

November 16, 2021

VIA EMAIL (where available) AND CERTIFIED MAIL

Archbishop Mitchell Rozanski &
Bishop Mark Rivotuso
The Archdiocese of St. Louis, MO
20 Archbishop May Rd.
St. Louis, MO 63119

RE: Rule 34 Legal Hold Notice regarding:
Saints Mary & Joseph parish/church (hereinafter "The Church")
6304 Minnesota Avenue
Saint Louis, MO 63111

Your Excellencies Archbishop Rozanski, Bishop Rivotuso & The Archdiocese of St. Louis:

Although it may be getting redundant to say, it is terribly sad that I am compelled to send this correspondence. But I am indeed convicted by the Holy Spirit, and guided by Canon 212 and Matthew 18, in sending this correspondence and Legal Notice.

I write to you today seeking only truth, and that God's Holy Will be done. I pray for you even as you are in your USCCB meetings in Baltimore, where it is sadly quite clear that you do not intend to defend Holy Mother Church and ALL of her teachings. This is made clear by your own actions, words and inactions, such as your secret signing of a letter attempting to silence any talk of Canon 915, trying to prevent even discussion of it. Indeed, in the prior USCCB meeting, Archbishop Rozanski was the very first person to speak up and object to any such discussion or defense of Canon 915. How will the faithful flock in St. Louis trust you, if you refuse to follow Canon Law?

While I hope that all Church leaders would defend the FULL deposit of our Catholic Faith, I also hope that all faithful Catholics in St. Louis will someday know the complete truth of how you all defend the faith, or betray the faith, regarding Canon Law.

Along those lines, faithful Catholics here have just been told about your "restructuring" process, and how it will not begin until all of the "listening" sessions are concluded (which will not even begin until 2022). What is not clear to us is whether you will follow Canon Law in regard to any such Church closings, and it appears there is an established record that Bishop Rozanski did not follow Canon Law in previous Diocese(s). Will you state publicly that you will adhere to all of the requirements of Canon Law for any Church closings?

Perhaps you won't, because we are just now learning that perhaps you have already violated Canon Law in regard to Church closings here in the Archdiocese of St. Louis. As of right now, you already listed a Church property for sale (Saints Mary & Joseph

Church/Chapel, 6304 Minnesota Ave., St. Louis, MO 63111, and hereinafter also “The Church”). As far as anyone knows or can find, you have not issued any of the required Canon Law Decree(s) for such a closure. Likewise, it does not appear that you have published Notice of any such decree, and thus have not given the faithful their opportunity(ies), **under Canon Law**, in regard to this closing. It is also reported that, despite the above, representatives from the Archdiocese of St. Louis are already stripping that Church of its sacramentals and sacred objects.

It is truly with considerable regret that I send this correspondence and Legal Notice. As stated in all of the many letters I have written to you, I sincerely welcome any fraternal correction pursuant to Matthew 18, if any recipient believes that there is anything contained herein that is not accurate or true.

But if you reply under Matthew 18, please do not burden your soul with the bearing of false witness. I ask that you follow Our Lord’s command, and correct me “brother to brother” in your own name, and under your own signature, as I have repeatedly done with you. No general statements or anonymous or un-signed allegations would so qualify. Should I receive any such correction, I will quite rightly assume it also comes specifically at the direction of Archbishop Rozanski, personally and by name, whether he is a signatory to such a response or correction (or not).

This is at least the 4th or 5th Legal Hold Notice that I have felt compelled to send. Sadly, it is because of my experience with US Bishops, one even receiving the unfortunate but seemingly accurate nickname of “Bishop Shredder” for records that mysteriously “disappeared” (even while there was testimony of them existing, and of “shredding” parties). This is part & parcel of the continuing abuse of power crisis in our Church, by members of the so-called “Lavender Mafia.” They do indeed seem to operate like a crime syndicate, including countless acts of child rape, and criminal cover-up. I wish it were not so, but it is indeed undeniable (and I welcome anyone signing their name to a written statement otherwise).

I have also sent other correspondence. In all such correspondence, I have asked (indeed begged) to be corrected under Matthew 18 if I am wrong in any way. To date, I have received no written response of any kind. I have received no correction, rebuttal nor rebuke of any kind. It is important that the written record be crystal-clear, in the event of any future claims or needed assertion of rights, by any party. It is precisely the absence of a written record (and the absence of transparency) upon which the wicked shepherds and hirelings in our Church have relied.

I make no apology nor am I trying to hide in any way that I hope these efforts not only force you to legally preserve records, but that they will someday help faithful Catholics see into the opaque and sordid deeds (actions and inactions) of their shepherds, and make crystal-clear to all whether Archbishop Rozanski does (or does not) follow ALL of the Teachings of Holy Mother Church, including Canon Law in regard to Church closings.

LEGAL NOTICE

TO: His Excellency Archbishop Mitchell Rozanski, Bishop Rivituso and Bishop Hermann, Vicar General for Strategic Affairs Rev. Christopher Martin, General Counsel Thomas Buckley, and any other Archdiocesan leader involved in these matters (hereinafter collectively “The Archdiocese” or “Archdiocesan leadership”). You are hereby put on **LEGAL NOTICE**.

This notice includes any Archdiocesan leader or leadership designee, and includes but is not limited to, named staff or leadership, and applies to any one with actual or delegated responsibility for the record-keeping or maintenance of any records of any kind related to these matters, in any way.

You are hereby placed on notice **to preserve all documents and electronically stored information, copies and backup, as defined by Rule 34 of the Federal Rules of Civil Procedure (or any state, federal or INTERNATIONAL equivalent or similar regulation)**, along with any paper files, notes, phone logs or all other records which The Archdiocese or its leadership has or maintains, or has custody or control of, or that are or may be relevant to the closure or sale of “The Church.” This Legal Notice includes, but is not limited to:

- 1) Any records regarding the appraisal or review of The Church or its property, including all contacts with real estate professionals;
- 2) Any records regarding the value or sale listing of The Church;
- 3) Any records of any Canon Law Decree(s) regarding The Church, or its closure or sale;
- 4) Any correspondence with the “Canonical Pastor” of The Church, regarding this matter; and
- 5) Any electronic record of when any records related hereto began (i.e., Records which would establish the definitive date any such records were begun, or were published, including but not limited to any efforts by the Archdiocese of St. Louis to belated “cure” any defective notice or failure to provide publication or notice).

This is a LEGAL NOTICE. The Archbishop and the Archdiocese, or any of its leaders or individual staff members or designees may be subject to it, and could potentially be subject to deposition testimony under oath, and/or personal liability, for failing to observe its requirements. Such liability could include, but not be limited to, future claimants who allege they were harmed in any way, or their rights impaired in any way, in regard to this matter. Please distribute this Legal Notice as widely as possible or needed within the Archdiocese.

This preservation notice should be disclosed in all future claims, especially prior to any deposition testimony of any Archdiocesan leader or individual on behalf of the Archdiocese. No such current leader or individual shall be able to deny knowledge of this notice, nor any of the issues related herein.

It is imperative that Archbishop Rozanski himself, and his entire leadership team, and any recipient within the Archdiocese of St. Louis understands and is aware of the potential legal (and spiritual) consequences of your conduct (by action or omission).

Please be assured that I am praying for you and our entire Archdiocesan leadership. Likewise, I hope that you are praying for me. I am a sinner but one who remains a loyal son of Holy Mother Church, and I seek to be nothing else. The wickedness of Church leaders in the sex abuse and abuse of power scandal will not drive me from Holy Mother Church, even as it continues, often under some of the very same Bishops, leaders and hirelings.

While I am nothing more than a sinner, I do speak from the experience of almost 30 years of dealing with virtually every angle of the abuse crisis within the Church, which is much more an “abuse of power” crisis than even a “sex abuse” crisis, as horrific as that is. I am a faithful and obedient son of Holy Mother Church. Your Excellencies, I remain your faithful subject in the Archdiocese of St. Louis, but God’s faithful servant FIRST, and foremost.

I look forward to any written response to this Notice which identifies any Canonical or Magisterial Authority of Holy Mother Church which would support your actions in regard to the closing or sale of “The Church.” This notice is not a threat of immediate legal action by anyone, and certainly not by its sender. In fact, nor is it a threat of any kind, whatsoever. However, all parties should be aware that it could be produced or used in future legal proceedings or litigation.

As simply a preservation notice in case of future claims or claimants, it is difficult to see how anything in this notice could be “in error.” Nonetheless, as a faithful son of Holy Mother Church, and pursuant to Matthew 18, I reiterate once again that I would welcome any fraternal correction, or even any factual correction, of any kind. IF any named individual believes there is such an error to identify, she or he should send such notification BY NAME, DATED, and SIGNED under that person’s actual signature (and position of authority to speak on behalf of The Archdiocese).

God will absolutely judge us all on these matters. Such judgment will include the complicit silence of any who support (or continue to support) the abuse scandal within Holy Mother Church, in any way (i.e., Abuse of power, refusal to follow Canon Law, etc.). Such judgment will also include those “good Germans” who enable wicked shepherds (as aptly named “good Germans” in the movie *Spotlight*).

May God have mercy on anyone’s soul who bears false witness about these matters, and who serves anything other than God’s Will in discharge of official duties for the Archdiocese of St. Louis. The mission of Holy Mother Church is solely the salvation of souls, not the swelling of its earthly coffers with 30 pieces of silver. Each and every Church is sacred and consecrated ground **forever**, unless and until Canon Law is properly followed.

As repeatedly stated, I am simply a sinner. I am not a theologian. I am certainly not a Canon lawyer. It would seem that it would be EASY for the Archdiocese, with all of its resources and theologians, to respond to me in writing, and rebuke or correct me with Canon Law, Magisterial Teaching or Church Authority which would support your actions. It would seem to be EASY for you to explain to me and all how this conduct is not sinful (by commission or omission). Yet, to date, no one has been willing to even attempt any such response in writing, to any Legal Hold Notice nor correspondence that I have sent. Not one reply, not one word, and certainly not under anyone’s specific name and signature, as a

leader or authorized representative of The Archdiocese of St. Louis. Again, we are left to wonder why that is?

Please be assured that all addressees on this email remain in my prayers, and the daily Rosary prayed by our family. We do regularly pray for all the leaders of Holy Mother Church, especially Pope Francis and the Bishops, as successors of The Apostles. My hope is in Christ, and I wish only for God's Holy Will to be done. I very much thank you in advance for your prayerful consideration of this important matter and Legal Notice. I do hope to receive the favor of a written reply and "official response" from The Archdiocese.

Your true brother in Christ,

Ken R. Battis, JD, CPCU

Cc: Mr. Thomas M. Buckley, General Counsel of the Archdiocese of St. Louis; and

Father Ron Hopmeir, Pastor of St. Stephen Protomartyr, which is identified as the Canonical pastor / parish / leader to whom Sts. Mary & Joseph Church is assigned (info@saintstephenstl.org)