

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

FILED  
3rd JUDICIAL DISTRICT COURT  
Dona Ana County  
7/14/2025 3:32 PM  
BERNICE A. RAMOS  
CLERK OF THE COURT  
Claudine Bernal

JOHN DOE 210,

Plaintiff,

vs.

D-307-CV-2025-01898  
Fitch, Casey B.

CATHOLIC DIOCESE OF EL PASO, and  
ST. ANTHONY PARISH, ANTHONY, INC.,

Defendants.

**COMPLAINT FOR DAMAGES ARISING FROM CHILDHOOD SEXUAL ABUSE**

Plaintiff John Doe 210, by and through his attorneys of record (Levi A. Monagle, Huffman Wallace & Monagle LLC) for his 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 St. Anthony Parish, Anthony, 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, Suite 4, Las Cruces, NM 88005.

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

4. Prior to its separate incorporation under New Mexico civil law, St. Anthony Parish was considered a parish under Catholic Canon Law.

5. Defendant St. Anthony Parish, Anthony, Inc., is the successor in interest to St. Anthony Parish, and St. Anthony Parish is the predecessor in interest to Defendant St. Anthony Parish, Anthony, Inc.

6. At the time he was sexually abused and assaulted by Monsignor Gonzalo Morales as alleged herein, Plaintiff John Doe 210 resided in Dona Ana County, New Mexico.

7. Plaintiff now resides in Dona Ana County, New Mexico.

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 1964.

11. Plaintiff was raised in Anthony, New Mexico, in a Catholic family that attended services at St. Anthony Parish.

12. From the time he was approximately eight (8) years old until he was approximately eleven (11) years old, Plaintiff was sexually abused by the pastor of St. Anthony Parish, Monsignor Gonzalo Morales.

13. Monsignor Morales began to abuse Plaintiff in approximately late 1972 or early 1973, and continued to abuse Plaintiff until approximately 1975.

14. At all times material to the abuse of Plaintiff, Monsignor Morales was an agent of the Catholic Diocese of El Paso.

15. Monsignor Morales used his status and substantial power and authority as a priest of the Catholic Diocese of El Paso to groom Plaintiff for sexual abuse, and to convince Plaintiff that the abuse was normal.

16. Monsignor Morales told Plaintiff, in the context of sexually abusing him, that God had a purpose for the two of them that included the sexually abusive acts.

17. CDEP imbued Monsignor Morales with the powers and authorities of his priesthood and gave no warning to Plaintiff or other members of the St. Anthony community that those powers and authorities could be abused.

18. As a direct result of the Defendants' negligence and reckless empowerment of Monsignor Morales, Plaintiff was sexually abused by Monsignor Morales.

19. As a direct and proximate result of the sexual abuse inflicted on him by Monsignor Morales, Plaintiff developed drug addictions and spent time in prison.

20. As a direct and proximate result of the sexual abuse inflicted on him by Monsignor Morales, Plaintiff has been unable to sustain romantic relationships and has been single for over twenty-five (25) years.

21. As a direct and proximate result of the sexual abuse inflicted on him by Monsignor Morales, Plaintiff has suffered substantial damages and continues to suffer substantial damages.

#### **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 Monsignor Morales during his assignment to St. Anthony Parish.

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 Monsignor Morales, Plaintiff was sexually abused by Monsignor Morales 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 MSGR. MORALES**

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

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

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

34. But for the fact that Monsignor Morales was a Catholic priest, with all the duties, responsibilities, and vested and apparent authority that being a Catholic priest entails over a

Catholic parishioner, Monsignor Morales would not have had the necessary authorities or powers needed to sexually abuse Plaintiff.

35. Monsignor Morales 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 Monsignor Morales under the theory of "aiding-in-agency," because CDEP imbued Monsignor Morales 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 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.

Respectfully Submitted,

HUFFMAN WALLACE & MONAGLE LLC

/s/ Levi A. Monagle      07/14/25

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