

January 9, 2023

To: Great Lakes Gulf Presbytery

Cc'ed: Mr. Nathan Eshelman, Mr. Adam Kuehner, Mr. David Hanson, and Mr. Richard Blankenship

From: Kyle Borg

Re: Charge of Sin Against IRPC Session

Brothers of the GLG,

With lamentation my conscience feels bound to submit to this court of Christ's church a charge of sin against Messrs. Samuel Carr, Josh Karshen, and Matt Wilburn. That charge is included below.

Since Synod of 2022 I have continued, by Synod's direction and under the oversight of a commission, to participate in the process of reconciliation according to a mediated agreement signed by Messrs. David Carr, Ben Larson, and Keith Magill – the former ruling elders at IRPC.

Immanuel's decision to sever its relationship with the RPCNA on September 30, 2022 impacted this continuing work because, as the mediated agreement stipulates, the process of reconciliation was to be conducted under the authority and accountability of the RPCNA. At that time I quickly reached out to the IRPC session to inquire about the membership standing of the congregation and, in particular, the men I continue to work with. Mr. Ken DeJong gave some response leading me to believe that Messrs. Carr, Larson, and Magill were no longer members of the RPCNA – corroborated in that these men requested their membership be held by Second RPC.

When GLG ruled that the congregation's decision was out of order, our effort continued in good faith that GLG's determination was received and accepted by IRPC. Concerns returned in November when Mr. Daniel Perrin, IRPC's interim pastor, began preaching from the pulpit the congregation's decision to reject the authority of the RPCNA. On November 29th I communicated with Messrs. Sam Carr, Josh Karshen, and Matt Wilburn and asked if they were committed to shepherding and holding Messrs. Carr, Larson, and Magill accountable and responsible to the courts, doctrine, order, authority, and discipline of the RPCNA. Receiving no response, I followed-up on December 3rd and again received no response.

Concerns were heightened significantly when on December 4, 2022 I learned that the IRPC session had approved Mr. Jared Olivetti's participation in the sacrament of the Lord's Supper on December 3rd, and his partaking on December 4th even though he has biblically and lawfully been suspended from the privileges of membership. I initially heard this from an individual and sought confirmation from Mr. Gary McNamee who is the chairman of the Olivetti Judicial Commission. He confirmed on December 5th that Mr. Olivetti did participate.

On December 6th I communicated with Messrs. Carr, Larson, and Magill about this action and Mr. Larson informed myself (together with Synod's commission overseeing reconciliation) that if we had questions about this decision it should be directed to the IRPC session.

Heeding Mr. Larson's advice I communicated with the IRPC session later on December 6th (including Mr. Larson and Mr. Joseph Friedly on the communication), specifically asking: "Is Immanuel Reformed Presbyterian Church and its members under the jurisdiction and accountable to the Reformed Presbyterian Church of North America, and are you committed in your shepherding to holding the membership accountable to the doctrine, courts, order, authority, and discipline of the RPCNA?" That same day, Mr. Wilburn confirmed receipt of that and my previous communications but said it was not useful or wise to continue communication with me.

Unable to receive straightforward answers to the questions, and concerned about IRPC's action to admit Mr. Olivetti to the sacrament of the Lord's Table I gave notice to the IRPC session and the GLG clerk Mr. Adam Kuehner of my intent to file a complaint – an intention that must be stated within 30-days of the action. Mr. Kuehner noted my intention. On December 16th I submitted my complaint to the IRPC Session and again included Mr. Kuehner, and the AIC's clerk Mr. Richard Blankenship. To this date I have heard nothing upon the submission of the complaint.

On December 23rd I submitted a communication to the GLG AIC through Mr. David Hanson and Mr. Blankenship, noting from the *Book of Discipline*, that a court who learns of a sinning member cannot ignore the situation. My request to the commission stated: "I am writing because it would be a tremendous assurance to know that the Great Lakes Gulf Presbytery is or soon will be addressing this public scandal with the Immanuel RPC session which has so dishonored the ordinances of our King and Head." To this date I have heard nothing in response to this communication.

On January 7th I sent a personal appeal to the IRPC session (including Mr. Perrin). In that personal appeal I noted the gravity of sin in their permitting Mr. Olivetti to participate in the sacrament as a violation of the moral law of God and the commitments of their covenants, oaths, and/or vows. I acknowledged that I had filed a complaint but said: "I am now writing to engage you on an alternative provision – namely, to see closure by seeking your public repentance." I concluded by saying: "Please examine yourselves, acknowledge your sin to turn from it, publicly repent and seek the peace of Zion."

In response I received an email and letter from Mr. Perrin (with the IRPC session included) on January 9th. In the email, Mr. Perrin stated: "I have no intention of entering into an exchange of thoughts or responses. This is my one and only response to you." While Mr. Perrin acknowledged in the attached letter: "You may have had correct information about us serving Jared. We did not hide it and informed his commission of our intention before it was done," he did not demonstrate a spirit of acknowledging sin and repentance but one of self-justification.

In seeking to respect his intent to not dialogue on these issues I did not provide a response to the many assertions he made in his letter. Rather, I appealed a second time again asking these men to examine

themselves, acknowledge their sin, publicly repent, and seek the peace of Zion. In my second appeal I included Mr. Nathan Eshelman as he is currently serving as the GLG moderator and because he is, to my knowledge, the chairman of the committee that GLG appointed to work with the session. Given Mr. Wilburn's December 6th communication that the session would not engage with me (which was reaffirmed again on January 9th), and Mr. Perrin's definitive statement of not responding, it's certainly no violation of charity to assume I'll likely not get a response to my second appeal. I would happily receive notification from them of their intent to publicly acknowledge and repent of their sin.

On the basis of all of this, I am sadly compelled to institute a formal judicial process (see *Book of Discipline*, II.2.1, E-10) against Messrs. Sam Carr, Josh Karshen, and Matt Wilburn by signing and submitting a charge of sin against them. In so doing I cite the following provision:

"If the sin is known generally, and therefore cannot be solved privately, charges may be taken directly to the appropriate church court" (*Book of Discipline*, I.2.5, E-4).

If there is a pending judicial response and/or action by the GLG Presbytery regarding the action to allow Mr. Olivetti to participate in the Lord's Supper that is unknown, I would likely be content to defer to that.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kyle Borg', written in a cursive style.

Kyle Borg

PS: Below is the formal charge of sin, and included are a number of the communications noted in the evidence list.

To the Great Lakes Gulf Presbytery of the Reformed Presbyterian Church of North America,

In accordance with Form 21 "Charge of Sin," **Your informant respectfully states that Messrs. Sam Carr, Josh Karshen, and Matt Wilburn, ruling elders under your jurisdiction, are believed to be guilty of serious sin, contrary to the Word of God and to the profession of the Reformed Presbyterian Church, in that Messrs. Sam Carr, Josh Karshen, and Matt Wilburn on December 3-4, 2022 at Immanuel Reformed Presbyterian Church, did knowingly and willingly permit one lawfully suspended from the privileges of membership to participate in the sacrament of the Lord's Supper, and Messrs. Sam Carr, Josh Karshen, and Matt Wilburn ought to be proceeded against by your court to determine whether or not the charge is true.**



Pastor Kyle Borg

January 9, 2023

Date

List of Witness: 1) Gary McNamee, 2) Jonathan Parnell, 3) Andrew Silva, 4) Steve Sturm, 5) Tom Pinson, 6) Jared Olivetti, 7) Daniel Perrin, 8) Sam Carr, 9) Josh Karshen, 10) Matt Wilburn, 11) Ben Larson, and 12) Nathan Eshelman.

List of Evidence: 1) Minutes and correspondences of the Olivetti Judicial Commission (chmn. Gary McNamee), 2) Minutes of the Immanuel Reformed Presbyterian Church, 3) First Letter of Appeal (January 7, 2023), 4) Email and "Response" letter from Mr. Daniel Perrin (January 9, 2023), 5) Second Letter of Appeal (January 9, 2023), and 6) Complaint to GLG from Pastor Kyle Borg (December 16, 2022).

Notice of Additional Evidence

Pursuant to the provision of the *Book of Discipline*: "If additional witnesses or new evidence are discovered, the accused shall be informed and further time given him or her to prepare a defense" (II.2.3, E-11), I am giving notice of new evidence to be listed with the aforementioned on this day, January 20, 2023.

1. Recording of the Immanuel Reformed Presbyterian Church morning worship service on December 11, 2022.
2. Recording of the Immanuel Reformed Presbyterian Church morning worship service on January 1, 2023.

January 7, 2023

To the IRPC Session (and Mr. Daniel Perrin),

Having already given notice and filed a complaint with the GLG Presbytery regarding the lawfulness of your December 3rd and 4th decision to allow Mr. Olivetti to participate in the sacrament of the Lord's Supper, I am now writing to engage you on an alternative provision — namely, to seek closure by seeking your public repentance.

IRPC's action on September 30, 2022 was determined by the GLG Presbytery to be out of order and, therefore, you remain members and officers under the jurisdiction of the RPCNA. As such, you (and every elder in the RPCNA) are responsible to exercise oversight for the worship and fellowship of the church in a manner that adheres to what has been solemnly adopted by this denomination.

If your consciences forbade you from complying with the authoritative determinations of the courts of the church, you had every opportunity and provision of help by your Presbytery to seek an honorable exit from the obligations you are bound to by covenant and oath. By that means, a way of escape was afforded to you by the shepherding ministry of those who will give an account, in part, on your behalf. Unfortunately, without the appearance of wisdom or discernment, you have rejected righteousness and sought sin.

Your reckless and rebellious behavior is a serious violation of the law of God as revealed in the Scriptures and explained by the *Westminster Larger Catechism*, which has been received by the Reformed Presbyterian Church of North America as a part of our fundamental law. The seriousness of your offense is demonstrated in that on December 3-4, 2022 by admitting a member to the Lord's Table who is lawfully suspended from the privileges of membership, you have:

- Violated the second commandment by failing to keep pure the religious worship and ordinances that God has instituted by treating said ordinances with contempt (see *Westminster Larger Catechism* Qs. 108-109, *Covenant of Communication Membership* #4, and

Queries for Ordination/Installation #9).

- Violated the third commandment by failing to keep your lawful covenants, oaths, and/or vows found in the Covenant of Communicant Membership and Queries for Ordination and Installation, together with a failure to use the sacrament of the Lord's Supper in a holy and reverent way (see *Westminster Larger Catechism* Qs. 112-113, *Covenant of Communicant Membership* #s 4, 5, and 6, and *Queries for Ordination/Installation* #s 8, and 9).
- Violated the fourth commandment in that your unlawful and sinful actions took place on the Lord's Day during the worship of the church, as superiors you countenanced the sin of inferiors on the Lord's Day and during the worship of the church, and by engaging in careless and negligent performance of your duties (see *Westminster Larger Catechism* Qs. 117-119 and 151, and *Covenant of Communicant Membership* #s 5 and 6).
- Violated the fifth commandment as inferiors toward the superior courts of the church as you did not show honor and due reverence nor give willing obedience to lawful commands and counsels of superiors, and as superiors toward inferiors you did not act in a way to bring blessing to your inferiors, you did not provide for things necessary to soul and body but left others to physical and spiritual danger, and did not preserve the authority which God has put upon you through your unjust and remiss behavior (see *Westminster Larger Catechism* Qs. 124, 127-130, and 151, *Covenant of Communicant Membership* #s 4 and 6, and *Queries for Ordination/Installation* #s 8 and 9).
- Violated the sixth commandment because in rebellion to the authority of Jesus Christ and the lawful exercise of the keys of the kingdom you did not endeavor to preserve your lives or the lives of others but participated in that which may tend toward the destruction of the life of another (see *Westminster Larger Catechism* Qs. 134-136, 173, and 1 Corinthians 11:29-30, *Covenant of Communicant Membership* #6, and *Queries for Ordination/Installation* #8).
- Violated the eighth commandment by not being diligent in your calling, and dealing unjustly and unfaithfully in a matter of trust (see *Westminster Larger Catechism* Qs. 140-141,

Covenant of Communicant Membership #6, and Queries for Ordination/Installation #8).

- Violated the ninth commandment by not showing concern or regard for the name of Jesus Christ, the Reformed Presbyterian Church of North America, the Immanuel Reformed Presbyterian Church, Mr. Jared Olivetti, or yourselves, by not keeping your lawful promises made by covenant, oath, and/or vow, and by passing an unjust sentence (see *Westminster Larger Catechism* Qs. 143-145, *Covenant of Communicant Membership* #s 4 and 6, and *Queries for Ordination/Installation* #s 8 and 9).

The character of this offense is public in its very nature and, on that account, cannot be solved privately. While it would be appropriate to take a charge of sin directly to the courts of the church (see *Book of Discipline*, I.2.5, E-4), if procedure can be set aside for a personal appeal then I am content to that end.

Brothers, as we wait for the mercy of the Lord Jesus Christ that leads to eternal life we are to show mercy to some by snatching them out of the fire. Your sin was avoidable, and so too is the just judgment of sin through the blood of the eternal covenant of the one who is the Great Shepherd of the sheep. Please examine yourselves, acknowledge your sin to turn from it, publicly repent and seek the peace of Zion.

A Servant of Christ,

A handwritten signature in black ink, appearing to read "Jared Olivetti". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

January 9, 2023

Dear Mr. Borg,

I appreciate your appeal to us and need to respond to set things straight. I am writing representing only myself, however the rest of the session is in a similar place.

I and we can't confess to your annotated list of sins because they do not apply to this situation, and really become a ridiculous accusation. It would be much easier to deal with your concerns if you were to focus on the real issue and not come up with a distracting list of supposed sins. This seems to be what you did with Jared Olivetti and then accuse him with not being repentant when he cannot confess to sins he did not commit.

The list of charges is more about you than about me/us.

*There is foolishness in piling on charge after charge that is stretching the reality of the situation. If you want to challenge me with my sinfulness that is one thing. I fail to fully love the Lord with all my heart, mind, soul, and strength. Your list inadequately showed that sin, and it is a sin that I regularly confess to the Lord. I am growing in my love and faithful submission to Him, but I do fall short. If that is your concern, then I fully and humbly accept your challenge and will go again before the Savior to confess my imperfect love for Him. Thankfully I am growing in the love, but I have a long way to go, and I ache over my failures.

*This list is more about your arrogant attempt to exert your authority than it is about exposing my sin. This is not what church discipline should be about.

*Kyle, this list of enumerating sins is exactly what Jesus condemned in the Pharisees when He condemned them for adding more laws, and expanding God's law, thus adding to their burdens, making it impossible for them to keep the law. I pray that your heart doesn't also reflect the pharisees' hearts that Jesus also condemned. The glory of Christ and the peace of His church is not reflected at all by what you have written. It is time for your self-examination.

*This list is not about things our session needs to confess, but rather about your attempt to demonstrate your authority and to impose it upon us and others who might anger you. Your process has caused great damage within our congregation, and in the lives of many who were already struggling over the sad and sinful circumstance surrounding Immanuel Church.

Kyle, you have violated our session by never attempting to understand or adequately address the circumstances that you have so soundly denounced.

*As far as I know you have not reached out to any of us to find out what has actually happened and why. In Matthew 18 Jesus sets out a pattern of dealing with offenses and sin that begins with going to the offender to find his side of the story. You have rejected the pattern because you say it is public sin and therefore there is no need to privately confront. I have witnessed this repeatedly over the years by people who want to short cut the process and move immediately to judgment and condemnation. It just doesn't reflect the love of Jesus or the way He dealt with sinners. Kyle you need to do better than this the next time you pursue a sinner. Kyle, you totally missed the real issue, and have buried it in your long list of sinful offenses.

*You have missed the what and why in your attempt to assert your importance and your authority. The real issue is not one of sinful disregard for the authority over us, but rather a difference in understanding how to apply your Blue Book's authority. Your Book of Confessions has some contradictions, and one of those happens to be in who has authority over the sacraments as they are protected and celebrated under session authority. The issue is not one of sinful disregard for authority, but rather how to interpret the contradictions in the Blue Book. In your failure to understand the underlying issue you have accused innocent men without giving them due process of arguing their actions.

*You have totally ignored our repeated appeals to the commission overseeing Jared for help in caring for him and the congregation. We repeatedly begged (literally) them for relief for a congregation and a congregant who are suffering greatly. We also begged them for relief from the position that they had placed us in of having no way out of our situation without sinning. Either by disobeying their authority or violating a deserving brother who greatly needed the blessing of the sacrament. Their response at least twice was to ignore our concerns and to fail to help us to resolve the predicament of sinful responses that they had placed us in. Your charges just don't fit because they don't apply to the real issue at hand. Your attempt at redirecting this issue to one of your authority is wrong and damaging.

Kyle, there is another issue that I need to address. I have been told, although I have not seen it myself that you posted on a social media site a quote from Jude 8 that was to apply to us and your opinion of our session. I do have a facebook account that seldom gets used and on which I never post, but beyond that I am not on social media. Did you publish Jude 8 or something similar and was it intended toward our session, even if you didn't specifically mention us by name? That was slanderous and a grievous offense against our session if that is correct. One problem is that you failed to look at the next verse (9-11) where the angel Gabriel in facing off with Satan but would not slander him. If you did post this our session deserves a public apology and correction of the offense.

*Further, you have violated the direct teaching of St. Paul in 1 Timothy 5:19-20 where he instructs Timothy to not entertain charges against elders who rule well without others to collaborate the charges. You may have had correct information about us serving Jared. We did not hide it and informed his commission of our intention before it was done. However, without clear collaborative evidence of the what and why you violated godly elders and the clear warning from the Apostle Paul.

*Further you condemned us without knowing anything about our session. You didn't care to find out. I have been a pastor in the Presbyterian Church in America for 46 years, of high reputation having pastored faithfully and obediently. The three ruling elders are godly men who are young and inexperienced but willing to step into the disaster of a congregation left without leadership as a result of the RPCNA's careless discipline of the church. Those three elders are faithful and were willing to step into a disastrous situation although they were in over their heads. They have been faithful and wise. I was called out of retirement to step into the church situation after they had declared themselves to be no longer part of the RPCNA. We have been working to knit the congregation back together after it was on the brink of unraveling and closing. It has been difficult, and we have regularly looked to the commissions for help but

mostly they have left us with a lack of clarity and an impossible situation to work through. We have worked diligently to do what God has called us to do in shepherding this congregation through the disaster that has become part of the cost of the sin done within the congregation.

*You have violated Immanuel Church, along with some others in the denomination. You have been guilty of abusing church discipline. Over almost a half century of working in Presbyterian polity I have watched how church discipline is more often misused and even the cause of spiritual abuse. It is either ignored as is often seen in the mainline churches, or it is applied legalistically, without love, and without any meaningful means of recovering repentant sinners. What I have observed is that both groups congratulate themselves for their faithful protection of those under their authority. It really has been seldom that I have seen church discipline that is balanced with love, a concern for recovery, and a protection of the glory of God. What seems to come out is an emphasis on the punitive. That balance is lacking in your process, and I challenge you to do some serious soul searching.

Kyle, I beg of you to consider our situation and what it requires of us to care for this congregation and to sit under what feels like oppressive discipline. This letter comes to you through my tears, literally. Tears for our situation, and tears for having to write such a difficult letter. It isn't my style, but I am doing it out of concern for you and the purity of the church. I am also having tears (literally I had to stop in my writing of this letter) for you, for the coldness of your heart, for your willingness to spiritually abuse in the name of discipline, and for the way you blur the love of Jesus in your desire to impose your authority, under the guise of appropriate punishment, even though it is being done inappropriately.

Kyle, in conclusion I am asking that you do several things:

1. That as you read and consider this letter that you ask God to show you places where you need to confess your sin and the sin of unfair and unbiblical discipline. Please pray as you read.
2. That you make a public apology for slandering our session
3. That you pray for us the session and the congregation. I don't mean a quick prayer, but to really pray for us. On Saturday, January 21st we are having a day of prayer and fasting where we will again confess the corporate and private sin of the congregation, where we will beg God's forgiveness of the sins done to individual families and their children, and for the sin done to other individuals. We are inviting back those who have been injured, as much as we can, to join us in this day. We are also going to each of the ones we know of who we have offended as well as those who have offended us that we might honor the Lord in our response to them. This is still a work in progress but please pray for us as we go through this arduous process of trying to honor the Lord. It will still take months, but we are already in that process.
4. That on the 21st you join us in our day of prayer and fasting. Perhaps you could gather some of your congregation to pray as we are praying.
5. That you commit to pray for Jared. He has been a faithful pastor who has found himself in a horrible place. Please pray for him as he struggles to understand his responsibility, what God expects of him, and how to find a path through all of this.

6. Finally that you might find a way where we can meet together as brothers in the Lord Jesus to set things right between you and our congregation. I would even invite you to preach in our pulpit for the purpose of healing and reconciliation, and to proclaim to the community at large the glory of God as we work to put back together a badly broken congregation, and a sadly smeared reputation of the church. Although I am offering this without the knowledge of the session, or their permission i would work to make this invitation happen.

In tears, your brother in Christ, Rev. Dan Perrin

January 9, 2023

To the IRPC Session (and Mr. Daniel Perrin and Mr. Nathan Eshelman),

Mr. Perrin, thank you for your response. It gives tremendous clarity, and for that I am appreciative. I don't know if the others agree with the substance of what you communicated, but in absence of any other communication, now or later, I will assume their silence is agreement.

The email accompanying your letter indicates that you have no intention of "entering into an exchange of thoughts or responses." Respectfully, upon your stated intention I will not engage you in a back-and-forth on your response, except to say it's unfortunate how grossly misled you seem to be. While I will respect your wish to not engage in an exchange, nevertheless, my conscience is bound to appeal to you all for a second time. On this account, I have added Mr. Nathan Eshelman to this communication as he is the current moderator of GLG, and chairman of the GLG committee tasked with working with you.

This is now the second time I am appealing to you. I will again say that while I have already given notice and filed a complaint with the GLG Presbytery regarding the lawfulness of your December 3rd and 4th decision to allow Mr. Olivetti to participate in the sacrament of the Lord's Supper, I am now writing to engage you on an alternative provision — namely, to seek closure by seeking your public repentance.

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If your consciences forbade you from complying with the authoritative determinations of the courts of the church, you had every opportunity and provision of help by your Presbytery to seek an honorable exit from the obligations you are bound to by covenant and

oath. By that means, a way of escape was afforded to you by the shepherding ministry of those who will give an account, in part, on your behalf. Unfortunately, without the appearance of wisdom or discernment you have rejected righteousness and sought sin.

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blessing to your inferiors, you did not provide for things necessary to soul and body but left others to physical and spiritual danger, and you did not preserve the authority which God has put upon you through your unjust and remiss behavior (see *Westminster Larger Catechism* Qs. 124, 127-130, and 151, *Covenant of Communicant Membership* #s 4 and 6, and *Queries for Ordination/Installation* #s 8 and 9).

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- Violated the ninth commandment by not showing concern or regard for the name of Jesus Christ, the Reformed Presbyterian Church of North America, the Immanuel Reformed Presbyterian Church, Mr. Jared Olivetti, or yourselves, and by not keeping your lawful promises made by covenant, oath, and/or vow, and by passing an unjust sentence (see *Westminster Larger Catechism* Qs. 143-145, *Covenant of Communicant Membership* #s 4 and 6, and *Queries for Ordination/Installation* #s 8 and 9).

The character of this offense is public in its very nature and, on that account, cannot be solved privately. While it would be appropriate to take a charge of sin directly to the courts of the church (see *Book of Discipline*, I.2.5, E-4), if procedure can be set aside for a personal appeal then I am content to that end if you walk in a manner worthy of the calling you have received.

Brothers, as we wait for the mercy of the Lord Jesus Christ that leads to eternal life we are to show mercy to some by snatching them out of the fire. Your sin was avoidable. Avoidable

too is the just judgment of sin through the blood of the eternal covenant of the one who is the Great Shepherd of the sheep. Please examine yourselves, acknowledge your sin to turn from it, publicly repent and seek the peace of Zion.

A Servant of Christ,

A handwritten signature in black ink, appearing to read "Kye B.", written in a cursive style.

December 16, 2022

To the Great Lakes Gulf Presbytery of the RPCNA,

The *Book of Discipline* states:

The Presbyterian form of government provides for a gradation of courts whereby the lower is answerable to the higher. A decision of the lower court is subject to review and correction by a higher court. Any member of the church may carry his or her case through the lower courts even to the highest court for adjudication (II.4.1, E-15).

The Complaint

Pursuant to this privilege, I am filing a complaint with the Great Lakes Gulf Presbytery against the session of the Immanuel Reformed Presbyterian Church. *This complaint is relative to the action taken by the lower court on December 3, 2022 to admit Mr. Jared Olivetti to the sacrament of the Lord's Supper contrary to his lawful and continuing suspension by Synod from the privileges of church membership since March 10, 2022.*

In a communication on December 4, 2022 the session of Immanuel Reformed Presbyterian Church informed the Olivetti Commission of the following:

The session has carefully weighed the options and discussed the consequences. As we stated in our meeting, we feel trapped between either violating our consciences or acting against the ruling of the church. The session is of the mind that it is God-honoring for the elders and for the congregation to follow the examples set before in scripture, even if it is not in compliance with the rulings of the church leadership.

We understand this is not what is acceptable in the book of discipline. We understand what is at stake. What is at stake goes far beyond a pastor's credentials or a group of elders who may or may not be in good standing with a denomination. Our standing before the Lord is of the utmost importance.

Therefore, the session of IRPC has voted to allow Jared back to the Lord's table. As seen clearly in scripture, this decision falls on the local elders who have direct oversight and knowledge enough to speak confidently into this matter.

Provisions for Complaint

The right of complaint is reserved for “any interested persons” (II.4.3, E-15). My interest in this action pertains to my previous role in investigating Mr. Olivetti’s response to the sexual abuse situation at Immanuel RPC, and my participation in the orderly and lawful prosecution in the *Synod of the RPCNA vs Mr. Jared Olivetti* (March 8-10, 2022). The ecclesiastical trial that was done in accord with the Scriptures and the *Book of Discipline*, resulted in Mr. Olivetti’s proven guilt and lawful censure – the same censure the action of the Immanuel session knowingly and willingly circumvented on December 3, 2022. In addition to this, the Scriptures warn of the corporate danger that may befall the church when the ordinances are not kept in a worthy manner, see 1 Corinthians 11:30.

The *Book of Discipline* also requires that “the complainant shall give notice to the lower court within 30 days” (II.4.3, E-15). On December 15, 2022 I gave notice of my intent to complain to Messrs. Sam Carr, Josh Karshen, and Matt Wilburn, together with the clerk of GLG, Mr. Adam Kuehner. Mr. Kuehner confirmed the receipt of that notice and copied the GLG Moderator Mr. Nathan Eshelman.

Reasons for Complaint

The *Book of Discipline* directs that with the complaint, the complainant shall give “the reasons therefor” (II.4.3, E-15). The reason for this complaint is *because the aforementioned action of the Immanuel RPC session did not comport with the fundamental law or the law and order of the Reformed Presbyterian Church of North America, as Mr. Olivetti is under the lawful censure of the Synod of the RPCNA having been suspended from the privileges of membership*. This is evidenced in the following ways:

1. The action of the Immanuel RPC session pertained to a member who was suspended by the Synod of the RPCNA and whose suspension is not under the jurisdiction of the local session (see e.g. RPT 30.3, DCG 2.1, 2.6, 2.9, 4.8, 8.1, 8.12, BOD I.1.6, *Minutes of Synod 2021*, *Cumulative Minutes of the SJC*, and *Minutes of Synod 2022*).
2. The action of the Immanuel RPC session was not done under or in accord or with the consent of the court that imposed the censure contrary to the fundamental law and the law and order of the church (see e.g. WCF 31.3, WLC 109, RPT 30.3, DCG 2.1, 2.6, 4.7, 4.8, 8.1, 8.12, BOD I.4.3, I.6.2, I.6.6, II.3.13, and *Minutes of Synod 2022*).
3. The action of the Immanuel RPC session permitted one who is disqualified from participating in the sacrament of the Lord’s Supper to observe it contrary to the fundamental law and the law and order of the

church (see e.g. WCF 29.8, 30.3, WLC 109, 173, DCG 4.7, 4.8, BOD I.4.3, I.6.2, DPW 3.11, *Cumulative Minutes of the SJC*, and *Minutes of Synod 2022*).

4. The action of the Immanuel RPC session threatened the spiritual welfare of Mr. Olivetti and the church contrary to the fundamental law and the law and order of the church (see e.g. WCF 29.8, 30.3, WLC 173, RPT 30.1, DCG 4.7, BOD I.1.4, and DPW 3.11).

The *Westminster Confession of Faith* states (*emphases added*):

Wherefore, all ignorant and *ungodly persons, as they are unfit to enjoy communion with Him, so are they unworthy of the Lord's table; and cannot, without great sin against Christ while they remain such, partake of these holy mysteries, or be admitted thereunto* (WCF 29.8).

Church censures are necessary, for the reclaiming and gaining of offending brethren, for deterring of others from the like offences, for purging out of that leaven which might infect the whole lump, for vindicating the honour of Christ, and the holy profession of the Gospel, *and for preventing the wrath of God, which might justly fall upon the Church, if they should suffer His covenant and the seals thereof to be profaned by notorious and obstinate offenders* (WCF 30.3).

It belongeth to synods and councils, ministerially to determine controversies of faith and cases of conscience, to set down rules and directions for the better ordering of the public worship of God, and government of His Church; to receive complaints in cases of maladministration, and authoritatively to determine the same: *which decrees and determinations, if consonant to the Word of God, are to be received with reverence and submission; not only for their agreement with the Word, but also for the power whereby they are made, as being an ordinance of God appointed thereunto in His Word* (WCF 31.3).

The *Westminster Larger Catechism* states (*emphases added*):

Q. 109: What are the sins forbidden in the second commandment?

A: ...all *neglect, contempt, hindering, and opposing the worship and ordinances which God hath appointed.*

Q. 173: May any who profess the faith, and desire to come to the Lord's Supper, be kept from it?

A: Such as are found to be ignorant or *scandalous*, notwithstanding their profession of the faith, and desire to come to the Lord's Supper, *may and ought to be kept from that Sacrament, by the power which Christ hath left in his Church, until they receive instruction, and manifest their reformation.*

The *Testimony of the Reformed Presbyterian Church* states (*emphases added*):

Our Lord commanded church discipline, so no church which fails to exercise it where needed can hope for His blessing (RPT 30.1).

Official discipline is to be administered by the courts of the Church, not by elders individually. Such counsel and discipline should be received in a spirit of Christian submission (RPT 30.3)

The *Directory for Church Government* states (*emphases added*):

A congregation is organized *on the basis of the standards of the Reformed Presbyterian Church and in conformity with its law and order* (2.1, D-4).

A congregation has certain other responsibilities among which are [...] to be obedient in the Lord to the law and order of the Church (2.6, D-5).

A particular responsibility of the session is to care for the spiritual interest of the congregation and of each member. *Therefore, it shall maintain the ordinances of public worship in accordance with the principles of the church* (4.7, D-29).

The session is subordinate to the higher courts and shall be governed by their decisions (4.8, D-29).

The Synod of the Reformed Presbyterian Church of North America is the highest court of the church [...] It is responsible for the continuing reformation of the church in maintaining the subordinate standards of the church in harmony with the Scriptural truth and order. *Its decisions are final, but its authority is limited by its subordinate standards* (8.1, D-38).

Synod, however, *may assume original jurisdiction over all matters affecting the purity and welfare of the church, and may, without complaint or appeal, investigate and adjudicate any matter requiring its attention* (8.12, D-41).

The *Book of Discipline* states (*emphases added*):

A church that does not follow our Lord's commands regarding church discipline will certainly lose His blessing, deteriorating more and more in doctrine and in life (I.1.4, E-3).

Deposition – This is the disciplinary removal of an ordained officer of the church from his office. *It may also be accompanied by suspension from church privileges* (I.4.1(d), E-5).

The session may discipline a teaching elder as a member of the congregation, but its authority is limited to the censures of admonition and rebuke. *Any censures of suspension, deposition, or excommunication shall remain with the presbytery or the court holding his credentials* (I.4.3(c), E-7).

When *the court sees satisfactory evidence of true repentance, it shall restore the person with the same solemnity and publicity that attended the imposition of the censure*, and lead its members in granting its forgiveness. Such repentance would include satisfactory attempts at reconciliation and restitution to any parties sinned against (I.6.2, E-8).

Restoration of a person under censure *should be made only by the court that imposed the sentence or with its advice and consent* (I.6.6, E-8).

If adjudged guilty on any or all counts, the court shall fix the degree of censure to be administered (II.3.13, E-15).

The *Directory for Public Worship* states (*emphases added*):

Only those who have been baptized and are *communicant members in good standing* in a true branch of Christ's visible church are to partake of the Lord's Supper. *Persons whose manner of life is notably inconsistent with their Christian profession, or who are unknown to the Session in charge of the Table, are not to be invited to commune* (3.11, F-13).

The Actions of Synod

"We recommend that Synod assume original jurisdiction in the matter of GLG and Immanuel, and the moderator appoint a seven-man judicial commission to address this matter" (see *Minutes of Synod 2021*).

"The SJC voted unanimously by a roll call vote to depose Mr. Olivetti. The SJC then voted unanimously by a roll call vote to suspend Mr. Olivetti from church privileges, accompanying the censure of deposition" (*Cumulative Minutes of the SJC*).

Communication #22-13 a complaint alleging that "the suspension of Mr. Olivetti is unjust because it fails to meet the standard required by our Constitution" was not sustained (see *Minutes of Synod 2022*).

"That Synod assign oversight of the repentance, reconciliation, and restoration of Mr. Olivetti to a 5-man commission consisting of 2 of the current SJC commissioners (we recommend Mr. Andrew Silva & Mr. Tom Pinson) and 3 other men, all to be appointed by the 2022 Synod Moderator with one of the IRPC ruling elders as a consultative member" (*Minutes of Synod 2022*).

Therefore, I am submitting this complaint to the Great Lakes Gulf Presbytery against the session of the Immanuel Reformed Presbyterian Church due to the action taken by the lower court to admit Mr. Jared Olivetti to the sacrament of the Lord's Supper contrary to his lawful and continuing suspension by Synod from the privileges of church membership. This action is contrary to the fundamental law and and the law and order of the Reformed Presbyterian Church of North America.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kyle Borg". The signature is fluid and cursive, with a prominent initial "K" and "B".

Pastor Kyle Borg

Addendum of Clarification: This complaint is not submitted to preclude other alternative constitutional methods of review and correction of the lower court by the higher court.