plaintiff informed Sister Anne, Principal of Sacred Heart school, that he did not want to continue as an altar server for Father Louis. Unfortunately, instead of listening to him and acting on his concerns, Sister Anne beat Plaintiff for not wanting to serve Father Louis and sent Plaintiff to him anyway. The sexual abuse continued.
- 9. Father Joseph Hybner was serving as Pastor at Sacred Heart at the time of Plaintiff's abuse. Shortly before Father Louis was abruptly removed from his position at Sacred Heart, Father Joe was approaching Father Louis' bedroom in the rectory. Father Louis had just finished sodomizing Plaintiff and was dressing himself and Plaintiff when he heard Father Joe approaching. Father Louis opened his bedroom door at approximately the same time Father Joe was reaching to open it. Father

Joe witnessed Plaintiff finishing dressing. He yelled at Plaintiff to return to class and loudly scolded Father Louis as Plaintiff ran out of the room. Within a short time, Father Louis was transferred from Sacred Heart.

- 10. In March 2009, the Archdiocese disclosed to the public and to various parish communities (including Sacred Heart Church via an insert in the weekly bulletin) that Father Louis White, Father David Zumaya, and Father Larry Hernandez were all accused of sexually molesting a minor while they were assigned to San Fernando Church in San Antonio. The insert noted that Father Louis had been assigned to San Fernando from 1981- 1984, after he had already been moved from St. Ann's in San Antonio in 1976, from St. Joseph's in Yoakum in 1978, and from Notre Dame in Kerrville in 1981. The insert included the information that Father Louis had been laicized in 1989. The same insert also listed the assignment records for the other two priests.
- three perpetrators that Father Louis had also been assigned to Plaintiff's home parish of Sacred Heart Church in Floresville from 1976-1977. This information was revealed in an amended Assignment Record released shortly after the first announcement. (See the Archdiocese of San Antonio documents attached hereto as Exhibit A). To Plaintiff's knowledge and belief, prior to 2009 there had never been a disclosure by the Archdiocese of San Antonio or the Vatican that Father Louis had been stripped of his priestly powers, and the reason for this laicization still has not been disclosed.
- 12. Plaintiff, in approximately March 2010, came forward and told the Archdiocese that Father Louis had sexually molested him also. The Archdiocese never asked Plaintiff for a statement or any details of his abuse, and failed to inform the Plaintiff as to how they were going to address his complaint. When Plaintiff inquired as to why the policy that he understood the church hierarchy had in place to address sexual abuse complaints was not being followed, he was told by the Director of

the Office of Victim Assistance & Safe Environment for the Archdiocese that "as far as the policy not being followed, I can answer those questions better over the phone, but the short answer would be that he was out of the ministry way before the policy was written."

13. At some point after the Archdiocese announced in the Sacred Heart bulletin that Father Louis White, Father David Zumaya, and Father Larry Hernandez had all abused a young boy, the Archdiocese sent a priest to Sacred Heart Church, where Plaintiff was in attendance that day. This priest spoke to the congregation, chastising anyone that would come forward about being abused and telling them that they should do penance for the themselves and the abuser priest.

IV.

Causes of Action Against Defendant Archdiocese of San Antonio

- 1. At all times material herein, Father Louis was part of and employed as a Priest by Defendant Archdiocese of San Antonio and was under Defendant's direct supervision and control when he engaged in sexual contact with Plaintiff. As a priest, Father Louis acted upon delegated authority of the Archdiocese of San Antonio. Defendant Father Louis was introduced and acquainted with Plaintiff and gained access in order to groom and abuse him because of his status and position as a Roman Catholic Priest. Thus, Father Louis' position with the Archdiocese was a necessary precursor in order for him to gain access to his victims. Father Louis engaged in this wrongful conduct while in the course and scope of his employment with Defendant Archdiocese of San Antonio. Therefore, Defendant Archdiocese is liable for the wrongful conduct of Defendant Father Louis, and the Plaintiff pleads that the Archdiocese is liable under theories of Respondeat Superior, agency, apparent agency, agency by estoppel, Restatement of Agency Section 213, vice principal, and vicarious liability (including non-delegable duty).
- 2. Plaintiff pleads negligence against the Archdiocese. Defendant Archdiocese PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURES Page 5

negligently supervised and retained Father Louis in a position of trust, confidence and authority as a parish priest in direct contact with minor children when it knew or should have known of his dangerous sexual propensities. Plaintiff also pleads negligent misrepresentation against the Archdiocese for its representations about Father Louis' character and fitness to serve as a priest.

- 3. Defendant Archdiocese failed to warn Plaintiff or his family of the dangerous sexual propensities of Catholic priests, and Father Louis in particular, towards minor children.
- 4. Defendant Archdiocese, as a religious organization, is granted special privileges and immunities by society and is in a special fiduciary relationship with Plaintiff. Defendant owed Plaintiff the highest duty of trust and confidence and was required to act in Plaintiff's best interest. Defendant knowingly violated that relationship. Defendant knowingly breached Plaintiff's trust when the Archdiocese failed to act with the highest degree of trust and confidence to protect Plaintiff from its sexually predatory priest. This knowing breach of fiduciary duty proximately caused physical and emotional injury to Plaintiff. Defendant Archdiocese also knowingly participated in the breach of fiduciary duty committed by Defendant Father Louis as to Plaintiff, and such conduct proximately caused Plaintiff injuries.
- 5. Defendant was under the duty to disclose the extent of the problem of sexual abuse of children by Roman Catholic clergy, and with Father Louis in particular, and the severe psychological problems that would result from such abuse if not properly treated. Instead, Defendant Archdiocese fraudulently concealed this information, allowing Father Louis access to children for his own sexual gratification after they knew or should have known he was abusing Plaintiff.
- 6. Defendant Archdiocese committed fraud that proximately caused Plaintiff damages.

 The Archdiocese committed fraud when it failed to disclose Father Louis' past sexual acts and pedophilic tendencies and represented to him to be celibate despite knowing that he was not.

- 7. Plaintiff pleads intentional infliction of emotional distress against the Archdiocese.
- 8. Plaintiff asserts that the Archdiocese is liable for acts and/or omissions pursuant to the Restatement (Second) of Torts, Section 302B, under the legal doctrine of negligent assumption of risk of intentional or criminal conduct.

An act or an omission may be negligent if the actor realizes or should realize that it involves an unreasonable risk of harm to another through the conduct of the other or a third person which is intended to cause harm, even though such conduct is criminal.

Restatement (Second) of Torts, Section302B.

- 9. Plaintiff asserts that the Archdiocese is liable for acts and/or omissions pursuant to the Restatement (Second) of Torts, Section 311, under the legal doctrine of negligent misrepresentation involving risk of physical harm.
 - (1) One who negligently gives false information to another is subject to liability for physical harm caused by action taken by the other in reasonable reliance upon such information, where such harm results
 - (a) to the other, or
 - (b) to such third persons as the actor should expect to be put in peril by the action taken.
 - (2) Such negligence may consist of failure to exercise reasonable care
 - (a) in ascertaining the accuracy of the information, or
 - (b) in the manner in which it is communicated.

Restatement (Second) of Torts, Section 311.

10. Plaintiff asserts that all entities and individuals who are named as Defendants are liable for acts and/or omissions pursuant to the Restatement (Second) of Torts, Section 876, under the legal doctrine of concert of action, as joint venturers, as agents of these entities, of these Defendants, under which theories Plaintiff seeks damages from all Defendants jointly and severally.

- Plaintiff asserts that the statute of limitations is tolled and/or has not expired for Plaintiff under the legal theories of: disability of unsound mind, religious duress, fraud and fraudulent concealment (as referenced above), quasi and equitable estoppel, ratification, duress, and the discovery rule.
- 12. Defendant Archdiocese is liable to Plaintiff for premises liability. Plaintiff was an invitee by the Archdiocese to its property. Defendant Archdiocese owed a duty of care to those who may be harmed by criminal acts on its premises where it conducted its business when the risk of criminal conduct is so great that it is both unreasonable and foreseeable. Defendant was aware of or should have been aware of criminal acts of assault by its priest, Father Louis, on its property and breached its duty of care to Plaintiff when it allowed Father Louis to remain on its property, harming Plaintiff.
- 13. Defendant Archdiocese is liable to Plaintiff under a theory of ratification due to its knowledge related to Father Louis' sexual acts with minors prior to and/or during the time that he was assaulting Plaintiff and its failure to act to protect Plaintiff.
 - 14. Plaintiff pleads Restatement 2d of Torts section 317:

A master is under a duty to exercise reasonable care so to control his servant while acting outside the scope of his employment as to prevent him from intentionally harming others or from so conducting himself as to create an unreasonable risk of bodily harm to them if:

- a) the servant
 - 1) is upon the premises in possession of the master or upon which the servant is privileged to enter only as his servant, or
 - 2) is using a chattel of the master, and
- b) the master
 - 1) knows or has reason to know that he has the ability to control

his servant, and

- 2) knows or should know of the necessity and opportunity for exercising such control.
- 15. Plaintiff pleads Defendant Archdiocese acted at the time and on occasions in question with heedless and reckless disregard for the safety and welfare of Plaintiff, which disregard was the result of conscious indifference to the rights, welfare, and safety of the Plaintiff. Plaintiff pleads that the Defendant Archdiocese's conduct constituted gross negligence.

V.

Cause of Action Against Defendant Father (former) Louis White

- 1. Father Louis was a Roman Catholic priest at all relevant time. He had taken a variety of priestly vows, including vows of chastity and celibacy. Notwithstanding these vows, while a priest, Father Louis repeatedly sexually abused Plaintiff.
 - 2. Father Louis knew of his own dangerous sexual propensities toward minor children.
 - 3. Father Louis sexually abused and assaulted Plaintiff repeatedly in 1976 77.
- 4. Father Louis made physical and sexual contact with Plaintiff and thereby assaulted him when he knew or should have reasonably believed that such contact would be offensive to Plaintiff. Plaintiff thus pleads assault and battery against Father Louis.
- 5. Defendant Father Louis' physical and sexual abuse resulted in the infliction of physical and emotional distress on Plaintiff.
- 6. Defendant Father Louis violated §§ 21.11, 22.011, 22.041 and 43.25 of the Texas Penal Code when he engaged in the above-described sexual conduct with Plaintiff. Defendant Father Louis also violated the Texas Alcoholic Beverage Code §106.06 when he provided alcohol to Plaintiff as a minor. Such violations of these criminal statutes constitute negligence *per se*.

- 7. Father Louis was in a position of trust, confidence and authority as a priest and negligently used this trust, confidence and authority to sexually abuse Plaintiff. Father Louis knowingly breached his fiduciary relationship with Plaintiff when he physically and sexually violated Plaintiff, which proximately caused damages to him.
- 8. Plaintiff pleads that Defendant Father Louis was negligent in his conduct towards Plaintiff when he failed to use ordinary care in his conduct with Plaintiff.
- 9. Plaintiff pleads fraud against Father Louis for intentional misrepresentations as well as nondisclosure related to his character and propensity to sexually abuse children.
- 10. Plaintiff asserts that the statute of limitations is tolled and/or has not expired as to Father Louis based on theories of: disability of unsound mind, duress, fraud, fraudulent concealment, quasi and/or equitable estoppel, religious duress, and the discovery rule.
- 11. Plaintiff pleads Defendant Father Louis acted at the time and on occasions in question with heedless and reckless disregard for the safety and welfare of Plaintiff, which disregard was the result of conscious indifference to the rights, welfare, and safety of the Plaintiff. Plaintiff pleads that the Defendant Father Louis' conduct constituted gross negligence.

VI.

<u>Claims of Conspiracy: Pattern and</u> <u>Practice of Cover-up of Clergy Sexual Abuse of Children</u>

1. Dioceses, Archdioceses and Orders throughout the United States, including the Archdiocese of San Antonio, have handled cases of criminal sexual abuse of minors by Catholic clergy in such a uniform fashion as to demonstrate a common pattern and practice for concealing these crimes from the public, including the affected parishes and even victims identified within them; for failing to report them to proper civil authorities; and/or for spiriting clerics out of dioceses, state

and even the country to church-run treatment facilities in order to evade probable criminal prosecution of priest-perpetrators and the possible filing of civil claims by their victims.

2. This well established pattern, practice, scheme and protocol of recycling abusive priests by the Roman Catholic hierarchy was finally publicly acknowledged and exposed in February 2004 in a research study conducted by the John Jay School of Criminal Justice. The study, titled A Report on the Crisis in the Catholic Church in the United States, concluded in part that:

Too many bishops in the United States failed to respond to this problem forthrightly and firmly. Their responses were characterized by moral laxity, excessive leniency, insensitivity, secrecy, and neglect. Aspects of the failure to respond properly to sexual abuse of minors by priests included: (I) inadequately dealing with victims of clergy sexual abuse, both pastorally and legally; (ii) allowing offending priests to remain in positions of risk; (iii) transferring offending priest to new parishes or other dioceses without informing others of their histories; (iv) failing to report instances of criminal conduct by priests to secular law enforcement authorities, whether such a report was required by law or not; and (v) declining to take steps to laicize priests who clearly had violated the law [emphasis ours].¹

3. This common plan and scheme, which was in existence well before the abuse of Plaintiff, was followed by the Archdiocese of San Antonio and its Archbishops to conceal the crimes against children by Father Louis and other priests of this Archdiocese. Members of this common plan and scheme have included not only Bishops and Archbishops and hierarchical agents of San Antonio Archdiocese and "other clerics," including Father Louis, and other individuals and entities currently unknown to the Plaintiff.

See John Jay Report at page 92, which can be found on the United States Catholic Conference of Bishops' website, www.usccb.org/ocyp/webstudy.shtml

been aware of the sexual abuse of Plaintiff and other boys within its territory and of the wrongful conduct of Father Louis as well as other clerics. Defendant San Antonio Archdiocese knew or should have known that other young boys had been sexually abused by Father Louis prior to his abuse of Plaintiff. Instead of reporting Father Louis' crimes, this Defendant entered into an agreement with Father Louis and others, in keeping with their protocol, to conceal this abuse and keep it secret at the expense of victims. Defendants intended to accomplish the unlawful purpose of concealing crimes against children by Father Louis and other priests and/or intended to conceal their breach of duty by the unlawful means of failing to report Father Louis and other known perpetrators as required by law. Further, these Defendants intended to cause additional injury to Plaintiff as a consequence of failing to report unlawful abuse as required by law. This combination had the result of concealing crimes by fraudulent and illegal means and concealing the facts giving rise to claims for civil damages by the Plaintiff against Defendants by fraudulent and illegal means.

VII.

Damages for Plaintiff

- 1. As a result of the conduct and incidents described herein, Plaintiff has incurred medical and/or counseling expenses in the past and in all reasonable probability will incur medical and/or counseling expenses in the future.
 - 2. Plaintiff has experienced physical pain and suffering and bodily injury.
- 3. Plaintiff has suffered severe mental anguish in the past and in all reasonable probability will sustain severe mental anguish in the future.
- 4. Plaintiff has suffered a diminished wage earning capacity in the past and in all reasonable probability will suffer loss of earning capacity in the future.

- 5. Plaintiff pleads physical impairment damages.
- 6. Plaintiff seeks exemplary damages based on Defendants gross negligence.
- 7. As a result of the above, Plaintiff seeks damages within the jurisdictional limits of the Court.

VIII.

Archdiocese Was Criminally Complicit; therefore Punitive Damages are Recoverable

- 1. Tex. Civ. Prac. & Rem. Code §41.005(a) does not apply to bar punitive damages in this matter because the Defendants were criminally complicit. Tex. Civ. Prac. & Rem. Code §41.005(b)(2) provides an exception when a defendant is criminally responsible as a party to the criminal act. Under Chapter 7 of the Texas Penal Code, specifically §7.02(a), a person is criminally responsible for an offense committed by the conduct of another if:
 - (1) acting with intent to promote or assist the commission of the offense, he solicits, encourages, directs, aids, or attempts to aid the other person to commit the offense;

or

- (2) having a legal duty to prevent commission of the offense and acting with intent to promote or assist its commission, he fails to make a reasonable effort to prevent commission of the offense.
- 2. Tex. Pen. Code Ann. §7.02(a)(2). The provisions of this statute are met because Defendants assisted and aided Father Louis in the commission of the sexual assaults on Plaintiff and other minor boys in Texas by allowing him access to Plaintiff and failing to report Father Louis to law enforcement.
- 3. Further, provisions of Tex. Pen. Code Ann. §7.02(a)(3) are met because Defendants had a duty to prevent the sexual assault of Plaintiff. Defendants knew of Father Louis' pattern and history of sexual abuse of boys and, despite that knowledge, never reported him to the police and

repeatedly placed him in environments where he could prey upon young boys like Plaintiff and others.

4. Additionally, Tex. Pen Code Ann. §§7.21-7.23 encompasses the criminal responsibility of corporations or associations and provide that a corporation or association is criminally responsible for the conduct of its agent if it was authorized, performed or recklessly tolerated by a high managerial agent. The Archbishops of San Antonio not only tolerated it, they aided and abetted Father Louis in acquiring more victims. Plaintiff would show that Defendants recklessly tolerated and allowed the conduct of Father Louis and are therefore subject to punitive damages in this matter.

IX.

Claim for Pre-Judgment and Post-Judgment Interest

Plaintiff herein claims interest in accordance with Texas Finance Code, §304.001, et seq. and any other applicable law.

X.

Demand for Jury Trial

Plaintiff demands that a jury of his peers be empaneled to hear and decide the issues presented in this case.

XI.

Request for Disclosures to Archdiocese of San Antonio

Plaintiff hereby requests that Defendant Archdiocese of San Antonio provide responses within 50 days of service of this request for disclosures per the Texas Rule of Procedure rule 194.

XII.

Prayer

For these reasons, Plaintiff John Doe 101 prays that Defendants be served and cited to appear and answer herein and upon final hearing of this cause, that they have judgment against Defendants, jointly and severally, for damages described herein, for cost of suit, interest as allowable by law and for such other relief to which Plaintiff may be justly entitled.

Respectfully submitted,

Merritt & Watson PLLC

Tahira Khan Merritt PLLC

Tahira Khan Merritt State Bar No. 11375550

Lori Watson PLLC

Lori Watson

State Bar No. 00791889

8499 Greenville Ave. Suite 206

Dallas Texas 75231

Telephone: 214-503-7300 Telefax: 214-503-7301

Tom Rhodes Law Firm P.C.

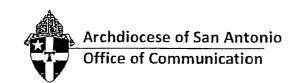
Tom Rhodes Texas Bar No. 16820050 Laura Pazin-Porter State Bar No. 24032941

126 Villita St.

San Antonio, Texas 78205 Telephone: 210-225-5251

Telefax: 210-225-6545

ATTORNEYS FOR PLAINTIFF JOHN DOE 101



2718 West Woodlawn, San Antonio, TX 78228

Director: Deacon Pat Rodgers

Phone: (210) 734-1610 • CELL: (210) 260-0044 FAX: (210) 734-2939 • Email: pat.rodgers@archsa.org

Archdiocese advises affected parishes of sexual abuse of minor allegations made against three men no longer serving in priesthood.

The Archdiocese of San Antonio has received accusations of sexual abuse of a minor made against three men who at one time served as priests in the archdiocese. None of these men are in ministry. The alleged incidents occurred between 1978 and 1982. Consistent with its policy, the archdiocese reported these allegations to the civil authorities, and the identity of the person making these accusations will be kept confidential.

The person alleging abuse identified the men as Rev. David Zumaya, Rev. Larry Hernandez, and Mr. Louis White. Zumaya served as a priest of the archdiocese from 1977 until 1998. He has no priestly faculties and is no longer in ministry. Hernandez, ordained in 1978, joined the Order of the Most Holy Trinity in 1982 and left the Archdiocese at that time. His priestly faculties were suspended by his order when the allegation first was raised in 2008. White was ordained in 1975. He left priestly ministry in 1988 and was laicized in 1989.

The abuse was alleged to have occurred during the times when the three were assigned to San Fernando Cathedral. The allegation indicated that Zumaya also abused the man involved when he was assigned to Our Lady of Guadalupe Church in Carrizo Springs.

Keeping with its commitment to The Charter for the Protection of Children and Young People, the archdiocese has advised the parish communities where these men had served of the allegations. A complete list of the parishes served by the three men is available on the archdiocesan website at http://www.archsa.org/to_protect/default.asp - "Public Notice".

In his statement to the affected parish communities, Archbishop Gomez wrote, "I pledge my commitment to continue to work toward making every Catholic church, school and institution a safe harbor for all of our children. Please join me in prayer as we reach out to any and all who may be victims of sexual abuse."

The archdiocese is currently ministering to the man who brought the allegations forward through its Office of Victim Assistance and Safe Environment (OVASE). If anyone has questions or concerns in regard to Zumaya, Hernandez or White's time of service in the Archdiocese of San Antonio, they should notify Mr. Steve Martinez, Director of OVASE at (210)-734-7786 or (877)-700-1888.

Assignments

Louis White	
5t. Ann's-S.A. 1975-1976	St. Lüke-Lolre 1984-1987
St. Joseph-Yoakum 1976-1978	St. Vincent de Paul-S.A. 1987-1988
Notre Dame-Kerrville 1978-1981	Left priestly ministry in 1987
San Fernando-S.A. 1981-1984	Laicized in 1988
David Zumaya	
Our Lady of Grace-S.A. 1977-1978	San Fernando – S.A. 1980-1982
Our lady of Sorrows-S.A. 1977-1978	Our Lady of Guadalupe-Carrizo Springs 1982-1986
Sacred Heart-Uvalde 1978-1980	St. Mary Magdalen-Bracketville 1986-1995
St. Gregory the Great -S.A. 1980	St. Joseph-Nixon-1995-1998
	No longer in ministry and has no priestly faculties
Larry Hernandez	
St. James-Gonzalez 1978	St. Paul-S.A. 1980-1982
San Fernando Cathedral-S.A. 1978-1980	Priestly faculties suspended in 2008





2718 West Woodlawn, San Antonio, TX 78228

Director: Deacon Pat Rodgers

Phone: (210) 734-1610 • CELL: (210) 260-0044

FAX: (210) 734-2939 • Email: pat.rodgers@archsa.org

For Immediate Release March 9, 2009

Archdiocese advises affected parishes of sexual abuse of minor allegations made against three men no longer serving in priesthood.

The Archdiocese of San Antonio has received accusations of sexual abuse of a minor made against three men who at one time served as priests in the archdiocese. None of these men are in ministry. The alleged incidents occurred between 1978 and 1982. Consistent with its policy, the archdiocese reported these allegations to the civil authorities, and the identity of the person making these accusations will be kept confidential.

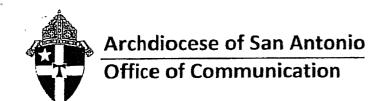
The person alleging abuse identified the men as Rev. David Zumaya, Rev. Larry Hernandez, and Mr. Louis White. Zumaya served as a priest of the archdiocese from 1977 until 1998. He has no priestly faculties and is no longer in ministry. Hernandez, ordained in 1978, joined the Order of the Most Holy Trinity in 1982 and left the Archdiocese at that time. His priestly faculties were suspended by his order when the allegation first was raised in 2008. White was ordained in 1975. He left priestly ministry in 1988 and was laicized in 1989.

The abuse was alleged to have occurred during the times when the three were assigned to San Fernando Cathedral. The allegation indicated that Zumaya also abused the man involved when he was assigned to Our Lady of Guadalupe Church in Carrizo Springs.

Keeping with its commitment to The Charter for the Protection of Children and Young People, the archdlocese has advised the parish communities where these men had served of the allegations. A complete list of the parishes served by the three men is available on the archdiocesan website at http://www.archsa.org/to-protect/default.asp-"Public Notice".

In his statement to the affected parish communities, Archbishop Gomez wrote, "I pledge my commitment to continue to work toward making every Catholic church, school and institution a safe harbor for all of our children. Please join me in prayer as we reach out to any and all who may be victims of sexual abuse."

The archdiocese is currently ministering to the man who brought the allegations forward through Its Office of Victim Assistance and Safe Environment (OVASE). If anyone has questions or concerns in regard to Zumaya, Hernandez or White's time of service in the Archdiocese of San Antonio, they should notify Mr. Steve Martinez, Director of OVASE at (210)-734-7786 or (877)-700-1888.



2718 West Woodlawn, San Antonio, TX 78228

Director: Deacon Pat Rodgers

Phone: (210) 734-1610 • CELL: (210) 260-0044

FAX: (210) 734-2939 • Email: pat.rodgers@archsa.org

Assignments

Louis White	
St. Ann's-S.A. 1975-1976	St. Luke-Loire 1984-1987
Sacred Heart-Floresville-1976-1977*	St. Vincent de Paul-S.A. 1987-1988
St. Joseph-Yoakum 1977-1978	Left priestly ministry in 1988
Notre Dame-Kerrville 1978-1981	Laicized in 1989
San Fernando-S.A. 1981-1984	
David Zumaya	
Our Lady of Grace-S.A. 1977-1978	San Fernando – S.A. 1980-1982
Our lady of Sorrows-S.A. 1977-1978	Our Lady of Guadalupe-Carrizo Springs 1982-1986
Sacred Heart-Uvalde 1978-1980	St. Mary Magdalen-Bracketville 1986-1995
St. Gregory the Great -S.A. 1980	St. Joseph-Nixon-1995-1998
	No longer in ministry and has no priestly faculties
Larry Hernandez	
St. James-Gonzalez 1978	St. Paul-S.A. 1980-1982
San Fernando Cathedral-S.A. 1978-1980	Priestly faculties suspended in 2008

^{*}Please note the addition of Mr. White's assignment to Sacred Heart Church in Floresville from 1976-1977. This parish was inadvertently omitted from the initial release. This addition also changes his assignment at St. Joseph-Yoakum to 1077-1978.