

NO. A-07-0237-C

THE DIOCESE OF
NORTHWEST TEXAS, THE REV.
CELLA ELLERY, DON GRIFFIS and
MICHAEL RYAN

v.

ROBERT MASTERSON, MARK
BROWN, GEORGE BUTLER, CHARLES
WESTBROOK, RICHEY OLIVER,
CRAIG PORTER, SHARON WEBER,
JUNE SMITH, RITA BAKER,
STEPHANIE PEDDY, BILLIE RUTH
HODGES, DALLAS CHRISTIAN and
THE EPISCOPAL CHURCH
OF THE GOOD SHEPHERD

§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§

IN THE 51st DISTRICT COURT

OF

TOM GREEN COUNTY, TEXAS

FINAL SUMMARY JUDGMENT

On September 16, 2009, the court heard Plaintiffs' Motion for Summary Judgment. The parties appeared before the court for the hearing on the motion. After considering the pleadings, motion, response, evidence on file, and arguments of counsel, the court GRANTS the motion.

The court hereby RENDERS judgment for the Plaintiffs. The court finds that the Episcopal Church is a hierarchical church; Defendants have no rights in the real and personal property of The Episcopal Church of the Good Shepherd; the Church Property is held in trust for the Episcopal Church in the Diocese of Northwest Texas; and the continuing membership of the Episcopal Church of the Good Shepherd have an immediate right to possession and use of the property for worship as part of the Episcopal Church.

The court hereby issues a DECLARATORY JUDGMENT pursuant to Texas Civil Practice and Remedies Code §§ 37.001, et seq. declaring that Defendants may not divert, alienate, or use the real or personal property of Good Shepherd, including the Church Property, and improvements located at 3355 W. Beauregard Ave., San Angelo, Tom Green County, Texas; the 5.287 tract of land in the Hillside Subdivision of San Angelo, Texas; and any other real property held in the name of the Episcopal Church of the Good Shepherd.

The Court hereby issues a DECLARATORY JUDGMENT that the continuing Parish of the Good Shepherd is identified as and represented by those persons recognized by the Bishop of the Episcopal Diocese of Northwest Texas and that the actions of the Defendants in seeking to withdraw Good Shepherd as a Parish of the Diocese and from the Episcopal Church are void and without effect;

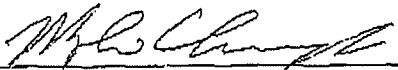
The court hereby issues a DECLARATORY JUDGMENT pursuant to Texas Civil Practice and Remedies Code §§ 37.001, et seq. declaring that all real and personal property of the Good Shepherd is held in trust for the Episcopal Church and the Diocese;

The court hereby ORDERS the Defendants to relinquish control of all real and personal property of the Episcopal Church of the Good Shepherd within one (1) week of the signing of this judgment and deliver said property to the Vestry of the Episcopal Church of the Good Shepherd.

This judgment is final, disposes of all claims and all parties, and is appealable.

The court orders execution to issue for this judgment.

SIGNED on October 8, 2009.


JUDGE PRESIDING
