

***REV. CRISTOBAL GARCIA, O.P.***  
***(ORDER OF PREACHERS, DOMINICANS)***

**DOCUMENTS PRODUCED BY THE ARCHDIOCESE OF LOS ANGELES 2013  
PURSUANT TO JCCP 4286 SETTLEMENT AGREEMENT**

**Vicar for Clergy Database**

Clergy Assignment Record (Detailed)

**Rev Cristobal Garcia, O.P.**

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*Current Primary Assignment*

*Birth Date*

*Age:*

*Birth Place*

*Deanery:*

*Diaconate Ordination*

*Priesthood Ordination*      9/24/1982

*Diocese Name*

*Date of Incardination*

*Religious Community*      Dominican Friars

*Ritual Ascription*      Latin

*Ministry Status*      Left Archdiocese

*Canon State*      Relig. Order Priest

*Incard Process*   

*Begin Pension Date*

*Seminary*

*Ethnicity*      Filipino

**Fingerprint Verification and Safeguard Training**

*Date Background Check*

*Virtus Training Date*

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**Assignment History**

**Assignment**

**Beginning Date**

**Completion Date**

Left Archdiocese, Left Dominican Order 1986. PRIEST NOT TO MINISTER.

11/11/1985

St. Dominic Catholic Church, Los Angeles, Resident

8/13/1983

11/10/1985

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CRISTOBAL GARCIA, O.P.

**CONFIDENTIAL**

ARCHBISHOP OF LOS ANGELES

**CONFIDENTIAL**

*Hold  
File*

**CONFIDENTIAL**

2 December 1985

ARCHBISHOP MAHONY:

This date REDACTED \_\_\_\_\_, suspended and removed, Rev. CRISTOBAL GARCIA, O.P., associate St Fominic's, Eagle Rock, a REDACTED REDACTED for serious cause. - Possible pedophilic activity

Both civil and canon lawyers are advising REDACTED on this matter. At present, the matter seems to be in competent hands.

You may receive some mail on this from the REDACTED community.

JARAWDEN

cc: Bishop Ward

6 December 1985

The above was sent to REDACTED at the request of Archbishop Mahony.

*ak*  
JARAWDEN

CONFIDENTIAL

2 December 1985

ARCHBISHOP MAHONY:

This date REDACTED and removed. Rev. CRISTOBAL GARCIA, O.P., associate St Fominic's, Eagle Rock, a REDACTED REDACTED, for serious cause. - Possible pedophilic activity suspended REDACTED

Both civil and canon lawyers are advising REDACTED on this matter. At present, the matter seems to be in competent hands.

You may receive some mail on this from the REDACTED community.

JARAWDEN

cc: Bishop Ward

12-3-85

*Please advise*

REDACTED

*ad*

*cantelam,*

*Thanks!*

*+ RMM*

4 December 1985

REDACTED

Archbishop Mahony asked that you be made aware of this "just in case"

*J. A. Rawden*  
J. A. Rawden

*Dominican Fathers* *repeat on charge list*  
*(OP)*

AUG 31 1986

GARCIA, Rev. Cristobal, O.P.

ON CHANGE LIST

<u>Date</u>	<u>Place</u>	<u>Assignment</u>
8/13/83	St. Dominic, Los Angeles	in residence
11/11/85	LEFT ARCHDIOCESE	

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*not in DB*  
✓

# SUMMONS (CITACION JUDICIAL)

**ORIGINAL**

## NOTICE TO DEFENDANT: (Aviso a Acusado)

CRISTOBAL GARCIA; REDACTED  
ST. DOMINIC'S CHURCH; ARCHDIOCESE  
OF LOS ANGELES aka CATHOLIC ARCHDIOCESE  
OF LOS ANGELES; DOES 1 through 100  
inclusive; DOE CORPORATIONS 100  
through 110, inclusive

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

## YOU ARE BEING SUED BY PLAINTIFF: (A Ud. le está demandando)

REDACTED

You have **30 CALENDAR DAYS** after this summons is served on you to file a typewritten response at this court.

A letter or phone call will not protect you; your typewritten response must be in proper legal form if you want the court to hear your case.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

*Después de que le entreguen esta citación judicial usted tiene un plazo de 30 DIAS CALENDARIOS para presentar una respuesta escrita a máquina en esta corte.*

*Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.*

*Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.*

*Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).*

The name and address of the court is: (El nombre y dirección de la corte es)

CASE NUMBER: (Número del Caso)  
**0686289**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
CENTRAL DISTRICT  
111 North Hill Street  
Los Angeles, CA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)

REDACTED  
REDACTED

REDACTED  
REDACTED

**MAY 16 1988**

**FRANK S. ZOLIN**

Clerk, by  
(Actuario)

*[Signature]*  
Deputy  
(Delegado)  
**C. WASHINGTON**

DATE:  
(Fecha)



### NOTICE TO THE PERSON SERVED: You are served

- as an individual defendant.
- as the person sued under the fictitious name of (specify):
- on behalf of (specify):
 

under:	<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
	<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
	<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (individual)
	<input type="checkbox"/> other:	
- by personal delivery on (date):

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REDACTED

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Original Filed  
MAY 16 1988  
COUNTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

REDACTED

Plaintiff,

v.

CRISTOBAL GARCIA; REDACTED  
REDACTED ; ST. DOMINIC'S CHURCH;  
ARCHDIOCESE OF LOS ANGELES aka  
CATHOLIC ARCHDIOCESE OF LOS  
ANGELES; DOES 1 through 100  
inclusive; DOE CORPORATIONS  
100 through 110, inclusive

Defendants.

) CASE NO.  
)  
) VERIFIED COMPLAINT FOR  
) DAMAGES FOR ASSAULT  
) AND BATTERY; FALSE  
) IMPRISONMENT; INTENTIONAL  
) INFLECTION OF MENTAL  
) DISTRESS; NEGLIGENT  
) SUPERVISION; NEGLIGENT  
) INFLECTION OF MENTAL  
) DISTRESS; CONSPIRACY

Plaintiff alleges:

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FIRST CAUSE OF ACTION

(Assault and Battery Against All Defendants)

1. Plaintiff is and at all times herein mentioned was a resident of Pasadena, Los Angeles County, California.

2. Defendant ST. DOMINIC'S PARISH (hereafter ST. DOMINIC'S) is and at all times herein mentioned was a religious organization operating on Merton Avenue in Los Angeles, Los Angeles County, California.

3. Defendant ARCHDIOCESE OF LOS ANGELES aka CATHOLIC ARCHDIOCESE OF LOS ANGELES (hereafter ARCHDIOCESE) is and at all times herein mentioned was organized for religious purposes and operating under the laws of the State of California and having its principal place of business in Los Angeles County California.

4. At all times herein mentioned, Defendant ARCHDIOCESE was responsible for the operation and existence of Defendant ST. DOMINIC'S and was responsible for assigning and transferring its employees to and from Defendant ST. DOMINIC'S.

5. At all times herein mentioned, Defendant CRISTOBAL GARCIA (hereafter "GARCIA") was the agent and servant of Defendants ST. DOMINIC'S and ARCHDIOCESE, and in doing the things hereinafter mentioned was acting within the scope of such agency and service to his co-defendants.

1           6. At all times herein mentioned, Defendant REDACTED  
 2 (hereafter "REDACTED" was the agent and servant of Defendants  
 3 ST. DOMINIC'S and ARCHDIOCESE and in doing the things  
 4 hereinafter mentioned was acting within the scope of such agency  
 5 and service to his co-defendants.

6  
 7           7. Plaintiff is unaware of the true names and capacities,  
 8 whether corporate, individual, or otherwise of Defendants  
 9 designated herein as Does 1 through 110, and will seek leave  
 10 of court to amend this complaint to assert the true names and  
 11 capacities when ascertained. Plaintiff is informed and believes  
 12 and based thereon alleges that said fictitiously named Defendants  
 13 are responsible in some manner for the events and damages to  
 14 Plaintiff as herein alleged.

15  
 16           8. Plaintiff is further informed and believes an upon such  
 17 information and belief alleges that Defendants, and each of  
 18 them, at all times herein mentioned were the agents, employees,  
 19 servants, joint venturers and/or co-conspirators of the remaining  
 20 Defendants, and were acting in the course and scope of such  
 21 agency, employment, joint venture and/or conspiracy; that  
 22 Defendants, and each of them, were doing the things herein  
 23 alleged, were the actual and/or ostensible agents of the  
 24 remaining Defendants and were acting in the course and scope  
 25 of such agency; and that each and every Defendant, as aforesaid,  
 26 when acting as a principal, was negligent in selecting, hiring,  
 27 supervision and continued employment of each and every Defendant  
 28 as an agent, employee or joint venturer; and/or that said

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1 Defendants approved, supported, participated in, authorize  
2 and/or ratified the acts and/or omissions of said employees,  
3 agents, servants, conspirators and/or joint venturers.  
4

5 9. On or about May 21, 1983 and for some time prior thereto  
6 Plaintiff was an altar boy at Defendant ST. DOMINIC'S and at  
7 all times mentioned herein, Plaintiff was a minor under the  
8 age of eighteen years.  
9

10 10. At all times herein mentioned, Defendant GARCIA and  
11 Defendant REDACTED were members of the Defendant religious order  
12 and during some of the periods mentioned resided at Defendant  
13 ST. DOMINIC'S. Plaintiff is informed and believes and thereon  
14 alleges that Defendant REDACTED arrived at Defendant ST. DOMINIC'S  
15 subsequently to Defendant GARCIA and did the things herein  
16 alleged independently of Defendant GARCIA.  
17

18 11. From on or about June 1983 through on or about December  
19 1986, at Defendant ST. DOMINIC'S premises in Los Angeles and  
20 other locations presently unknown to Plaintiff, Defendant GARCIA  
21 and Defendant REDACTED repeatedly assaulted and battered Plaintiff  
22 by sexually molesting Plaintiff and inducing Plaintiff to engage  
23 in sexual intercourse with them. Defendant GARCIA and Defendant  
24 REDACTED also engaged in wrongful conduct by providing Plaintiff  
25 with illegal drugs during the above-referenced time period.  
26

27 12. By reason of the acts of Defendant GARCIA and Defendant  
28 REDACTED Plaintiff was placed in great fear for his life and

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1 physical well being.

2

3 13. By reason of the wrongful and malicious acts of  
4 Defendant GARCIA and Defendant [REDACTED] Plaintiff has suffered  
5 extreme and severe mental anguish and physical pain and has  
6 been injured in mind and body, all to Plaintiff's damage in  
7 a sum according to proof.

8

9 14. By reason of the wrongful and malicious acts of  
10 Defendant GARCIA and Defendant [REDACTED] Plaintiff was required  
11 to expend money and incur obligations for medical services and  
12 counseling reasonably required in the treatment and relief of  
13 the emotional disturbance and injuries he sustained. The exact  
14 amount of these medical expenses is not now known to Plaintiff;  
15 when the same have been ascertained, Plaintiff will seek leave  
16 to amend this complaint to set forth such items and charges.

17

18 15. The aforementioned acts of Defendant GARCIA and  
19 Defendant [REDACTED] were intended to cause injury to Plaintiff,  
20 or in the alternative was despicable conduct carried on with  
21 a willful and conscious disregard of the rights or safety of  
22 others and subjected Plaintiff to cruel and unjust hardship  
23 in conscious disregard of Plaintiff's rights, so as to justify  
24 an award of exemplary and punitive damages.

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26 16. Plaintiff is informed and believes and thereon alleges  
27 that Defendants sued herein as DOES 1 through 100, inclusive  
28 were officers, directors or managing agents of Defendant

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1 ARCHDIOCESE and Defendant ST. DOMINIC'S and that Defendants  
 2 DOES 1 through 100 inclusive, and each of them possessed advance  
 3 knowledge of the unfitness of Defendant GARCIA and Defendant  
 4 REDACTED by virtue of their employment history with Defendant  
 5 ST. DOMINIC'S and Defendant ARCHDIOCESE. Plaintiff is informed  
 6 and believes and thereon alleges that Defendants DOES 1 through  
 7 100 inclusive in their capacity with Defendants ST. DOMINIC'S  
 8 and Defendant ARCHDIOCESE ratified and approved the conduct  
 9 of Defendant GARCIA and Defendant REDACTED and therefore exemplary  
 10 and punitive damages should be imposed against Defendant ST.  
 11 DOMINIC'S and Defendant ARCHDIOCESE in that they carried out  
 12 such despicable conduct with a willful and conscious disregard  
 13 of the rights and safety of others and subjected Plaintiff to  
 14 further cruel and unjust hardship in conscious disregard of  
 15 Plaintiff's rights.

16  
 17 SECOND CAUSE OF ACTION

18 (False Imprisonment Against All Defendants)  
 19

20 17. Plaintiff reasserts and alleges paragraphs 1 through  
 21 8 inclusive, and paragraphs 10 through 12 inclusive, of his  
 22 First Cause of Action and incorporates them by reference as  
 23 though fully set forth herein.  
 24

25 18. On all occasions on which Plaintiff was assaulted and  
 26 battered as alleged herein, Plaintiff was held against his will  
 27 and without his consent and forced to submit to the sexual  
 28 molestations and sexual intercourse.

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1           19. As a proximate result of the acts of Defendant GARCIA  
 2 and Defendant REDACTED, and each of them, Plaintiff was injured  
 3 in his health, strength and activity, sustaining injury to his  
 4 body and shock and injury to his nervous system and person,  
 5 all of which injuries have caused Plaintiff to suffer extreme  
 6 and severe physical pain and mental anguish. These injuries  
 7 will result in some permanent disability to Plaintiff, all to  
 8 his general damage in a sum according to proof.

9  
 10           20. The aforementioned acts of Defendant GARCIA and  
 11 Defendant REDACTED was intended to cause injury to the Plaintiff,  
 12 or in the alternative was despicable conduct carried on with  
 13 a willful and conscious disregard of the rights or safety of  
 14 others and subjected Plaintiff to a cruel and unjust hardship  
 15 in conscious disregard of Plaintiff's rights, so as to justify  
 16 and award of exemplary and punitive damages.

17  
 18           21. Plaintiff is informed and believes and thereon alleges  
 19 that Defendants sued herein as DOES 1 through 100, inclusive  
 20 and each of them possessed advance knowledge of the unfitness  
 21 of Defendant GARCIA and Defendant REDACTED by virtue of their  
 22 employment history with Defendant ST. DOMINIC'S and Defendant  
 23 ARCHDIOCESE. Plaintiff is informed and believes and thereon  
 24 alleges that Defendants DOES 1 through 100, inclusive in their  
 25 capacity with Defendants ST. DOMINIC'S and/or Defendant  
 26 ARCHDIOCESE retified and approved the conduct of Defendant  
 27 GARCIA and Defendant REDACTED and therefore exemplary and punitive  
 28 damages should be imposed against Defendant ST. DOMINIC'S and

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1 Defendant ARCHDIOCESE in that they carried out such despicable  
2 conduct with a willful and conscious disregard of the rights  
3 and safety of others and subjected Plaintiff to further cruel  
4 and unjust hardship in conscious disregard of Plaintiff's rights.

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THIRD CAUSE OF ACTION  
(Intentional Infliction of Emotional Distress  
Against All Defendants)

22. Plaintiff reasserts and realleges paragraphs 1 through 8, inclusive, paragraphs 10 through 12 inclusive of his First Cause of Action and paragraphs 18 and 19 of his Second Cause of Action and incorporated them by reference as though fully set forth herein.

23. At all times herein mentioned, Plaintiff was a minor and at some of the times mentioned was an altar boy at Defendant ST. DOMINIC'S, and at all times herein mentioned Defendant GARCIA and Defendant REDACTED were in a position of trust and confidence with Plaintiff.

24. On each of the occasions as alleged herein, Defendant GARCIA and Defendant REDACTED took advantage of Plaintiff's trust and confidence in them by molesting Plaintiff and engaging in sexual intercourse with Plaintiff.

25. Defendants DOES 1 through 100, inclusive, on behalf of Defendants ST. DOMINIC'S and Defendant ARCHDIOCESE ratified

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1 these acts on behalf of Defendant GARCIA and Defendant REDACTED  
2 and each of them by continuing to employ said Defendants and  
3 by refusing to assist Plaintiff or to take steps to remedy the  
4 situation.

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6 26. The conduct of Defendant GARCIA and Defendant  
REDACTED and each of them, was intentional and malicious and done  
8 for the purpose of causing Plaintiff to suffer humiliation,  
9 mental anguish and emotional and physical distress.

10  
11 27. The conduct of Defendants DOES 1 through 100,  
12 inclusive, on behalf of Defendant ST. DOMINIC'S and Defendant  
13 ARCHDIOCESE in confirming and ratifying the aforementioned  
14 conduct was done with knowledge that Plaintiff's emotional and  
15 physical distress would thereby increase, and was done with  
16 a wanton and reckless disregard of the consequences to Plaintiff.

17  
18 28. As the proximate result of the aforementioned acts,  
19 Plaintiff suffered humiliation, mental anguish, and emotional  
20 and physical distress, and has been injured in mind and body,  
21 all to Plaintiff's damage in a sum according to proof.

22  
23 29. As a further proximate result of the aforementioned  
24 acts, Plaintiff was required to and did employ physicians and  
25 counselors to examine, treat and care for Plaintiff, thereby  
26 incurring medical expenses in an amount which has not yet been  
27 ascertained. Plaintiff is informed and believes and thereon  
28 alleges that he will incur some additional medical expenses,

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1 the exact amount of which is unknown.

2

3 30. The aforementioned acts of Defendants, and each of  
4 them, as alleged herein were willful, wanton, malicious and  
5 oppressive and done with a conscious disregard of the rights  
6 of Plaintiff and justify the awarding of exemplary and punitive  
7 damages in a sum sufficient to make an example of and to punish  
8 Defendants and each of them.

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FOURTH CAUSE OF ACTION

11

(Negligent Entrustment, Hiring and Supervision

12

Against Defendant ST. DOMINIC'S, Defendant

13

ARCHDIOCESE, DOES 1 through 100 inclusive

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and DOE CORPORATIONS 101 through 110

15

inclusive)

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31. Plaintiff reasserts and realleges paragraphs 1 through  
15 inclusive, of his First Cause of Action, paragraphs 18 through  
20 inclusive of his Second Cause of Action, and paragraphs 23  
through 30 of his Third Cause of Action and incorporates them  
by reference as though fully set forth herein.

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32. At all times herein mentioned, Defendants and each  
of them, owned, managed, maintained and operated Defendant ST.  
DOMINIC'S and were responsible for hiring and supervising their  
agents and employees who were employed at Defendant ST.

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1           33. At all times herein mentioned Defendants and each  
 2 of them owed Plaintiff, as a minor and altar boy, a duty to  
 3 use due care in hiring and employing individuals at Defendant  
 4 ST. DOMINIC'S. Defendants, and each of them, owed Plaintiff  
 5 a further duty to use due care in supervising the activities  
 6 of the individuals employed at Defendant ST. DOMINIC'S.

7           34. Plaintiff is informed and believes and thereon alleges  
 8 that Defendants and each of them, negligently hired and entrusted  
 9 Defendant GARCIA and Defendant REDACTED and each of them, to  
 10 educate, supervise and interact with the class of persons to  
 11 which Plaintiff belonged and especially Plaintiff himself in  
 12 that Defendants and each of them, knew or in the exercise of  
 13 reasonable diligence should have known of the unfitness of  
 14 Defendant GARCIA and Defendant REDACTED and each of them.

15  
 16           35. Plaintiff is informed and believes and thereon alleges  
 17 that Defendants, and each of them, negligently supervised the  
 18 activities of Defendant GARCIA and Defendant REDACTED in that  
 19 had proper supervision and due diligence been exercised,  
 20 Plaintiff would not have been assaulted and battered as herein  
 21 alleged or the molestation and sexual intercourse with Plaintiff  
 22 would not have been allowed to continue for the period of time  
 23 as herein alleged. Also, had proper supervision and due  
 24 diligence been exercised, Plaintiff would not have been subjected  
 25 to the wrongful conduct of being provided with illegal drugs  
 26 by Defendant GARCIA and Defendant REDACTED

27  
 28           36. As the proximate result of the aforementioned acts,

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1 Plaintiff suffered humiliation, mental anguish, and emotional  
2 and physical distress, and has been injured in mind and body,  
3 all to Plaintiff's damage in a sum according to proof.

4 37. As a further proximate result of the aforementioned  
5 acts, Plaintiff was required to and did employ physicians and  
6 counselors to examine, treat and care for Plaintiff, thereby  
7 incurring medical expenses in an amount which has not yet been  
8 ascertained. Plaintiff is informed and believes and thereon  
9 alleges that he will incur some additional medical expenses,  
10 the exact amount of which is unknown.

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FIFTH CAUSE OF ACTION  
(Negligent Infliction of Mental Distress Against  
Defendant ST. DOMINIC'S, Defendant ARCHDIOCESE  
DOES 1 through 100, inclusive, and DOE  
CORPORATIONS 101 through 110, inclusive)

18 38. Plaintiff reasserts and realleges paragraphs 1 through  
19 15, inclusive of his First Cause of Action, paragraphs 18 through  
20 20 of his Second Cause of Action, and paragraphs 23 through  
21 30 inclusive, of his Third Cause of Action and paragraphs 32  
22 through 35 inclusive of his Fourth Cause of Action and  
23 incorporates them by reference as though fully set forth herein.

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39. Defendants, and each of them, knew or should have known,  
that their failure to exercise due care in the performance of  
their duty to heir and supervise Defendant GARCIA and Defendant  
REDACTED would cause Plaintiff severe emotional distress.

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1           40. As alleged herein, Defendants and each of them,  
 2 negligently hired, entrusted and supervised Defendant GARCIA  
 3 and Defendant REDACTED so as to allow them to molest Plaintiff  
 4 and have sexual intercourse with Plaintiff on numerous occasions  
 5 as well as allowing Defendant GARCIA and Defendant REDACTED to  
 6 provide Plaintiff with illegal drugs.

7  
 8           41. As a proximate result of Defendants and each of their  
 9 breaches of the aforementioned duties, Plaintiff was molested  
 10 and induced to engage in sexual intercourse with Defendant  
 11 GARCIA and Defendant REDACTED as well as being provided with  
 12 illegal drugs by Defendant GARCIA and Defendant REDACTED

13  
 14           42. As a further proximate result of Defendants and each  
 15 of their breaches of the aforementioned duties, and the  
 16 consequences proximately caused thereby, as herein above alleged,  
 17 Plaintiff suffered severe emotional distress and suffering and  
 18 was injured in mind and body in a sum according to proof.

19  
 20           43. As a further proximate result of the aforementioned  
 21 acts, Plaintiff was required to and did employ physicians and  
 22 counselors to examine, treat and care for Plaintiff, thereby  
 23 incurring medical expenses in an amount which has not yet been  
 24 ascertained. Plaintiff is informed and believes and thereon  
 25 alleges that he will incur some additional medical expenses,  
 26 the amount of which is unknown.

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SIXTH CAUSE OF ACTION  
(Conspiracy Against All Defendants)

44. Plaintiff reasserts and realleges paragraphs 1 through 14, inclusive, of his First Cause of Action, paragraphs 18 through 19 , inclusive, of his Second Cause of Action, paragraphs 23 through 29, inclusive, of his Third Cause of Action, paragraphs 32 through 35, inclusive, of his Fourth Cause of Action and paragraphs 39 through 41, inclusive, of his Fifth Cause of Action and incorporates them by reference as though fully set forth herein.

45. In or about January 1985 and for some period of time before and after Defendants, and each of them, knowingly and willfully conspired and agreed among themselves to cover up the occurrences as set forth herein even though Defendants, and each of them, should have known of the incidents set forth herein.

46. Defendants, and each of them, did the acts and things herein alleged pursuant to, and in furtherance of, the conspiracy and above-alleged agreement.

47. Defendants, and each of them, furthered the conspiracy by cooperation and ratified and adopted the acts of their co-defendants by failing to disclose the molestation of Plaintiff and the incidents of sexual intercourse with Plaintiff even though specific inquiries were made by third persons other than

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1 Plaintiff.

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3 48. As a proximate result of the aforementioned acts,  
4 Plaintiff suffered humiliation, mental anguish, and emotional  
5 and physical distress, and has been injured in mind and body,  
6 all to Plaintiff's damage in a sum according to proof.

7

8 49. As a further proximate result of the aforementioned  
9 acts, Plaintiff was required to and did employ physicians and  
10 counselors to examine, treat and care for Plaintiff, thereby  
11 incurring medical expenses in an amount which has not yet been  
12 ascertained. Plaintiff is informed and believes and thereon  
13 alleges that he will incur some additional medical expenses,  
14 the exact amount of which is unknown.

15

16 50. The aforementioned acts of Defendants, and each of  
17 them, as alleged herein were willful, wanton, malicious and  
18 oppressive and done with a conscious disregard of the rights  
19 of Plaintiff and justify the awarding of exemplary and punitive  
20 damages in a sum sufficient to make an example of and to punish  
21 Defendants and each of them.

22

23 WHEREFORE Plaintiff prays judgment against Defendants,  
24 and each of them, as follows:

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26 ON THE FIRST CAUSE OF ACTION

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28 1. For general damages in a sum according to proof.

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2. For medical and related expenses according to proof.

3. For exemplary and punitive damages in a sum according to proof.

ON THE SECOND CAUSE OF ACTION

4. For general damages in a sum according to proof.

5. For exemplary and punitive damages in a sum according to proof.

ON THE THIRD CAUSE OF ACTION

6. For general damages in a sum according to proof.

7. For medical and related expenses in a sum according to proof.

8. For exemplary and punitive damages in a sum according to proof.

ON THE FOURTH CAUSE OF ACTION

9. For general damages in a sum according to proof.

10. For medical and related expenses in a sum according to proof.

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11. For exemplary and punitive damages in a sum according to proof.

ON THE FIFTH CAUSE OF ACTION

12. For general damages in a sum according to proof.

13. For medical and related expenses in a sum according to proof.

14. For exemplary and punitive damages in a sum according to proof.

ON ALL CAUSES OF ACTION

15. For prejudgment interest on the above sums from and after May 1985.

16. For costs of suit herein incurred.

17. For such other and further relief as the court may deem proper.

REDACTED

DATED: May 16, 1988



**CONFIDENTIAL**

MEMORANDUM

May 17, 1988

To: Archbishop Mahony  
From: Msgr. Thomas Curry  
Re: Cristobal Garcia and REDACTED

I spoke to REDACTED REDACTED REDACTED of St. Dominic, Eagle Rock this morning. After he arrived REDACTED in August of 1985 a family came to him to report that REDACTED Father Cristobal Garcia was involved in giving cocaine to minors in the parish. To see if he could find any evidence of this, REDACTED REDACTED went into Garcia's room while he was celebrating Mass and found a seventeen year old boy in his bed. REDACTED immediately removed Father Garcia from the parish. (You received a long angry letter from a parishioner complaining of his sudden transfer, and I responded in February 1986 and directed the parishioner back to REDACTED ) At the time, the family of the boy would not believe the charges and reacted very angrily.

Father Cristobal agreed to go to therapy but on condition he could do so in his native REDACTED His family is very wealthy and influential, and his father volunteered to pay the expenses involved. Father Garcia returned to the REDACTED but there is no record of treatment. The REDACTED incardinated him into his Archdiocese, and Father Garcia is operating there.

REDACTED  
REDACTED

The Order had been paying for therapy for the parents of the boy, but some time ago after they contacted a lawyer they stopped going on his advice. Recently, I believe, the young man came to tell REDACTED REDACTED he was going to sue the Church.

The Community's lawyer is REDACTED

*Please keep me informed.*

*+ RMM*

*5-17-88*

MEMORANDUM

DATE: May 18, 1988

FROM: Monsignor Curry

TO: Archbishop Mahony

RE: Cristobal Garcia/  
REDACTED Case

Statement for press people who call on this:

Archbishop Mahony is saddened to hear of the allegations concerning two members of the Dominican Community.

We realize this is a tragedy for all involved, the young man, his family, the parish, and the Church at large. We are also aware that the Dominican Community has made every effort to reach out to the young man and his family in this time of need.

Since the matter is now in the courts, we cannot comment on it. In any case, we only became aware of the incidents by way of the public media.

FILE

REDACTED REDACTED DACTED

MAY 24 1988

May 20, 1988

REDACTED

1 California Street, Suite 1400  
San Francisco, CA 94111

Re: REDACTED v. GARCIA et al.  
LASC Case No. C 686289

Dear Mr. REDACTED

Enclosed is a copy of the complaint in the above-referenced matter and a notice and acknowledgment of receipt.

Please advise whether you will accept service of process on behalf of any defendant within five days of receipt of this letter or we shall proceed accordingly.

Thank you for your anticipated cooperation in this matter.

Sincerely,

REDACTED

REDACTED

REDACTED

Encl.

cc: REDACTED

REDACTED

REC'D MAY 23 '88

24901

DEPARTMENT OF COMMUNICATIONS  
ARCHDIOCESE OF LOS ANGELES  
1530 WEST NINTH STREET  
LOS ANGELES, CALIFORNIA 90015



Rev. REDACTED  
REDACTED

REDACTED

MEMORANDUM

DATE: May 20, 1988  
TO: Msgr. Curry  
FROM: REDACTED  
RE: Suit at St. Dominic's

FOR YOUR INFORMATION-----

Today, Friday, May 20, 1988, I received a phone call from REDACTED with a message that she wished to speak about the case of alleged molestation at St. Dominic's.

When I returned her call about noon, REDACTED identified herself as the mother of REDACTED another young man, now 19 years old, who was also at St. Dominic's at the same time as the young man in the lawsuit--REDACTED

If this is the proper name of the young man who has brought suit in the first place, then we need to give some weight to the information supplied by this woman. If this is not the proper name, then ignore the rest of this memo.

Mrs. REDACTED informed me that her son, REDACTED, now clean of any chemical dependency, was well into drugs and alcohol when he was 15 or 16. He spent a lot of time over at St. Dominic's with "Fr. Chris." REDACTED has learned from her son that Fr. Chris did supply alcohol and dope to REDACTED and probably to REDACTED, but that never did Fr. Chris so much as touch REDACTED or make any kind of a move on him. She said that REDACTED doubted Fr. Chris ever did to REDACTED, either. REDACTED (and everybody else) knew that REDACTED was also well into drugs at the time. Why he is now bringing suit is a mystery.

What Mrs. REDACTED was concerned about was that she did not want her son's name dragged into this whole affair, especially now that he is just starting out in his own business. She doesn't want his past use of drugs brought up again.

I told her that I wasn't sure what the law was, that she should definitely consult with a lawyer. Primarily, I told her that, if REDACTED at 19 now did not wish to add his testimony, and that it was for the purpose of not incriminating himself, and that it did not impede the case, then his Fifth Amendment rights would probably come into play. This was not to cover up; it was simply not to be dragged into someone else's lawsuit that could do him damage.

I also mentioned to her that it might be possible that, since the incidents occurred while he was a minor, his name, should it be included in the suit, might well be sealed from publication.

I reiterated that she should seek legal advice, and not rely on my uninformed suggestion.

She thanked me for my suggestion, told me there was a family friend who was a lawyer, and that she would confer with him.

# MELIKU

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Editorial

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It's as if no one wants to face what happened,' one father said.

## Church, Families Deal With Child Sex Abuse by Priests

By MARIYA HERNANDEZ and JOHN DARR, Times Staff Writers

Several months have passed since scandal rocked the small Eastside Catholic parish. "Father Nick," the fugitive priest charged with sexually molesting at least 10 altar boys at the church and at another parish, is seldom mentioned.

At Our Lady of Guadalupe Church, nestled in the foothills of predominantly Latino El Sereno, parishioners still fill Sunday Masses celebrated in Spanish, and a new roster of altar boys assists at the services.

Parish life has returned to normal both at Guadalupe and at the second church, St. Agatha's, a heavily Latino parish in South-Central Los Angeles.

### Have Not Forgotten

Only the families most directly affected still struggle for normalcy. They haven't forgotten Father Nicolas Aguilar Rivera. They trusted the visiting priest from Mexico with their children and even welcomed him into their homes. Now they worry about the effect of the alleged molestation on the boys.



Father Nicolas Aguilar Rivera

Some parents have been criticized by fellow parishioners who have accused them of blowing the situation out of proportion. There have been insinuations that the boys may have lied about what

happened. Police investigators said 26 boys were molested by the priest. The district attorney's office filed formal charges against him in 10 of the cases.

Church leaders have minimized the problem, some parents say, and have not done enough to prevent a recurrence. "It's as if no one wants to face what happened," the father of two of the alleged victims said.

In the aftermath of the incident, which also has raised questions by police about the church's handling of the case, the Los Angeles Catholic Archdiocese has improved procedures for reporting molestation cases to authorities.

### Low-Keyed Response

Otherwise, little has changed. Archdiocesan leaders say it is best to handle such matters quietly, both for the sake of the families involved and to avoid making more of the problem than exists.

"My greatest concerns are priests in general, not the very, very, tiny percentage involved in any difficulty like this," said Los Angeles Archbishop Roger M. Mahony in an interview. He described the 1316 diocesan, religious



Patrick Downs / Los Angeles Times

Archbishop Roger M. Mahony order and visiting priests here at "upstanding, dedicated, committed men." He said priests who experience difficulties are commonly beset by other problems such as stress, burnout,

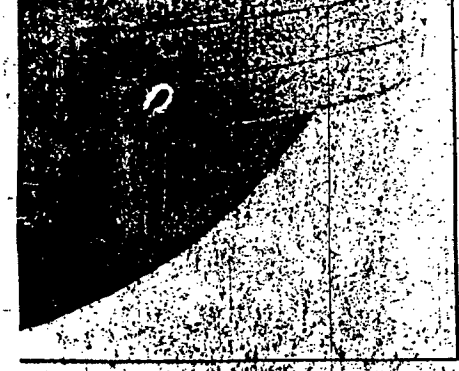
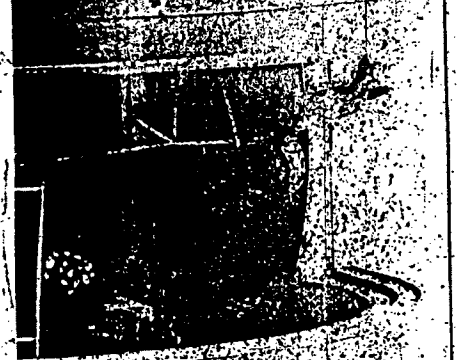
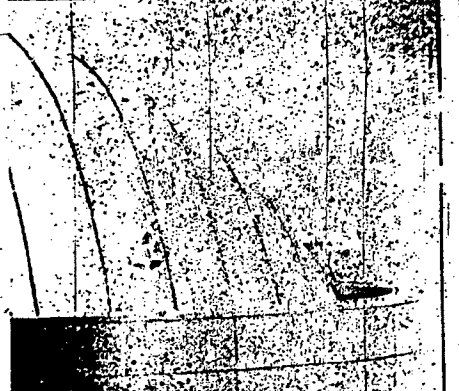
depression and alcoholism.

Mahony noted that in the last few years one priest per year in the archdiocese has been accused of molestation. Four priests and one religious order brother have been criminally charged or had civil lawsuits filed against them. In three or four cases, the priests denied the accusations and no formal charges were made. At the same time, Mahony said in addition to the archdiocese's own psychological screening of candida seminarians, he has sought — by removing stigmas associated with therapy — to encourage troubled priests to seek counseling.

Nevertheless, the archdiocese is with a complication in that the trauma of priests — those from religious orders and those visiting from other areas — serve here on the recommendation of their superior are not screened by archdiocesan psychologists.

In recent years, as reports of child molestation spread across the U.S. society and public attention grew accordingly, the church has found

### Parents' Priests



Buckey Teacl

Credentialed

Spawns Abort

Long Proceed

By BOB WILLIAMS, Times Staff  
To qualify to teach in California  
Ann Buckley must first prove, among  
things, that she didn't kill a boy

# PRIESTS

facilities in the archdiocese, Mahony said. The archdiocese hopes to discover potential problems before they surface. Psychologist Joseph Nicolosi of St. Thomas Aquinas Psychological Clinic in Encino, does the preliminary screening of applicants to St. John's College and Seminary in Camarillo, the training center for archdiocesan priests.

## Directed to Therapy

From applicant responses to questions about celibacy and sexual orientation, Nicolosi said he recommends that about 20% of them receive some psychotherapy for "various reasons, not all sex-related." Mahony said the church does not ask would-be seminarians if they have a sexual fascination with children; indeed, he said that psychologists tell him there are no questions that can detect a possible offender. Psychiatrist Morris Paulson of UCLA's Family Support Program said that some offenders who fondle or sexually abuse children tend to rationalize their behavior and deny they have a serious, recurring problem. In the 10 years he has been screening seminary candidates and counseling priests, Nicolosi said the archdiocese has lately given special attention to requests for therapy on a whole range of problems. "I think the atmosphere has changed from the former administration of Cardinal Timothy Manning," Nicolosi said. "A priest can feel free to have professional help and have the archdiocese pay for the psychotherapy."

## Fillable Meade

Aguilar, who served a few months at Guadalupe parish and six months at St. Anthon's, fled in January when he was confronted with the accusations. Aguilar is believed to have gone into hiding in Mexico, where authorities will be asked for assistance in tracking down the priest, said Detective Gary Lyon of the Los Angeles Police Department's Juvenile Division who investigated the case. Upon his return to Mexico, the priest stopped to visit his former bishop in Toluca, in the state of Mexico, who said that Aguilar resorted to his priestly duties without attention and left.

## Seidson Discussed

Still, the issue of child molesters is seldom discussed in the archdiocese, Mahony last raised the matter with Los Angeles priests at a retreat two years ago. "An attorney, a psychiatrist and I talked about all this. It was very well received. We don't have anything ongoing beyond that for priests, he said, asserting that fewer than 1% of priests problems in counseling are sexual. The priest cannot knock on the door and just be assigned, said Mahony. He said a full explanation for coming to the archdiocese is fabricated from a visiting priest's former bishop. With religious orders, Msgr. Thomas Curry, archdiocesan vicar for the clergy, said,

## Limited Knowledge

In Los Angeles and other areas, Catholic diocese may have limited background knowledge on more than half of the priests serving within its borders. In the Los Angeles archdiocese, for instance, 456 are "diocesan priests" (educated and assigned by the archdiocese) and 676 are on assignment from about 50 different religious orders and 184 are visiting from other jurisdictions. Only one of four priests sentenced, charged or sued in sexual molestation cases during the 1980s in the Los Angeles archdiocese was a diocesan priest—Father Donald P. Roemer, who was sentenced to a state hospital in 1983 and placed on 10 years probation in 1985.

## Recalls Suspension

Father John Flannery, the Oakland-based administrator of the Dominicans' western province, said in a statement last week that he suspended the priest in November, 1985. Well before the recent allegations were made public, Flannery's statement, issued through Ron Larson, the province's attorney, said that Garcia refused to cooperate with Flannery's inquiry and left for his home in

high at 229 million, said a report to U.S. bishops on the situation. There are 57,000 Catholic priests in the United States.

## Addressing such problems positive

Mark Chokko, congregational council for the U.S. Catholic bishops, issued a Feb. 9 statement saying the bishops were "deeply committed to addressing such problems positively, by making strong efforts to prevent child abuse, to repairing whatever damage has been done and to bringing the healing ministry of the church to bear wherever possible."

## One of the first frank treatments

of the subject publicly by a major diocese may have been that of the Seattle archdiocese, which had to deal with recent allegations against priests. A letter from Archbishop Raymond G. Hunthausen was read May 29 in western Washington parishes expressing the desire to create a new atmosphere based on education and dialogue, so that the problem of abuse and exploitation will become a distant chapter in our past.

## Any person "who has been vic-

aried by a priest in the archdiocese was invited to contact the archdiocese's chancellor or a parish, according to the archdiocesan newspaper.

## There is no stigma attached to counseling," Mahony said.

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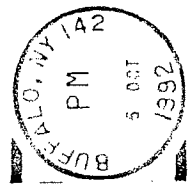
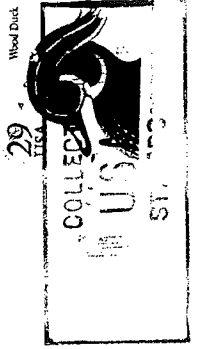
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Fr. Tim Dyer  
1531 W. 9th St.,  
Los Angeles Ca.  
90015

REDACTED

24898



9/10/92

Dear Fr. Dyer,

24891

Thank you for speaking to me about this sensitive matter concerning Fr. Cristobal Garcia. He was formerly a priest at St. Dominic's Parish in Eagle Rock until he got fired because he had an affair with a minor. This boy's name is <sup>REDACTED</sup> <sup>REDACTED</sup> Mr. <sup>REDACTED</sup> sued the Dominican Order and Fr. Cris. Fr. Cris left the country and did not stand trial. He went back to the Philippines where he is a practicing priest. As a result the case was settled out of court and Fr. Cris never had to go to therapy.

Fr. Cris is my own brother and I love him, but when I was fifteen he molested me while he was still a Brother at St. Albert's Priory in Oakland, Ca. I tried to talk to my parents about it, but they called me a liar and a blasphemer. But that is understandable, after all, who would you believe a 15 year old boy or a representative of the Lord.

I am very worried now because Fr. Cris has converted one of my families beach houses into a seminary. It is quite secluded and I am terrified that he will take advantage of the seminarians' naive and eventually the situation will propagate itself. Please contact <sup>REDACTED</sup> <sup>REDACTED</sup> <sup>REDACTED</sup> <sup>REDACTED</sup> <sup>REDACTED</sup> <sup>REDACTED</sup> and see if Fr. Cris can be helped.

I do not want to offend anyone or speak badly about anyone. I just don't think he should be in such a precarious situation.

I honestly believe there is something wrong when

someone uses God's name and authority to - their own personal perversions. Since Fr. Cris is my own brother I really felt that I could not tell anyone about him molesting me, other than my parents and my therapist. Now, however, I feel that it is a moral imperative that I speak out for, "...those ~~who~~ do not know that past are condemned to repeat it."

I believe the June 20, 1988 LA Times mentions Fr. Cris' case. Please write to my father, to make him aware of the situation. His name and address are as follows: REDACTED

If you have any other questions please write to me at: REDACTED

To this day I still suffer from anxiety attacks because of what happened. I'm married and I have a 4 month old son and I pray that he will never go through what I went through.

Sincerely,

REDACTED

Copy of Letter of 9/10/92 from REDACTED

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*article now attached see below*  
REDACTED  
11/9/92

REDACTED

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**CONFIDENTIAL**

**MEMORANDUM**

**October 2, 1992**

**TO:** Cardinal Mahony  
**FROM:** Father Timothy Dyer  
**RE:** Fr. Cristobal Garcia, O.P.

Attached is a letter from REDACTED REDACTED in which he outlines his experience of sexual abuse and the subsequent alleged abuse of other minors by Fr. Cristobal Garcia, O.P. -- his own blood brother.

Our files contain a newspaper report of accusations made by REDACTED REDACTED a memo from Msgr. Curry re these incidents in 1988 (also attached) and a deposition of Msgr. Curry taken by the Superior Court in the suit filed by REDACTED in 1989.

Our files do not contain any reports of the final settlement or the circumstances under which Fr. Garcia left this country and went to the Philippines.

Given the circumstances reported by REDACTED REDACTED which indicate that his brother is now in charge of a number of youth under the auspices of the diocese to train seminarians, I recommend you write to Cardinal REDACTED of REDACTED

As I'll be away this week, you may want REDACTED to follow up on what actually happened to the suit, and under what circumstances Fr. Garcia left for the Phillipines, and his present relationship to the Dominicans.

REDACTED

REDACTED

REDACTED

REFERRAL MEMORANDUM from CARDINAL ROGER V. HONY

TO: Tommy Dyer DATE: 10-5-92

- Please REVIEW, then SEE ME
- Please REVIEW, then RETURN to me
- Please REVIEW, then SEND me your COMMENTS
- Please REVIEW, then FILE
- Please HANDLE this matter ENTIRELY
- Please ANSWER, send copy of letter to me
- Please WRITE A REPLY for my Signature
- For your INFORMATION
- Please XEROX - FAX and send photocopies to:

Original to:  file  back to me

REMARKS: Please get me the full file so what  
might see.

Tommy



**CONFIDENTIAL**

**Archdiocese of Los Angeles**

Office of  
the Archbishop  
(213) 251-3288

1531  
West Ninth  
Street

Los Angeles  
California  
90015-1194

October 19, 1992

REDACTED

REDACTED

D. Jakosalem Street  
P.O. Box 52  
6000 Cebu City  
Philippines

REDACTED

I am writing to you with respect to the Reverend Cristobal GARCIA, a priest currently serving in the Archdiocese of Cebu.

Father Garcia's brother, REDACTED has recently contacted us here in the Archdiocese to warn us of the difficulties which Father Garcia has created over the past few years. I am enclosing a xerox copy of his letter addressed to Monsignor Timothy Dyer, my Vicar for the Clergy.

This two-page letter is strong and compelling since he is the direct brother to Father Garcia and he has no reason to write except to protect the Church and young people from any further harm.

The case of Father Cristobal Garcia here in Los Angeles was a difficult one when we first discovered it in May of 1988. The Provincial of Father Garcia [then a Dominican] discovered cocaine and a young man living in Father Garcia's room when assigned to St. Dominic's Parish in Eagle Rock, within the Archdiocese of Los Angeles.

Upon Father Garcia's immediate departure for the Philippines it was stated that Father Garcia would immediately enter professional therapy for his problems, and that no new priestly assignment would be given to him until he has satisfactorily concluded all of the professional therapy.

We have no indication that Father Garcia ever entered any therapy, much less that it concluded it satisfactorily.

24886

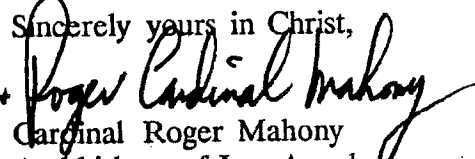
Father Garcia's brother is now very concerned--and rightfully so--because of his allegation that Father Garcia is now operating a house of formation for young men on his own and beyond any full supervision.

I bring this matter to the attention of REDACTED , and I would respectfully request that you conduct a full, confidential inquiry into this entire matter, and that you ascertain whether Father Garcia has, in fact, entered into the professional therapy required of him and whether he has been found to be fully recovered from severe and serious moral problems.

It would be helpful to me here in Los Angeles to have some type of written response from REDACTED to this matter.

You will note that Mr. REDACTED lists his address in REDACTED REDACTED may wish to make further inquiry of Mr. REDACTED concerning his brother.

Thanking REDACTED for taking some positive steps to deal with this important and sensitive matter, and with kindest personal regards, I am

Sincerely yours in Christ,  
  
Cardinal Roger Mahony  
Archbishop of Los Angeles

REDACTED

Encls.

**REFERRAL MEMORANDUM FROM CARDINAL ROGER MAHONY**

TO: Thomas Dyer DATE: 10-20-98

**PRIORITY**

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- For your INFORMATION
- Please XEROX - FAX and send copy/copies to:

original to file  original back to me

REMARKS: Please note that I am returning  
everything back to you.  
Thanks!





COPY

Archdiocese of Los Angeles

Office of the Archbishop  
Office: (213) 637-7534  
Fax: (213) 637-6510

3424  
Wilshire  
Boulevard

Los Angeles  
California  
90010-2241

July 12, 2012

Most Reverend Carlo Maria Viganò  
Apostolic Nuncio to the United States of America  
3339 Massachusetts Ave. NW  
Washington, DC 20008

**Re: Msgr. Cristobal Cecilio Espina Garcia**

Your Excellency,

I respectfully ask you to transmit the enclosed envelope to His Excellency, the Most Reverend Luis F. Ladaria, S.J., Secretary of the Congregation for the Doctrine of the Faith.

The envelope contains documentation requested by the Congregation in a letter dated June 6, 2012 (Prot. No. 311/2012-39341), addressed to me. This documentation concerns the case of the above-named priest and allegations of sexual abuse made against him.

I thank you for your kind assistance in this matter, and assure you of my prayerful best wishes.

Fraternally yours in Christ,

Most Reverend José H. Gomez  
Archbishop of Los Angeles

Enclosure



# COPY

**Archdiocese of Los Angeles**

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Office: (213) 637-7534  
Fax: (213) 637-6510

3424  
Wilshire  
Boulevard

Los Angeles  
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90010-2241

July 12, 2012

His Excellency  
Most Reverend Luis F. Ladaria, S.J.  
Secretary  
Congregation for the Doctrine of the Faith  
00120 Vatican City State  
Europe

**Prot. No. 311/2012-39341**

**Re: Msgr. Cristobal Cecilio Espina Garcia**

Your Excellency,

I am pleased to respond to your confidential letter dated June 6, 2012, regarding the above-named priest accused of sexual abuse.

As you requested, I am sending you herewith authenticated copies of all documentation relevant to Msgr. Garcia and his ministry in the Archdiocese of Los Angeles, including everything pertaining to allegations of sexual abuse made against him and legal proceedings related to his case.

I trust that this information is useful, and assure you of my prayerful good wishes.

Fraternally yours in Christ,

15/

Most Reverend José H. Gomez  
Archbishop of Los Angeles