

State of Minnesota	Conciliation Court
County of Redwood	Judicial District Case No. Fifth 64-CO-10-141

Plaintiff #1

Name Christopher Roller

Address 806 S Jefferson St #2

City/State/Zip Redwood Falls MN 56283

Plaintiff #2

Name

Address

City/State/Zip

vs.

vs.

Defendant #1

Name Presbyterian Church

Address 235 East 4th Street

City/State/Zip Redwood Falls MN 56283

Defendant #2

Name

Address

City/State/Zip

Appearances: Plaintiff Defendant Neither Party Contested Default

Order for Judgment on Claim and Counterclaim

Upon evidence received, IT IS HEREBY ORDERED:

Plaintiff is entitled to judgment against defendant for the sum of \$ _____, plus fees of \$ _____, disbursements of \$ _____, and conditional costs of \$ _____, for a total of \$ _____.

Judgment shall be entered in favor of Defendant (without damages).

Plaintiff's claim is dismissed without prejudice.

Plaintiff's claim is dismissed with prejudice.

Defendant shall immediately return _____ to the _____ and that the Sheriff of the county in which the property is located is authorized and directed to effect repossession of such property according to Minn. Stat. § 491A.01, subd. 5, and turn the property over to _____.

Other / Memo: See Memorandum on next page.

Dated: 2-10-11 Judge: *Swyri G. Hansson*

JUDGMENT is hereby declared and entered as stated in the Court's Order for Judgment set forth above, and the Judgment shall become finally effective on the date specified in the notice of judgment set forth below.

Dated: 2-10-11 Court Administrator/Deputy: *Blenda Djesan*

NOTICE: THE PARTIES ARE HEREBY notified that Judgment has been entered as indicated above, but the Judgment is stayed by law until (Date) 3/7/11 (Time) 4:30 p.m. (to allow time for an appeal/removal if desired).

*** Date includes 3 extra days allowed by law if notice is served by mail.***

THE PARTIES ARE FURTHER NOTIFIED that if the case is removed to District Court and the removing party does not prevail as provided in Rule 524 of the Minnesota General Rules of Practice for the District Courts, the opposing party will be awarded \$50 as costs.

Dated: 2/10/11 Court Administrator/Deputy: *Blenda Djesan*

Transcript of Judgment: I certify that the above is a correct transcript of the Judgment entered by this Court.

Dated: _____ Court Administrator/Deputy: _____

Christopher Roller

VS.

Presbyterian Church

Plaintiff

Defendant

MEMORANDUM

Plaintiff has sued the church for tithing fraud. Plaintiff testified that he is "God, Jesus, and the Messiah." Plaintiff testified that no one has ever stated, under oath, that he is not God. Plaintiff contends that this is evidence that he is God.

Based upon the contention that he is God, Plaintiff has sued the church, alleging that they are obtaining their tithes by fraud. Plaintiff has sued for \$6,500, which he believes represents 25% of the tithes collected by the church from August 2010 to October 2010. The Court has two concerns. First, this Court is aware of no common law basis for a claim of tithing fraud. Without a cause of action previously recognized in case law in Minnesota, this Court is not aware of a legal basis upon which to award Plaintiff a judgment.

Second, to find that the church committed any fraud, the Court would have to find that Plaintiff has proven that he is God. The Court cannot make such a finding. First, Plaintiff's testimony that he is "God, Jesus, and the Messiah" is only evidence that he believes he is "God, Jesus, and the Messiah." It is not proof that he actually is "God, Jesus, and the Messiah." Second, if this Court made a finding that Plaintiff is God, this Court might be violating the First Amendment of the U.S. Constitution. As Justice David Souter stated in Board of Education of Kiryas Joel Village School District v. Grumet, 512 U.S. 687, 703 (1994), "government should not prefer one religion to another, or religion to irreligion."

This Court does not believe that Conciliation Court is the proper forum to argue whether or not Plaintiff is God. This may be a topic to be explored in theological or metaphysical debate, but not in a Conciliation Court claim.

Dated: 2-10-11 Judge: George J. Hanson

Order Vacating Judgment For Cause

Minn. Gen. R. Prac. 520

Upon cause shown by the [] Plaintiff [] Defendant, the written judgment is hereby vacated and costs in the amount of \$ _____ is assessed against the [] Plaintiff [] Defendant as [] Absolute / [] Conditional costs.

Dated: _____ Judge: _____

Order Vacating Judgment Upon Removal/Appeal

Minn. Gen. R. Prac. 521(e)

Removal/Appeal by the [] Plaintiff [] Defendant having been perfected, the within judgment is vacated.

Dated: _____ Judge: _____