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Proof of Claim form: Jane Doe T-B-TEX

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Proof of Claim form: Jane Doe T-B-TEX

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.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

Jane Doe T-B

FILED
at 11:16 o'clock AM

MAY 31 2019

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

United States Bankruptcy Court
Albuquerque, New Mexico

In re:

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

Debtor.

Chapter 11

Case No. 18-13027-t11

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, ephedophilia, 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

_____ #1
First Name 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).

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

Telephone No(s):
Home: _____ #2 Work: _____ Cell: _____

Email address: _____ #2

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 Contact my attorneys

May we send confidential information to your email: Yes No

Birth Date: _____ #2 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?

Deacon Pete Santistevan sexually abused me. The Archdiocese of Santa Fe and Our Lady of Sorrows parish employed and empowered Deacon Pete to abuse me.

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

Deacon Pete was the Deacon at Our Lady of Sorrows church in Bernalillo, New Mexico.

He was also my catechism teacher at Our Lady of Sorrows and #6 _____

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.

Deacon Pete abused me at Our Lady of Sorrows Parish in Bernalillo, NM, at the Deacon's office in the rectory building, and at the home behind the rectory, which I believe the church provided for the Deacon to live in.

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.

Starting in about 1983 and going on until 1985, Deacon Pete sexually abused me at the Parish complex. I would have been between 3 and 5 years old, a pre-schooler. Then

beginning again in 1987 and going through 1989, Deacon Pete sexually abused me in the house he lived in behind the parish, in his office there.

For the abuse which occurred between 1983 and 1985, it happened any time Deacon Pete could get me alone with him, which was very often because my parents used him as my babysitter. I do not know how many times it actually occurred but it was many, many times, likely 20-40 times per year for more than 2 years, always at the parish during this period of abuse.

Then I lived with my Mom in Las Vegas, NM, so Deacon Pete did not have access to me.

Then my parents divorced and I went to live with my Father and he left me with Deacon Pete as my babysitter. So once again he had access to me. The abuse by Deacon Pete between 1987 and 1989 happened about 10-20 times a year for two years, from ages 7-9, I was in third through fourth grade.

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.

Deacon Pete sexually abused me when I was 3-5 years old and a pre-schooler. For the second round of abuse, I was age 7-9 and in the second to third grade.

- e. What happened (describe what happened):

My parents were separated and they often left me with Deacon Pete so that he could babysit me. They left me at the church where he worked and I would hang around the church with him. I'd be called into his office with my sister, and sometimes alone. He put me on his lap, and would "make out" with me, caress and act like one would with a grown woman or partner. He would then use his hands up my legs, pelvic area, and penetrate me with his big hands. I wore mostly dresses back then. He would also spank and slap me during these abuse events, and tell other people who'd see me come out crying, he'd say "she is in

trouble again". This went on for several years as a pre-schooler, he'd do this to me at every opportunity.

When the second phase (from age 7-9), custody arrangements put me in his house, every other weekend. I was supposed to be with my dad but he really didn't want to spend time with me so he dropped me off to be watched by Deacon Pete. He did the same things as he did before but more in the office at his house right behind the church. I believe this house was provided to him by the church. He was more forceful with me because I was older and bigger and a bit stronger but I was still a very petite little girl. He was still a strong man and he did what he wanted with me for two more years.

In 2001, my dad "volunteered" me at age 21 to move in with #6 after his heart attacks, and for several months provided live-in care. #3 (#6 Deacon Pete's #6 confided in me that Deacon Pete abused him when he was young. #3 always self-medicated with alcohol and he committed suicide in 2013. He told me all about it in 2011. He was only 14-15 years older than me so he was a young #6

- 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 didn't tell anyone until I told the lawyers in Houston in September, 2018. In 2019, I told my mom, and now my husband. I wouldn't let my husband let our two kids be around or alone near #6

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

I left Catholic Church in my teen years, when my dad and grandpa stopped being Catechism teachers.

- 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.

I believe my sister saw, and knows, and may have been abused #6 but we
never discussed it to this day.

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)?

As a young woman, I was so unstable I couldn't finish UNM. I just stopped taking care of myself. I have been diagnosed with severe depression, an anxiety disorder, bi-polar and PTSD. I have been hospitalized for mental breakdowns and put on suicide watches. I have attempted suicide 4 times. Severe depression and anxiety have affected my employment for years, until recently when I have been able to keep a job with as #6 at a #6. The abuse by Deacon Pete seriously made me subject to relationships with abusive men. I've had intimacy problems, trust issues with men, anger issues, and problems with authority. Every aspect of my life has been impacted by what Deacon Pete did to me as a small child.

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

Yes. I had counseling with #10 (2007) and #2 #10 (2011, 2013 and 2015). I never discussed the abuse by Deacon Pete because I did not connect it to my problems. Perhaps Deacon Pete dying in 2016 changed

something in my mind and soul and when I saw an add for clergy abuse it clicked and I have been a mess with the memories, flashbacks and other thoughts since last year.

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:

b. The parties to the lawsuit:

c. The case number if any:

d. The result of the lawsuit:

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: 4/8/2019

Signature: _____

#1

Print Name _____

Relationship to Sexual Abuse Claimant: self

My eye was swollen
because Deacon Pete
slapped
my
face.



my little
sister



1
me on my Dad's
lap. No mom. Just Dad
and Deacon Pete.

↑
my little sister on
Deacon Pete's lap

Deacon Pete

me. Deacon Pete
with his hands all
over
me.

