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### Proof of Claim form: John Doe 188B

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## Proof of Claim form: John Doe 188B

### Content Notice

This item is part of the Archdiocese of Santa Fe Institutional Abuse Collection, and it may contain descriptions of physical, emotional, sexual, and religious abuse, including abuse of minors. Other potentially sensitive topics within the collection include mental health conditions, substance abuse, and other forms of violence.

Resources are available if you or someone you know needs support for any reason.

For the National Sexual Assault Hotline, call 800-656-HOPE (4673) or go to <https://hotline.rainn.org/online>

For the 988 Suicide and Crisis Lifeline, call or text 988, or go to <https://chat.988lifeline.org/>

For the Substance Abuse and Mental Health Services Administration Helpline, call 1-800-662-4357

For crisis treatment in New Mexico: <https://www.nmhealth.org/contact/crisis/>

Survivors Network of those Abused by Priests resources: [https://www.snapnetwork.org/resources\\_for\\_survivors](https://www.snapnetwork.org/resources_for_survivors)

To report abuse:

- <https://archdiosf.org/report-abuse>
- <https://www.reportbishopabuse.org/>

To report child abuse:

- <https://www.childhelphotline.org/>

### Keywords

child sexual abuse, church abuse, New Mexico, Archdiocese of Santa Fe

### Disciplines

Catholic Studies | Ethics in Religion | Religion Law | United States History

JD 188

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
at 10:22 o'clock PM

In re:

ROMAN CATHOLIC CHURCH OF THE  
ARCHDIOCESE OF SANTA FE, a New Mexico  
corporation sole,

Debtor.

Chapter 11

NOV 08 2019

Case No. 18-1302

United States Bankruptcy Court  
Albuquerque, New Mexico

**CORRECTED SEXUAL ABUSE PROOF OF CLAIM**

**This form has been corrected solely with respect to the address for hand delivery.**

**IMPORTANT:**

**THIS FORM MUST BE RECEIVED NO LATER THAN  
June 17, 2019 AT 5:00 P.M. (PREVAILING MOUNTAIN TIME)**

Carefully read Notice and Instructions that are included with this **CONFIDENTIAL PROOF OF CLAIM** and complete all applicable questions. Send together with one copy to: Clerk of the United States Bankruptcy Court, District of New Mexico at the following address: Office of the Clerk of Court-ATTN SEALED DOCUMENTS, U.S. Bankruptcy Court, District of New Mexico, Pete V. Domenici U.S. Courthouse, 333 Lomas Blvd. NW, Suite 360 Albuquerque, NM 87102. If you prefer to hand deliver the completed Confidential Proof of Claim form to the Clerk, the physical address for hand delivery is Clerk of the United States Bankruptcy Court, District of New Mexico, 333 Lomas Blvd. NW, Suite 360 Albuquerque, NM.

**If you mail or deliver the Confidential Proof of Claim form it must be received by the Clerk no later than 5:00 p.m. (prevailing Mountain Time) on June 17, 2019.**

**YOU MAY WISH TO CONSULT AN ATTORNEY REGARDING THIS MATTER.**

**AND YOU MAY ALSO OBTAIN INFORMATION FROM THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS BY CALLING TOLL FREE AT 888-570-6217.**

**FAILURE TO COMPLETE AND RETURN THIS FORM MAY RESULT IN YOUR INABILITY TO VOTE ON A PLAN OF REORGANIZATION AND RECEIVE A DISTRIBUTION FROM THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF SANTA FE, COMMONLY KNOWN AS THE ARCHDIOCESE OF SANTA FE (THE "ARCHDIOCESE").**

**UNLESS YOU INDICATE OTHERWISE IN PART 1 BELOW, YOUR IDENTITY WILL BE KEPT STRICTLY CONFIDENTIAL, UNDER SEAL, AND OUTSIDE THE PUBLIC RECORD OF THE BANKRUPTCY COURT. HOWEVER, THIS PROOF OF CLAIM AND THE INFORMATION IN THIS PROOF OF CLAIM WILL BE PROVIDED**

**PURSUANT TO COURT-APPROVED CONFIDENTIALITY GUIDELINES TO THE ARCHDIOCESE, THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND TO SUCH OTHER PERSONS AS THE BANKRUPTCY COURT DETERMINES NEED THE INFORMATION IN ORDER TO EVALUATE THE CLAIM.**

**THIS PROOF OF CLAIM IS FOR SEXUAL ABUSE CLAIMANTS ONLY.**

For the purposes of this Proof of Claim, a **Sexual Abuse Claim** is defined as any Claim (as defined in section 101(5) of the Bankruptcy Code) against the Archdiocese resulting or arising in whole or in part, directly or indirectly from any actual or alleged sexual conduct or misconduct, sexual abuse or molestation, indecent assault and/or battery, rape, pedophilia, ephebophilia, or sexually-related physical, psychological, or emotional harm, or contacts, or interactions of a sexual nature between a child and an adult, or a nonconsenting adult and another adult, sexual assault, sexual battery, sexual psychological or emotional abuse, humiliation, or intimidation, or any other sexual misconduct, and seeking monetary damages or any other relief, under any theory of liability, including vicarious liability, any negligence-based theory, contribution, indemnity, or any other theory based on any acts or failures to act by the Archdiocese or any other person or entity for whose acts or failures to act the Archdiocese is or was allegedly responsible.

For Purposes of this Proof of Claim, a **Sexual Abuse Claimant** is defined as the person asserting a Sexual Abuse Claim against the Archdiocese, or if a minor, then his parent or legal guardian.

**TO BE VALID, THIS PROOF OF CLAIM MUST BE SIGNED BY YOU OR YOUR ATTORNEY. IF THE SEXUAL ABUSE CLAIMANT IS DECEASED OR INCAPACITATED, THE FORM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S REPRESENTATIVE, EXECUTOR OF THE ESTATE OR THE ATTORNEY FOR THE ESTATE. IF THE SEXUAL ABUSE CLAIMANT IS A MINOR, THE FORM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S PARENT OR LEGAL GUARDIAN, OR THE SEXUAL ABUSE CLAIMANT'S ATTORNEY.**

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

**PART 1: CONFIDENTIALITY**

**THIS SEXUAL ABUSE PROOF OF CLAIM (ALONG WITH ANY ACCOMPANYING EXHIBITS AND ATTACHMENTS) WILL BE MAINTAINED AS CONFIDENTIAL PURSUANT TO COURT-APPROVED GUIDELINES UNLESS YOU EXPRESSLY REQUEST THAT IT BE PUBLICLY AVAILABLE BY CHECKING THE BOX AND SIGNING BELOW. ONLY THE SEXUAL ABUSE CLAIMANT MAY WAIVE CONFIDENTIALITY IN THIS PART 1.**

- I do not want this Proof of Claim (along with any accompanying exhibits and attachments) to be kept confidential. Please verify this election by signing directly below.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**PART 2: IDENTIFYING INFORMATION**

**A. Sexual Abuse Claimant**

First Name \_\_\_\_\_ #1 Middle Initial \_\_\_\_\_ Last Name \_\_\_\_\_ Jr/Sr/III \_\_\_\_\_

#2 \_\_\_\_\_  
Mailing Address (If party is incapacitated, is a minor or is deceased, please provide the address of the individual submitting the claim. If you are in jail or prison, your current address).

City \_\_\_\_\_ #2 State/Prov. \_\_\_\_\_ Zip Code (Postal Code) \_\_\_\_\_ Country(if other than U.S.A.) \_\_\_\_\_

Telephone No(s):  
Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: #2 \_\_\_\_\_

Email address: None \_\_\_\_\_

Social Security Number: #4 \_\_\_\_\_

If you are in jail or prison, your identification number: \_\_\_\_\_

May we leave voicemails for you regarding your claim?  Yes  No

May we send confidential information to your email:  Yes  No

Birth Date: #2 \_\_\_\_\_ X Male  Female  
Month Day Year

Any other name, or names, by which the Sexual Abuse Claimant has been known:

**B. Sexual Abuse Claimant's Attorney (if any):**

Hall & Monagle, LLC \_\_\_\_\_  
Law Firm Name

Brad D. Hall \_\_\_\_\_  
Attorney's First Name Middle Initial Last Name

320 Gold Ave SW #1218 \_\_\_\_\_  
Street Address

Albuquerque, NM 87102 \_\_\_\_\_  
City State/ Prov. Zip Code (Postal Code) Country  
(if other than U.S.A.)

(505) 255-6300 \_\_\_\_\_ (505) 255-6323 \_\_\_\_\_ brad@hallmonagle.com \_\_\_\_\_  
Telephone No. Fax No. E-mail address

**PART 3: NATURE OF COMPLAINT**  
**(Attach additional separate sheets if necessary)**

**NOTE: IF YOU HAVE PREVIOUSLY FILED A LAWSUIT AGAINST THE ARCHDIOCESE IN STATE OR FEDERAL COURT, YOU MAY ATTACH THE COMPLAINT. IF YOU DID NOT FILE A LAWSUIT, OR IF THE COMPLAINT DOES NOT CONTAIN ALL OF THE INFORMATION REQUESTED BELOW, YOU MUST PROVIDE THE INFORMATION BELOW.**

- a. Who committed the acts of sexual abuse or other wrongful conduct?

Fr. Michael O'Brien, as an agent for the Archdiocese of Santa Fe, and the parishes and missions at St. Peter and Paul in Estancia, in Tajique, and on trips to Taos or other area parishes. Fr. O'Brien took me on lots of trips as one of his altar boys.

- b. What is the position, title or relationship to you (if known) of the abuser or individual who committed these acts?

I was O'Brien's altar server in Estancia, Torrance County, Galisteo, Santa Fe, Taos and many other locations.

- c. Where did the sexual abuse or other wrongful conduct take place? Please be specific and complete all relevant information that you know, including the City and State, name of the School (if applicable) and/or the name of any other location.

In many of the parishes and missions all over Central and Northern New Mexico, and on pilgrimages. In the rectory in Estancia. In his car. Outside at gatherings of altar boys, like swimming spots. In sleeping bags on overnight trips, or on pilgrimages; I did a total of seven pilgrimages where we walked from Estancia to Chimayo. Attached are pictures of a shirt I wore in the 1973 pilgrimage. There were between 70 and 100 abuse events in all these places. O'Brien was young at the time, and we were on the move a lot. See attached photo of O'Brien with Archbishop Sanchez from 1974. But the bulk of the abuse was at his rectory in Estancia, where "we" (boys, mostly altar servers), all hung out. It was known among us that he was having sex with a number of us, but we were all being taught it was all normal, natural, Godly, and dutiful behavior. The idea of "abuse" did not come up for many years.

- d. When did the sexual abuse or other wrongful conduct take place?

1. If the sexual abuse or other wrongful conduct took place over a period of time (months or years), please state when it started, when it stopped, and how many times it occurred.

It started when I was a new 11-year old altar boy in the spring of 1971, and ended up being consistently two or three times a month where I had to have sex with this man, or at least just "jack him off", until he moved to be the pastor at Ranchos de Taos in early 1977. Sexual abuse happened no less than 70 times, but probably much closer to 100 (discounting for vacations and the like).

2. Please also state your age(s) and your grade(s) in school (if applicable) at the time the abuse or other wrongful conduct took place.

I was age 11 in 1971 when it started, and I turned 16 just after he was assigned to Taos. So nearly five full years.

- e. What happened (describe what happened):

In about 60% of the abuse events, there was oral or anal penetration, (40 + times). Mostly anal sex, him on me. He sometimes was able to get me to penetrate him, but mostly he raped and fucked me, playing music loudly, sometimes with candles burning. There were also dozens of one-way or mutual masturbations, or making me jack him off. It was routine, and that kind of thing could happen anywhere. Looking back, he was very brazen, but other adults or parents or men on pilgrimages, had no idea what was happening, seemingly all around them. I was one of the elite altar boys that traveled with him to other locations, and "in the club". We were all special, and no one could know about it, as they would never understand. Besides, when Archbishop Sanchez and my dad saw O'Brien pull my pants down and whip me on my butt during a pilgrimage, my Dad walked away and never mentioned it, and Sanchez laughed at it. They thought it was punitive and deserved for whatever infraction, but for O'Brien I knew it was sexual. As I got older, I started slowly realizing I was not a special being, and this was not a special club. Being one his altar boys in this special setting kept me too busy for school, sports, normal kid activities, or dating. I am not gay. My grades collapsed. I have high school report cards with all F's on them that I came across recently. I then married the first girl I knew, as an 18 year old, and got a labor job, and from the start, I was inexplicably angry with her, and a cycle of depression and anger and hatefulness grew out of the inability to hold a job, or trust anyone. I drank and smoked pot, but never too much. At least O'Brien is in hell now. So is Archbishop Sanchez. The Bishop knew various of us altar boys were sleeping regularly with O'Brien, and I think saw O'Brien molesting me on one of the walks, and Sanchez seemed to find it cute or funny, but acceptable. Every two hours on the pilgrimage walks one year, we'd be whipped to feel more like Jesus, which O'Brien somehow made sexual. He was a very disturbed man.

- f. Did you tell anyone about the sexual abuse or other wrongful conduct and, if so, who did you tell and when (this would include parents; relatives; friends; the Archdiocese; attorneys; counselors; and law enforcement authorities)?

I told no one, but other altar boys and friends all knew, even though it was not discussed. Its like you don't discuss what happens in a confessional, but everyone knows we all go to confession. Some were my cousins and one of my brothers, who I know were abused. Seems like most of the altar boys in the 70's in Estancia Valley pretty much knew about O'Brien. There were quite a few suicides among them, from then on, in the 80's or 90's, I'd hear about, and kind of know why.

- g. Identify any church or religious organization you have belonged to or have been affiliated with.

I was born a Catholic. I didn't go for years. My wife and kids always did. Recently, I attend with my family the church at Our Lady of Belen Parish.

- h. State whether there were any witnesses to the abuse. If there were any witnesses, please list their name(s) and any contact information you have.

Sometimes there were other altar boys in the rectory, or on swimming trips in the creek in Tajique, or on pilgrimages, who knew what was happening. A few times there were two or three kids in the same room sometimes, but he did not make us do things with each other, just did us, one at a time.

**PART 4: IMPACT OF COMPLAINT**  
**(Attach additional separate sheets if necessary)**

*(If you are uncertain how to respond to this Part 4, you may leave this Part 4 blank, but you will be required to complete this Part 4 within thirty (30) days after a written request is made for the information requested in this Part 4)*

1. What injuries (including physical, mental and/or emotional) have occurred to you because of the act or acts of sexual abuse or other wrongful conduct that resulted in the claim (for example, the effect on your education, employment, personal relationships, health, and any physical injuries)?

Trusting people is almost impossible, still to date, and it has been that way since high school. Suicidal ideation has been a problem, and I feel empty and like a non-person. Half-dead feeling. Depression and pills to treat it, have been a problem. Alcohol and pot was a problem for a few years, but I quit that a long time ago. I think I preferred to feel my raw anger, than to be numbed, even if I did not know why I was angry. I've had major anger issues, and unfortunately, lots of domestic violence by me on my wife, when I was in my 20's-30's. These days I ask for her forgiveness. I was put on disability by my doctors dealing with my depression, at age 27, and have not had a real job since, but am blessed to own our family home and land, and with the financial help from my wife who is a teacher's assistant, we get by. We are still together after 41 years. We have four kids (one deceased), and six grandkids. I was and still am super-protective of kids and grandkids, and didn't let them go to sports or do anything I couldn't be there. Carnivals, fiestas, church organizations, scouting, anything was out. And of course church or pilgrimages were out. It's been a battle. Now I'm a little easier watching my grandkids do activities, but I still am filled with dread and anxiety they may be hurt by someone. Some coach or teacher or whatever. I would like professional help, and justice for ruining my life. These days, I sit out in my shop every day and won't go anywhere, but am blessed with grandkids next door that I can watch running around and doing things. My own children are a little removed.

That's all I focus on, is sitting in my shop with the garage door open and watching my son's family next door. I'd like to not feel dead to the world, and find some true joy.

2. Have you sought counseling or other treatment for your injuries? If so, with whom and when?

None, but I would like to try a CSA therapist, to see if it helps.

**PART 5: ADDITIONAL INFORMATION**

1. Prior Claims: Have you filed any claims in any other bankruptcy case relating to the sexual abuse described in this claim.

Yes  No (If "Yes," you are required to attach a copy of any completed claim form.)

If "Yes," which case(s):

2. Settlements: Regardless of whether a complaint was ever filed against any party because of the sexual abuse or other wrongful conduct, have you settled any claim relating to the sexual abuse or other wrongful conduct described in this claim?

Yes  No (If "Yes," please describe, including parties to the settlement. You are required to attach a copy of any settlement agreement.)

3. Bankruptcy. Have you ever filed bankruptcy?  Yes  No (If "Yes," please provide the following information:

Name of Case: \_\_\_\_\_ Court: \_\_\_\_\_

Date filed: \_\_\_\_\_ Case No. \_\_\_\_\_

Chapter:  7  11  12  13 Name of Trustee: \_\_\_\_\_

4. State whether you have previously commenced any lawsuit seeking damages for the identified sexual abuse. If yes, please state:

- a. Where and when you commenced the lawsuit:

N/A \_\_\_\_\_

- b. The parties to the lawsuit:

\_\_\_\_\_

- c. The case number if any:

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d. The result of the lawsuit:

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**Sign and print your name. If you are signing the claim on behalf of another person or an estate, print your title.**

**Under penalty of perjury, I declare the foregoing statements to be true and correct.**

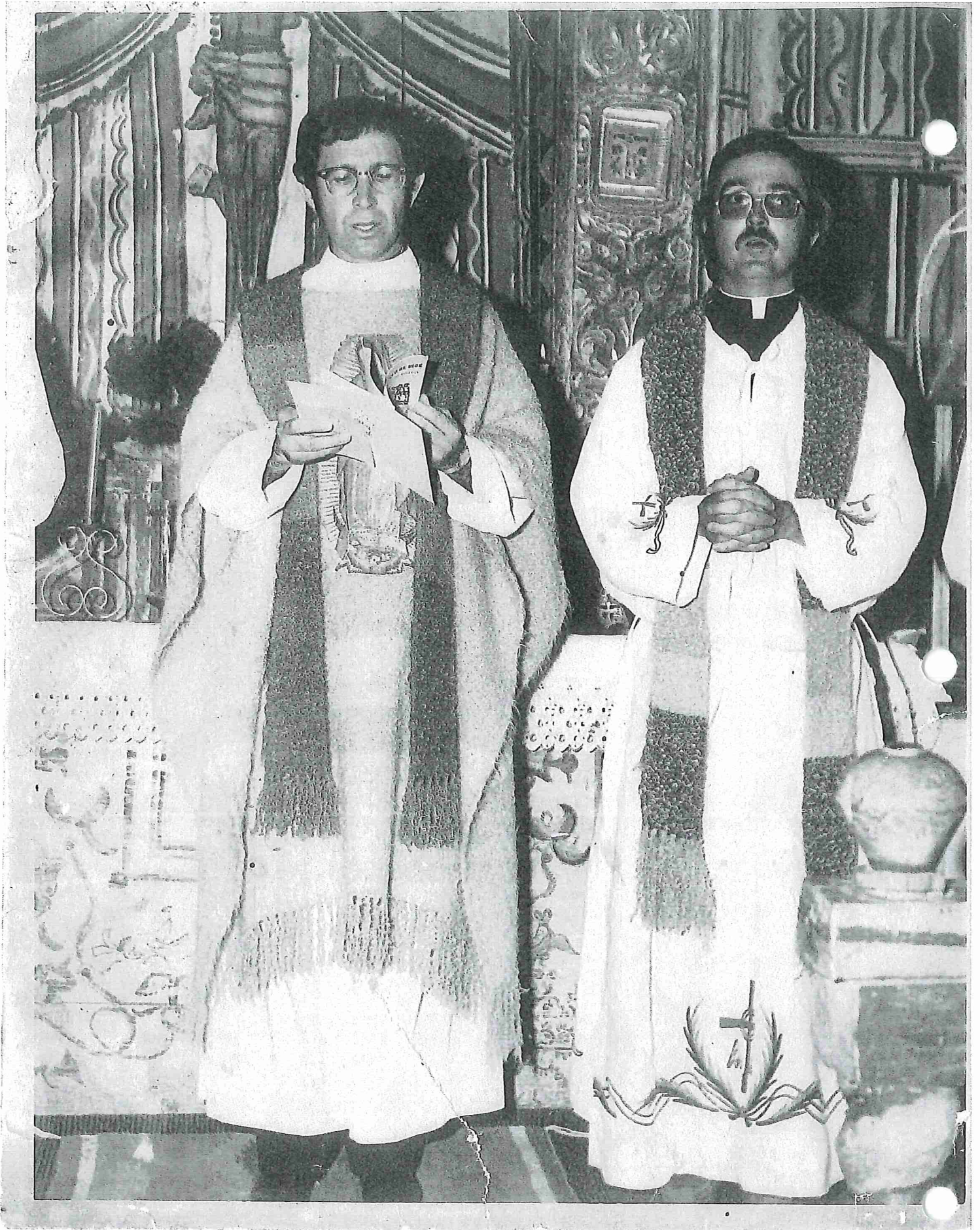
Date: 11-7-19

Signature

#1

Print Name

Relationship to Sexual Abuse Claimant: \_\_\_\_\_



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