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Proof of Claim form: John Doe 79

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Proof of Claim form: John Doe 79

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

To report abuse:

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

To report child abuse:

- <https://www.childhelpline.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 79

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
at 4:27 o'clock P M

MAY 16 2019

In re:

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

Debtor.

Chapter 11 United States Bankruptcy Court
Case No. 18-13027-tf1 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: _____

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?

Wrongful conduct by the Archdiocese of Santa Fe and St. Therese of the Infant Jesus Parish allowed the pedophile priest access to me and other children, when I was sexually assaulted by Fr. Ron Roth.

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

Fr. Ron Roth was a priest at the time, employed by the Archdiocese of Santa Fe and St. Therese of the Infant Jesus Parish.

- 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.

The act committed by Fr. Ron Roth took place in the priest living quarters behind St. Therese Church, in Albuquerque New Mexico when I was serving as an altar boy.

- 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.

The abuse happened in 1971, not long before middle school graduation. It was a single incident, and while it was the only time it happened to me, it hurt me forever.

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.

Just before finishing middle school in 1971, I was in eighth grade. So, at the time of the abuse I would have been 14 years old.

- e. What happened (describe what happened):

As an altar boy for Fr. Ron Roth, I served mass on many occasions. On the day of the incident Fr. Roth was taking individual pictures of the altar boys in the eighth grade class, one at a time, in his rectory. I was the last one to go in the room, and after he set the camera he came over to me and put his arms around my neck and told me "This is not gonna hurt". I didn't know how to take that, and was just standing there when he suddenly got down on his knees. I was frozen in place as he undid my pants, pulled my underwear down and started rubbing my scrotum and testicles. He told me not to be afraid and started touching my anus with his finger. At that point I was so surprised I became unfrozen and reacted by hitting him and running away. I ran straight home, which was about a mile, and I remember throwing up on the way. My grandmother was there when I entered, I was crying and couldn't get any words out. I couldn't stop crying but I finally told her that he touched me. When my parents got back to the house a little while later I told them what he had done, but I could not really explain at that age what happened. I don't recall them doing anything to follow up on what I told them. All I remember is it was the hardest thing to go back to the school to get my graduation certificate. I never saw the priest again after the incident.

- 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)?

As a 14 year old crying hysterically, I tried to tell my parents and my grandmother. I never mentioned it to anyone else until recently. I have only told my attorneys, my therapist and a defense attorney for the Archdiocese of Santa Fe in July 2018.

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

I was born and raised Catholic, and served as an altar boy in the Parish of St. Therese, which is affiliated with the Archdiocese of Santa Fe.

- 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.

There were no witnesses that I am aware of.

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)?

I have nightmares of this incident. It left me with deep-seated anger issues that affected my work as a corrections officer; I acted violently towards some of the accused rapists. I got in lots of fights in high school; I would think of Fr. Ron, always, when I fought. Also, I never thought I would meet anyone, because of my temper. I became a hermit and lived with parents until age 36. Then I met #3 I had closed myself off to the world, but never knew why. I am now concluding after therapy that one incident of childhood sexual abuse, if left untreated and if all emotional reactions are suppressed and bottled up, can cause an angry disconnect with the world. That is how I have always been until I saw a news story one night on TV about priest abuse and started having flashbacks and dreams, and thought I needed help. Therapy did help, and after about 6 or 7 visits, I stopped going. The dreams have not stopped, but the therapist has me go for long walks if my anxiety gets high, and focus on peaceful calming music and thoughts.

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

In March or April of 2018 I received counseling from #10 for 6 or 7 visits and then stopped.

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?

#8





Archdiocese of Santa Fe



This Certifies That

#1

has completed a Course of Study for the Eighth Grade of

St. Therese School

and is therefore awarded this

Certificate

Given this

#6

Albuquerque, New Mexico

Msgr. Bernard M. Burns
Pastor

James P. Daves
Archbishop of Santa Fe

Sister Peter
Principal

Fr. Ron Roll
Administrator

Rev. Albert A. Schneider
Superintendent of Schools

The New Generation Prays

ROTH

Vantage

#1

Always Remember
"Be Yourself"
that's what counts
Sincerely
Tom