

REDACTED

STATE GRAND JURY MATTER TO BE FILED UNDER SEAL

IN RE THE MATTER
CONCERNING THE
STATE GRAND JURY

State of New Jersey,
Petitioner

Diocese of Camden,
Respondent

Supreme Court Of New Jersey
DOCKET NO. 089571

PETITION FOR CERTIFICATION FROM:
SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-3795-22
SAT BELOW:
GRETA GOODEN BROWN, P.J.A.D.
MICHAEL J. HAAS, J.A.D.
ARNOLD L. NATALI, JR., J.A.D.

ON APPEAL FROM:
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MERCER COUNTY
DOCKET NO. SGJ-MCJ-1-21
SAT BELOW: PETER WARSHAW, P.J.CR.

Criminal Action
UNDER SEAL

**BRIEF ON BEHALF OF RESPONDENT DIOCESE OF CAMDEN
IN OPPOSITION TO PETITION FOR CERTIFICATION**

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MAR 06 2025

**SUPREME COURT
OF NEW JERSEY**

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PRELIMINARY STATEMENT

The New Jersey Court Rules and the decisional law interpreting these rules are abundantly clear: a grand jury is not authorized to return a presentment against the Roman Catholic Church relating to decades-old allegations of clergy abuse. A grand jury may only return a presentment that refers to public affairs or conditions which are imminent and pertinent. The internal operations of the Catholic Church from long ago are not public affairs or conditions, are not imminent and pertinent, and thus are not an appropriate subject matter of a presentment.

Nothing in the rules requires the trial court to wait for the grand jury to return a presentment to determine whether the subject matter is proper when the inappropriate subject matter is already known so far in advance. The State publicly announced the subject matter of the intended presentment as early as 2019 in press releases, promising a grand jury presentment against the Catholic Church, just like the Pennsylvania Grand Jury Report. The State continues to maintain, throughout this litigation, that it seeks such a presentment.

The State's ulterior motive in the instant petition is also abundantly clear: mitigate the public relations debacle it created by overpromising a grand jury presentment. The State overreached by announcing that a grand jury presentment against the Roman Catholic Church would be forthcoming when presentments are limited to public affairs and conditions, not the internal operations of a religious

entity. The State also overstepped its role as part of the Executive branch by promising a presentment would be returned by a grand jury, an arm of the Judiciary. The State has over-prosecuted this matter for more than five years. Now, in an effort to deflect responsibility for pursuing an unlawful presentment, the State seeks a published opinion by this Court explaining why no presentment has issued.

The State claims that a presentment is necessary to prevent the recurrence of abuse. Yet clergy sexual abuse in the Catholic Church has been effectively eradicated in New Jersey, in large part because of the 2002 Memorandum of Understanding (“MOU”) between the five New Jersey Dioceses and Archdiocese, the Office of the Attorney General (“OAG”), and the various county prosecutors. The MOU set forth the procedure to report allegations of clergy sexual abuse. In a 2002 press release, the OAG heralded the breadth of the MOU’s protection against sexual offenses by members of the clergy.

Respondent Diocese of Camden (the “Diocese”) has fully complied with the MOU, and there is no evidence that either sexual abuse or the movement of priests continued in the Diocese after the 2002 MOU. Moreover, the terms of the MOU authorized the parties to revisit the MOU at any time, and required the parties to do so within five years of its execution. The State failed to revisit the MOU in the ensuing 22 years, leading to the inescapable conclusion that the MOU achieved its goal of protecting individuals from clergy sexual abuse in the Catholic Church.

The State also claims that victims deserve justice, which the Diocese does not dispute. The Diocese has maintained, throughout this litigation, that the State can and should prosecute criminal behavior, unhindered since 1996 by the criminal statute of limitations for sexual abuse. In addition, the amendment to the civil statutes of limitations in New Jersey opened a two-year window for any victim to bring a civil action against abusers, and now permits victims to bring civil claims decades after the abuse. Relief is available to the victims and to the State – just not by way of a presentment.

The trial court and the three-judge Appellate Division panel determined that, as a matter of law, the subject matter of the proposed presentment is inappropriate for a grand jury presentment. Both courts prudently assessed the subject matter at the onset, rather than waiting for a state grand jury to return a presentment. Both courts correctly concluded that a presentment against the Roman Catholic Church would be unlawful. As there was no error, and the State has failed to demonstrate any reason for this Court to grant certification, the State’s petition for certification must be denied.

PROCEDURAL HISTORY AND STATEMENT OF FACTS¹

¹ The Procedural History and Statement of Facts are combined because they are closely related.

Over twenty years ago, the 2002 MOU between the OAG’s Division of Criminal Justice, the county prosecutors, and the Dioceses and Archdiocese set forth reporting procedures for sexual abuse. The OAG, in a 2002 press release, claimed that the MOU was the “most comprehensive and precise agreement of its kind in the nation for reporting sexual offenses to county prosecutors and local police agencies.” (Daa137).² The MOU was “brokered by the Division of Criminal Justice, [and] accomplished the overriding goal of protecting victims of sexual offenses...whether past, present or future.” (Daa137). It is undisputed that the Diocese has complied with the 2002 MOU. The 2002 MOU has been extraordinarily effective, eliminating clergy sexual abuse in the Diocese of Camden.

The MOU provides that the “parties shall revisit this Memorandum of Understanding as the need may arise, but in no event later than five years from the date of execution.” (Daa127). The State never revisited the MOU.

Sixteen years later, in 2018, a Pennsylvania grand jury issued a report, describing incidents of sexual abuse by Catholic clergy in Pennsylvania. Unlike New Jersey, Pennsylvania has no restrictions on the subject matter to be

² Dab / Daa – Diocese’s Appellate Division brief / appendix
Sab / Sar / Saa – State’s Appellate Division brief / reply brief / appendix
Pp / Pa – State’s petition for certification / appendix
1T – Transcript of oral argument before the trial court on July 6, 2022

investigated by the grand jury, or who can be investigated. 42 Pa. Stat. and Cons. Stat. Ann. §4552. Notably, the Pennsylvania Report recommended that the Pennsylvania Legislature abolish the civil statute of limitations for child sexual abuse.³ (Pa29 to Pa30).

Immediately thereafter, the New Jersey OAG issued a press release announcing the formation of a task force (the “Task Force”) to “investigate allegations of sexual abuse by members of the clergy within the Catholic dioceses of New Jersey” in response to the Pennsylvania Report. (Daa9).

On April 8, 2019, August 26, 2019, and September 20, 2019, in three separate press releases, the OAG promised that the Task Force investigation into whether the Church was aware of abuse but failed to take action “will be the subject of a state grand jury presentment and report.” (Daa18; Daa21; Daa26 (emphasis added)).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³ In New Jersey, the civil statute of limitations for sexual abuse was amended in 2019, opening a two-year window for victims to file complaints, and permanently extending the limitations period. N.J.S.A. 2A:14-2a(a)(1); N.J.S.A. 2A:61B-1. The criminal statute of limitations for sexual abuse has been abolished since 1996. N.J.S.A. 2C:1-6; N.J.S.A. 2C:14-2.

[REDACTED]

[REDACTED]

[REDACTED] On May 3, 2021, the Diocese responded with a brief arguing that state grand juries had no authority to issue a presentment relating to decades-old allegations of abuse within the Church. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On May 25, 2023, Judge Warshaw issued an opinion from the bench, in a sealed courtroom, determining that the trial court would not empanel special state grand juries because “the anticipated state grand jury presentment concerning clergy abuse within the Catholic Church is not authorized by law and the court will not take any action which enables the process of preparing such a presentment to move forward.” (Saa3). The Appellate Division affirmed based on the “thorough oral decision” rendered by Judge Warshaw. (Pa47).

[REDACTED]

[REDACTED] The State never challenged the sealing of the trial court briefs, oral argument, or Judge Warshaw’s opinion. It was only when the State appealed to the Appellate Division that the State filed a motion to unseal the record, which the Appellate Division denied, and this Court declined to grant leave

to file an interlocutory appeal. (Pa39; Pa41). The Appellate Division maintained the secrecy of this grand jury matter by not only granting the Diocese's motion to hold oral argument in a closed courtroom, but also *sua sponte* changing the name of the caption, [REDACTED]

[REDACTED] to
"In re the Matter Concerning the State Grand Jury." (Pa45).

LEGAL ARGUMENT

POINT I

THE SUBJECT MATTER OF THE PROPOSED PRESENTMENT MAY BE CONSIDERED PRIOR TO THE RETURN OF A PRESENTMENT

Rule 3:6 governs the grand jury. Rule 3:6-9(a) provides that a grand jury may return a presentment referring to "public affairs or conditions, but it may censure a public official only where that public official's association with the depreciated public affairs or conditions is intimately and inescapably a part of them." Before the grand jury is discharged, "[i]f it appears that the presentment is false, or is based on partisan motives, or indulges in personalities without basis, or if other good cause appears, the Assignment Judge shall strike the presentment either in full or in part." R. 3:6-9(c).

According to Rule 3:6-9(f), "[t]he action taken by the Assignment Judge pursuant to this rule is judicial in nature and is subject to review for abuse of discretion."

Whether the subject matter of a presentment is proper is a threshold question. In re Presentment by Camden Cty. Grand Jury (“Camden II”), 34 N.J. 378, 392 (1961) (“the first obligation of an assignment judge on receiving the report is to determine whether the matters contained therein are the proper subjects of a presentment”); In re Presentment of Bergen Cty. Grand Jury, 193 N.J. Super. 2, 9 (App. Div. 1984).

Nothing in Rule 3:6-9 requires the Assignment Judge to wait until the presentment is returned before addressing the threshold question of the propriety of the subject matter. The rule states that the Assignment Judge must assess the propriety of the subject matter prior to discharging the grand jury, but there is no prohibition against making that determination as soon as the subject matter is known. When the subject matter of a presentment is identifiable long before the presentment is returned, such as in the instant matter, there is no reason for the Assignment Judge to wait for the return of a presentment to decide, as a matter of law, that the subject matter is inappropriate.

The State clearly identified the subject matter of its planned presentment on April 8, 2019, August 26, 2019, and September 20, 2019, in press releases issued by the OAG, stating that the Church’s alleged failure to take any action against abuse, or to prevent it from recurring, “will be the subject of a state grand jury presentment and report.” (Daa18; Daa21; Daa26 (emphasis added)). In each press

release, the State referenced the Pennsylvania Grand Jury Report as a model for what the State planned to do in New Jersey, without mentioning that Pennsylvania's laws relating to grand jury reports are markedly different than New Jersey's. The State admitted in its Appellate Division brief that "the State...sought to convene a special grand jury to issue a presentment" (Sab1) and that it "has always acknowledged that it wishes to secure such a presentment" (Sar3). Since 2018, the State has not indicated any intent to abandon its plan for a grand jury to return a presentment against the Catholic Church. Under the circumstances, the subject matter of the proposed presentment was clearly identifiable by Judge Warshaw and the Appellate Division.

During oral argument on July 6, 2022, the State informed Judge Warshaw that it would need to summon 1,000 potential jurors, would convene five state grand juries, and would require the grand juries to sit for at least a year, possibly more. (1T16-1 to 20-22). Judge Warshaw stated, at oral argument, "Look, if that's what has to be done ultimately, that's what has to be done but...I have an absolute obligation to consider whether this is something you can do before we just, you know, dive into the deep end here." (1T20 to 25). In his opinion, Judge Warshaw stated, "I make these observations not because I'm concerned about the time or the work. If it's appropriate for that to be done, we'll do it. But, rather, we are in a situation here where a legitimate challenge has been raised as to whether this

prospective Grand Jury is legally authorized to do what the Attorney General's Office has promised it will do.” (Pa21).

Judge Warshaw noted that the grand jury is “an arm of the court, not a law enforcement agency and it's not an alter ego of any prosecutor's office.” (Pa21). Considering the grand jury's function within the judiciary, Judge Warshaw concluded that, as acting Assignment Judge, he is required to address the propriety of the subject matter of the promised presentment when that subject matter is known, even if such an assessment is made prior to convening state grand juries: “So the court in my estimation is absolutely entitled to consider a challenge such as that made by the Camden Diocese before plunging headlong into a protracted jury selection process.” (Pa21).

The proposed presentment is neither hypothetical nor speculative. The OAG clearly and publicly identified the subject matter of the presentment as early as 2019, by stating that the alleged failure of the Roman Catholic Church in New Jersey to take any action against abuse, or to prevent it from recurring, “will be the subject of a state grand jury presentment and report.” (Daa18; Daa21; Daa26 (emphasis added)). The subject matter of the State's promised presentment is neither hypothetical nor speculative, as confirmed by the State as recently as its Appellate Division reply brief. (Sar3). The Assignment Judge is not prohibited by the court rules to make that determination now.

The State claims that “this case is the first to break from the established approach for reviewing presentments.” (Pp12). Typically, a grand jury is convened to consider indictments. If no indictments are warranted, then the grand jury may consider whether a presentment is necessary to call attention to public affairs or conditions.⁴ Here, the State improperly caused the subject matter of the proposed presentment to be known prior to grand juries being convened. Because the OAG publicly announced that New Jersey was going to mimic Pennsylvania and issue a report about the Church’s internal operations, Judge Warshaw’s time to assess the subject matter was accelerated.

Judge Warshaw determined that the OAG “has made no secret as to its intentions. The Attorney General has stated that New Jersey should produce a report similar to what a Pennsylvania Grand Jury did,” and that the OAG “has made it crystal clear what’s coming.” (Pa19; Pa22). The trial court “exercised what it believes to be its ever present right and authority to supervise the operation or

⁴ The State submitted a presentment to the trial court purportedly as an example of a presentment against a private entity. IMO Explosion and Fires Caused by the Failure of the Texas Eastern Transmission Corporation’s Natural Gas Pipeline, SGJ361-95-3(3) (Saa17). There, a grand jury was convened to consider whether there was probable cause to indict a private entity or its employees for any criminal behavior. After the grand jury concluded that no indictments were warranted, the grand jury returned a presentment recommending changes to federal and state statutes and regulations. Contrary to the State’s claim, this presentment does not establish that a presentment can be returned against private entities or private individuals.

prospective operation of a grand jury.” (Pa33). Accordingly, Judge Warshaw prudently determined that the subject matter of the State’s intended presentment was inappropriate, prior to convening any special state grand juries.

POINT II
THE SUBJECT MATTER OF THE PROPOSED PRESENTMENT DOES NOT ADDRESS AN IMMINENT AND PERTINENT PUBLIC AFFAIR OR CONDITION

Judge Warshaw timely assessed the propriety of the presentment, and correctly determined that the subject matter was improper. Rule 3:6-9 limits presentments to matters of public affairs or conditions, not to the operations of a private, religious entity.

The decisional law interpreting Rule 3:6-9 unambiguously establishes that presentments are a tool to oversee non-criminal government operations. Chief Justice Vanderbilt, in In re Presentment by Camden County Grand Jury (“Camden I”), 10 N.J. 23 (1952), opined that “the public interest in the efficient administration of public institutions” necessitates grand jury presentments in order to provide oversight as to “the sound administration of government at every level.” Id. at 34. The 1947 Constitution retained a grand jury’s right to return presentments addressing public officials and institutions, not private individuals or entities, as “[t]he maintenance of popular confidence in government requires that there be some body of laymen which may investigate any instance of public wrongdoing,” especially “in these days when government at all levels has taken on a complexity

of organization and of operation that defies the best intentions of the citizens to know and understand it.” Id. at 65. The Court concluded that presentments “are a great deterrent to official wrongdoing. By exposing wrongdoing, moreover, such presentments inspire public confidence in the capacity of the body politic⁵ to purge itself of untoward conditions.” Id. at 67 (emphasis added). Camden I is well-regarded as the seminal opinion addressing the scope of presentments in New Jersey, and the opinion clearly limits presentments to matters involving governmental institutions, which are identified in Rule 3:6-9 as “public affairs and conditions.”

The Chief Justice in Camden I provided a historical review of presentments in New Jersey. Presentments have historically addressed governmental bodies, such as county jails, police departments, municipalities, municipal agencies, county hospitals, and public officials.⁶ Camden I, supra, at 41 to 59.

The grand jury charge relating to presentments emphasizes that a presentment is limited to governmental bodies. A grand jury is instructed that, in

⁵ The term “body politic” refers to political subdivisions that serves an essential governmental function. Verry v. Franklin Fire Dist. No. 1, 230 N.J. 285, 298 (2017).

⁶ The Camden I Court’s historical analysis of presentments dates back to the colonial era. However, those historical presentments themselves are unavailable, and, despite the Diocese’s requests, the State has not produced the originals. (Daa37). As a result, the details of those presentments referenced in Camden I are limited to only what Chief Justice Vanderbilt briefly describes in the opinion.

its investigation into “matters affecting community morals, health, safety and general welfare,” the grand jury may “inspect and visit public institutions, agencies, buildings, and departments.” (Daa183). The charge states that the jurors may “determine that there are certain conditions in a public office or public institution which demand correction or improvement and which should be revealed to the public for that purpose.” (Daa183 (emphasis added)).

Importantly, this Court held that presentments “must be limited to matters imminent and pertinent.” In re Monmouth Cty. Grand Jury, 24 N.J. 318, 324 (1957). The public affairs or conditions in a presentment must be contemporaneous and amenable to recommendations, which is the ultimate purpose of a presentment. The “custom has long existed in this State for grand juries to consider methods of administration of municipal governments and point out where there are defects or where improvements may be made” which “is done in a report commonly known as a presentment.” In re Presentment to Superior Court, Hudson County, 14 N.J. Super. 542, 546 (Law Div. 1951). Improvements cannot be made for conditions that have ceased to exist for decades.

Here, the subject matter of the State’s proposed presentment – whether the Catholic Church responded to allegations of abuse and took measures to prevent its recurrence – is not a public affair or condition. Obviously, the Catholic Church is

not a governmental body. The operations of the Catholic Church are not within the public realm whatsoever.

In addition, decades-old allegations of abuse and the Diocese's response thereto are not imminent and pertinent. The MOU eliminated abuse and the alleged movement of priests in the Diocese. After 2002, there have been only five unsubstantiated allegations of child sexual abuse by a priest of the Diocese, all of which were reported to county prosecutors, and none of which resulted in criminal prosecution. (Da115; Da173; Dab8). This is not an imminent and pertinent problem.

The State continues to tout its four arrests⁷ over the past six years as evidence of an ongoing problem. Of those four arrests, only one resulted in a conviction, which was for abuse that took place in the 1990s. One resulted in an acquittal. The other two were not arrests for sexual abuse of children. (Daa13 to Daa32; Da40; Da42; Dab11 n.8). Even Special Deputy Attorney General Robert Laurino, who heads the Task Force, stated during oral argument before Judge Warshaw that he “definitely” agreed that “things are better than they were”

⁷ The arrests resulting from the Task Force has stalled at four for at least three years. It is uncontested that, in its brief submitted to Judge Warshaw on June 25, 2021, the State claimed that the Task Force investigation resulted in four arrests. (1T13-15 to 21).

decades ago. (Daa99; 1T88-7 to 10). Again, this is not an imminent and pertinent problem.

The State claims that the “widespread and decades-long” abuse is a matter that affects the general welfare, which necessitates a presentment to call the “attention of the community” to this issue. There is no doubt that New Jerseyans are already fully aware of the allegations against the Catholic Church relating to historical clergy sexual abuse. The media hype, headlines, movies, documentaries, and books have called attention to this issue that plagued the Catholic Church long ago. The 2002 MOU was created in response to the well-known articles emanating out of Boston reporting of child sexual abuse that had occurred in the Archdiocese of Boston. (Daa115). A presentment now is unnecessary to direct the community’s attention to decades-old allegations in New Jersey, particularly since the problem has been effectively eradicated from the Catholic Church. The proposed presentment would be nothing more than, as Judge Warshaw described, “a historical review of sexual abuse allegations.” (Pa28).

The State’s proposed presentment would undoubtedly name individual priests. However, the rule specifically prohibits a presentment against private individuals. Rule 3:6-9 provides that a grand jury may only return a presentment that “refer[s] to public affairs or conditions, but it may censure a **public official** only where that public official’s association with the deprecated public affairs or

conditions is intimately and inescapably a part of them.” R. 3:6-9(c) (emphasis added). The rule also provides for a heightened proof requirement as against public officials: “[i]f a public official is censured the proof must be conclusive that the existence of the condemned matter is inextricably related to non-criminal failure to discharge that public official’s public duty.” Ibid. The rule provides an opportunity for a public official to move for a hearing before the Assignment Judge within 10 days. Ibid. The rule makes no mention of private matters or private individuals – because the plain language of the rule limits presentments to public entities and public officials. If this Court’s rule allowed presentments to name private individuals, it would have clearly stated so.

The State has “embraced the notion” that priests and other private individuals named in the proposed presentment should receive the same procedural protections as public officials. (Pp15 to Pp16). In other words, the State suggests that Rule 3:6-9 should be expanded to include individuals not already contemplated by the rule. The State cannot rewrite the rule that limits presentments to censuring public officials.

Judge Warshaw was rightfully concerned that the proposed presentment would be “systemically, fundamentally unfair” to private individuals. (Pa26). Unlike a defendant charged with a crime, an individual named in a presentment

would be accused, without recourse, with no opportunity to attack the sufficiency of the evidence, or credibility of witnesses, or provide any defense. (Pa27).

Judge Warshaw opined that a presentment is not only unlawful, it is unnecessary in order to assess compliance with the MOU, and “nothing in [the trial court’s] order prevents the Attorney General from undertaking a comprehensive review of the 2002 [MOU].” (Pa31; Pa35; Saa3). The State does not require a presentment to pursue indictments where probable cause exists. (Saa3). Ultimately, Judge Warshaw concluded that a comprehensive account of sexual abuse by Catholic clergy “is not the grand jury’s history to write” as it “can never be meaningfully disputed.” (Pa28; Pa34). The subject matter of the State’s promised presentment, as Judge Warshaw correctly determined, is unlawful.

POINT III
**CERTIFICATION IS NOT WARRANTED IN THE INTEREST OF
JUSTICE OR GENERAL IMPORTANCE OF THE ISSUES**

The State argues that, pursuant to R. 2:12-4, this is a matter of “public importance.” (Pp17). It also claims, on multiple occasions, that Judge Warshaw and the Appellate Division panel created a “new legal rule” (Pp15; Pp17; Pp18; Pp20) by refusing to convene grand juries for an unlawful purpose. No “new legal rule” has been created in the instant litigation. Instead, Judge Warshaw’s opinion applied the existing rule and caselaw to the instant matter. The question of whether a grand jury can be convened to return a presentment against the Catholic Church

is a question of law that may be determined now, given that the subject matter of the proposed presentment has been clearly identified by the State. Both Judge Warshaw and the Appellate Division interpreted the language of Rule 3:6-9, determining that the operations of the Church are not public affairs or conditions and therefore a presentment against the Church cannot be returned. This Court has already settled the question of what subject matters are appropriate for a presentment. The opinions below are relevant only to the parties to this litigation. As such, there is no new law being created.

The “interest of justice” similarly does not warrant certification. Here, the State complains that the secrecy of the grand jury proceedings is somehow unjust. The State initiated this litigation under seal, consented to secrecy by filing all documents under seal, and appeared in a closed courtroom before Judge Warshaw. Only after Judge Warshaw’s opinion was issued did the State moved to unseal the record, which the Appellate Division denied and this Court denied leave to appeal.

The Assignment Judge’s decision as to the propriety of the subject matter of a presentment is always made under seal. Rule 3:6-9 provides that, “before the grand jury is discharged,” the Assignment Judge shall assess the subject matter of the presentment, and “[i]f it appears that the presentment is false, or is based on partisan motives, or indulges in personalities without basis, or if other good cause appears, the Assignment Judge shall strike the presentment.” R. 3:6-9(c). This

threshold decision about whether the subject matter of a presentment is unlawful is made during sealed grand jury proceedings, while the grand jury is still sitting.

Judge Warshaw's opinion that the proposed presentment is unlawful would not change even if he were to delay making that decision until after the return of a presentment – because the subject matter of the proposed presentment will not change. Rule 3:6-9(c) clearly would require Judge Warshaw's decision to strike the presentment after it is returned to be rendered under seal. If Judge Warshaw were to convene special state grand juries to issue a presentment as proposed by the State, the Judge would still opine that the subject matter is unlawful, and the Judge would at that time strike the presentment. If that were to happen, both the unlawful presentment and the Judge's decision to strike the presentment would be sealed as part of a secret grand jury proceeding. R. 3:6-7.

The State claims that this Court must grant certification and issue a public opinion in order to explain why the State has not delivered on its improper promise to produce a grand jury presentment like the Pennsylvania Report. That is simply not this Court's role. The Judiciary is not obligated to rescue the Executive from a public relations debacle created exclusively by the then-Attorney General.

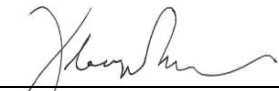
CONCLUSION

For the reasons set forth above, the Diocese of Camden respectfully requests that this Court deny the State's petition for certification.

Respectfully submitted,

COOPER LEVENSON, P.A.

Dated: July 22, 2024

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NG-C2N3CBX6 4885-3245-0253.18 File No. 44494-19