

**THIRD JUDICIAL DISTRICT
STATE OF NEW MEXICO
COUNTY OF DONA ANA**

FILED
3rd JUDICIAL DISTRICT COURT
Dona Ana County
7/14/2025 3:12 PM
BERNICE A. RAMOS
CLERK OF THE COURT
Claudine Bernal

JANE DOE 214,

Plaintiff,

D-307-CV-2025-01893

Arrieta, Manuel I.

vs.

CATHOLIC DIOCESE OF EL PASO, and
SHRINE AND PARISH OF OUR LADY OF GUADALUPE, INC.,

Defendants.

COMPLAINT FOR DAMAGES ARISING FROM CHILDHOOD SEXUAL ABUSE

Plaintiff, by and through her attorneys of record (Levi A. Monagle, Shayne C. Huffman, and Jason T. Wallace, Huffman Wallace & Monagle LLC) for her Complaint states as follows:

PARTIES, JURISDICTION, AND VENUE

1. At all times material to this Complaint, Defendant Catholic Diocese of El Paso (or “CDEP”) was a Texas corporation doing business in Dona Ana County, New Mexico. CDEP may be served with process by serving its registered agent, or any other authorized officer or agent therein at 499 Saint Matthews St., El Paso TX, 79907-4214.

2. Defendant Shrine and Parish of Our Lady of Guadalupe, Inc. (or “the Parish”) is a corporation with its primary place of business located in Dona Ana County, New Mexico. The Parish may be served with process by serving its registered agent, Kathryn Brack Morrow, or any other authorized officer or agent therein at 1730 Tierra de Mesilla, Ste. 4, Las Cruces, NM 88001.

3. The sexual abuse of Plaintiff occurred in Dona Ana County, New Mexico.

4. Prior to its separate incorporation under New Mexico civil law, Shrine and Parish of Our Lady of Guadalupe was considered a parish under Catholic Canon Law.

5. Defendant Shrine and Parish of Our Lady of Guadalupe, Inc., is the successor in interest to Shrine and Parish of Our Lady of Guadalupe, and Shrine and Parish of Our Lady of Guadalupe is the predecessor in interest to Defendant Shrine and Parish of Our Lady of Guadalupe, Inc.

6. At the time she was sexually abused as alleged herein, Plaintiff Jane Doe 214 resided in Dona Ana County, New Mexico.

7. Plaintiff currently resides in Los Angeles County, California.

8. This Court has jurisdiction over the parties and subject matter in this action.

9. Pursuant to NMSA 1978 § 38-3-1, venue is proper in this Court.

FACTS

10. Plaintiff was born in 1949.

11. Plaintiff was raised in the Dona Ana County community of Tortugas, New Mexico, and attended the Shrine and Parish of Our Lady of Guadalupe as a child.

12. Plaintiff was a victim of sexual abuse and exploitation perpetrated by Fr. Emilio Roure.

13. Fr. Roure began abusing Plaintiff in approximately 1956, when Plaintiff was approximately seven or eight years old.

14. Fr. Roure continued to sexually abuse Plaintiff regularly until approximately 1964.

15. Much of the sexual abuse inflicted upon Plaintiff by Fr. Roure occurred on the premises of the Shrine and Parish of Our Lady of Guadalupe.

16. At all times material to this Complaint, Fr. Roure was an agent of the Catholic Diocese of El Paso.

17. CDEP imbued Fr. Roure with the powers and authorities of his priesthood.

18. Fr. Roure used his status and substantial power and authority as a priest to groom Plaintiff for sexual abuse (beginning in the early years by encouraging Plaintiff's parents to bring her to private piano lessons with him).

19. Defendants placed Plaintiff into close contact with Fr. Roure without a semblance of supervision or safety precaution.

20. As a direct result of the Defendants' negligence, Plaintiff was sexually abused by Fr. Roure.

21. As a direct and proximate result of the sexual abuse inflicted on her by Fr. Roure, Plaintiff has suffered substantial damages and continues to suffer substantial damage.

COUNT I – NEGLIGENCE OF CDEP AND PARISH

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

23. The Defendants had a duty to hire, supervise and retain priests who would not molest, abuse, and harm vulnerable parishioners.

24. Defendants had a duty to create, enact, and enforce adequate policies and procedures to prevent molestation, abuse, and harm of vulnerable parishioners.

25. Defendants had a duty to sufficiently and adequately staff its facilities to ensure the safety of their parishioners.

26. Defendants had a duty to exercise reasonable care in their retention and supervision of Fr. Roure during his assignment to the Shrine and Parish of Our Lady of Guadalupe.

27. Defendants had a duty to use ordinary care to keep premises safe for use by their parishioners.

28. The Defendants breached these duties owed to Plaintiff.

29. As a direct and proximate result of the Defendants' breaches of duty with respect to Fr. Roure, Plaintiff was sexually abused by Fr. Roure and suffered damages.

30. The conduct of the Defendants in this case was willful, intentional, wanton, reckless and/or taken in utter disregard of the safety and wellbeing of others, including Plaintiff, and subjects the Defendants to punitive damages.

COUNT II – CDEP'S VICARIOUS LIABILITY FOR TORTS OF FR. ROURE

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

32. The sexual abuse inflicted on Plaintiff by Fr. Roure constituted the tort of sexual assault and battery (among other torts).

33. At all times material to this Complaint, Fr. Roure was an agent or employee of Defendant CDEP.

34. But for the fact that Fr. Roure was a Catholic priest, with all the duties, responsibilities, and vested and apparent authority that being a Catholic priest entails over a Catholic parishioner, Fr. Roure would not have had the necessary authorities or powers needed to sexually abuse Plaintiff.

35. Fr. Roure used his status, authority, power, and the instrumentalities available to him as a Catholic priest to facilitate and aid him in accomplishing the assault and battery of Plaintiff in the following ways, including but not limited to:

- a. Using his title, position, power, and authority as a Catholic priest of CDEP to gain access to Defendants' facilities in New Mexico where he abused Plaintiff;

- b. Using his title, position, power, and authority as a Catholic priest of CDEP to gain physical access to Plaintiff and parishioners outside of view and supervision of others;
- c. Using his title, position, power, and authority as a Catholic priest of CDEP to secure Plaintiff's silence regarding acts of abuse that Plaintiff might otherwise have reported.

36. CDEP is vicariously liable for the conduct of its agent Fr. Roure under the theory of "aiding-in-agency," because CDEP imbued Fr. Roure with substantial power over vulnerable children like Plaintiff and sexual abuse occurred as a result.

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

Respectfully Submitted,

HUFFMAN WALLACE & MONAGLE LLC

/s/ Levi A. Monagle 07/14/25

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