

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

AUG 20 2014

TIM RHODES
COURT CLERK

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THE MOST REVEREND PAUL S.)
COAKLEY, AS ROMAN CATHOLIC)
ARCHBISHOP OF OKLAHOMA CITY,)
an individual)

Plaintiff,)

v.)

ADAM DANIELS, individually, and)
DAKHMA of ANGRA MAINYU)
SYNDICATE, a not-for-profit corporation)

Defendants.)

Case No. _____

CJ - 2014 - 4687

VERIFIED PETITION FOR REPLEVIN

Plaintiff, the Most Reverend Paul S. Coakley, as Roman Catholic Archbishop of Oklahoma City ("Archbishop Coakley"), alleges:

PARTIES AND JURISDICTION

1. Archbishop Coakley is an individual residing in Oklahoma County.
2. Defendant Adam Daniels ("Daniels") is an individual who, upon information and belief, resides in Oklahoma County.
3. Upon information and belief, Defendant Dakhma of Angra Mainyu Sydicate ("Dakhma") is an Oklahoma not-for-profit corporation with its principal place of business located in Oklahoma County. Daniels and Dakhma are collectively referred to as "Defendants."

FIRST CAUSE OF ACTION

(Replevin of Personal Property)

4. Defendants have unlawfully taken possession of property belonging to the Roman Catholic Church, specifically a Consecrated Host or Consecrated Eucharist ("Consecrated Host").
5. The Catholic Church is approximately 2,000 years old and is the largest Christian Church in the world with an estimated 1.2 billion members.

6. Archbishop Coakley, as Archbishop, is the leader of the Catholic Church in this jurisdiction, duly-appointed by His Holiness Pope Benedict XVI in accordance with applicable ecclesiastical law. Archbishop Coakley has continuously served in this capacity since February 11, 2011. He is required and authorized by the Catholic Church to act as custodian of the Church's property and to safeguard and repossess the Church's property, including the Consecrated Host that is the subject of this action, and he is, therefore, authorized to bring this action and this application for an order of delivery of property.

7. It is the conviction of the Catholic Church, presented in its doctrinal teachings, that the Consecrated Host is in fact the body of Jesus Christ. It is only through the celebration of the Eucharist, which is also called the Mass, that otherwise ordinary bread is transformed into the body of Christ. The Mass is celebrated daily in thousands of locations throughout the world.

8. At the Mass, an ordained priest leads a 2,000-year-old sacred ritual during which bread and wine are consecrated and, according to doctrines of the Catholic Church, they become the body and blood of Jesus Christ. Only during this sacred ritual is the whole substance of the bread transformed into the body and blood of Jesus Christ through a change that is called *transubstantiation*.

9. In the Catholic Church the host is typically a small-unleavened wafer of bread, which is made from water and wheat flour. A host is simply a piece of bread. However, a consecrated host – including the Consecrated Host that is the subject of this action – is a host that has undergone the *transubstantiation* and is now the body and blood of Jesus Christ. To Catholics, the consecrated host is the most sacred, respected, and revered thing in the world.

10. Because consecrated hosts are so precious, the Catholic Church has developed, over the course of 2,000 years, rules and institutions to ensure the integrity, protection of consecrated hosts. The Catholic Church has created an extensive set of laws, integral to its *Code of Canon Law*, that protect and preserve its ownership of a Consecrated Host. As examples, these laws include:

a. A Consecrated Host may only be distributed by an ordained minister of the Catholic Church or by another who has been appointed specifically for this task as an extraordinary

minister of Holy Communion (“Extraordinary Minister”). Ministers of Holy Communion – both ordained ministers and Extraordinary Ministers – are required to ensure that all consecrated hosts they distribute are consumed immediately and in their presence. They are trained to take special care to make sure that consecrated hosts are not taken from the Church.

b. Catholics are also taught that they must consume consecrated hosts immediately upon receiving them and that they may never take the Consecrated Host from the Church.

c. Only an ordained minister or someone specifically appointed to do so may take a consecrated host out of a Church, and they may do so only for a specific pastoral purpose, such as taking a consecrated host to the sick or dying.

d. A consecrated host must be kept in a tabernacle, which is immovable and maintained under lock and key.

e. A person who throws away a consecrated host or who takes it or retains it for a sacrilegious purpose is automatically excommunicated from the Catholic Church.

f. Only an ordained minister or someone specifically appointed to do so is ordinarily permitted to clean the instruments that touch the hosts during Mass because it is likely the instruments will still have some traces of the Consecrated Hosts on them and, therefore, must be dealt with reverently.

g. Only Catholics may receive the Consecrated Host during communion, and by presenting himself or herself to receive a Consecrated Host, an individual implicitly represents that he or she is Catholic, satisfies the conditions to consume a Consecrated Host, and intends to consume it immediately.

11. A Consecrated Host can only come from one source. It must come from the sacred ritual described above, consecrated by an ordained priest of the Catholic Church.

12. **If an unauthorized individual has possession of a consecrated host, it must have been procured, either by that person or by another, by illicit means: by theft, fraud, wrongful taking, or other form of misappropriation.** The Church maintains ownership of all consecrated

hosts throughout the world.

13. Upon information and belief, Defendants are in possession of a Consecrated Host.

14. Daniels is not an ordained priest of the Catholic Church or an Extraordinary Minister of the Catholic Church, and Defendants are not authorized to possess the Consecrated Host.

15. Defendants do not have consent or authorization from Archbishop Coakley or the Roman Catholic Church to possess the Consecrated Host. The Consecrated Host in Defendants' possession must have been procured from the Catholic Church by theft, fraud, wrongful taking, or other form of misappropriation, either by Defendants or by someone else,.

16. Upon information and belief, Daniels has spoken publicly and published information through various media, including social media and websites, announcing that he plans to hold a "Black Mass" at the CitySpace Theatre, located at 201 N. Walker Ave., Oklahoma City, OK 73102, on September 21, 2014, and charge money for attendance. Upon information and belief, Defendants intend to desecrate and destroy the Consecrated Host during the Black Mass.

17. On their website, <http://www.dakhmaofangramainyu.com/event.html>, Defendants describe what they plan to do with the Consecrated Host at the Black Mass: "The consecrated host is corrupted by sexual fluids then it becomes the sacrifice of the mass." Upon information and belief, Defendants also plan to stomp on the Consecrated Host during the Black Mass.

18. According to Defendants' website, Black Masses can include "nudity, public urination, and other sex acts" and have included "[f]orms of bestiality along with animal sacrifice."

Application for Order of Delivery of Specific Property

19. Pursuant to Okla. Stat. tit. 12, § 1571, Archbishop Coakley requests this Court issue an Order of Delivery of the Consecrated Host and direct the Sheriff of Oklahoma County to take possession of the Consecrated Host and deliver it to Archbishop Coakley.

20. The Consecrated Host as to which Archbishop Coakley seeks an Order for Delivery is fully described above.

21. Archbishop Coakley, as Archbishop, is required by the Roman Catholic Church to safeguard and repossess the Church's property, including the Consecrated Host that is the subject of

this action. The Consecrated Host is the property of the Catholic Church, and Archbishop Coakley is entitled to immediate delivery of the Consecrated Host.

22. The Consecrated Host is being wrongfully detained by Defendants, without consent or authorization of the Catholic Church or Archbishop Coakley, as stated above and set forth in paragraphs 9 through 11, in the declaration of Father Joseph Fox, O.P. attached hereto as **Exhibit A**.

23. The actual value of the Consecrated Host is incalculable because the significance and importance of the Consecrated Host cannot be measured monetarily.

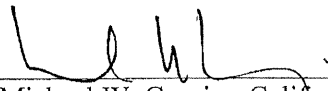
24. The Consecrated Host was not taken by Defendants in execution of any order or judgment against Archbishop Coakley, or for the payment of any tax, fine, or amercement assessed against Archbishop Coakley, or by virtue of an order of delivery issued under Okla. Stat. tit. 12, § 1571, or federal law, or any other mesne or final process issued against Archbishop Coakley.

PRAYER FOR RELIEF

WHEREFORE, Archbishop Coakley requests that the Court:

1. Issue to Defendants the Notice required by 12 Okla. Stat. § 1571(A)(3);
2. Enter an Order, to be served with the Summons and Notice, directing that Defendants not conceal, consume, damage, or destroy (including desecration) the Consecrated Host or any part or portion of the Consecrated Host; that they fully preserve the Consecrated Host intact and protect it; and that they not remove it from Oklahoma County pending the hearing on Archbishop Coakley's request for an order for the prejudgment delivery of the Consecrated Host, pursuant to 12 Okla. Stat. § 1571(C);
3. Enter an Order directing that the Consecrated Host should be immediately delivered to Archbishop Coakley and directing the Sheriff of Oklahoma County to take the Consecrated Host and deliver it to Archbishop Coakley;
4. Render Judgment in favor of Archbishop Coakley against Defendants for possession of the Consecrated Host; and
5. Award Archbishop Coakley the reasonable costs and attorney's fees incurred in this matter and such further relief which the Court deems just and proper.

August 19~~th~~, 2014



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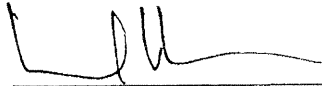
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ATTORNEYS FOR THE MOST REVEREND
PAUL S. COAKLEY, AS ROMAN CATHOLIC
ARCHBISHOP OF OKLAHOMA CITY

Verification

The undersigned, Michael W. Caspino, being of lawful age and duly sworn, states upon his oath that he has read the foregoing Verified Petition and knows the contents thereof to be true to the best of his information and belief.

Dated this 19th day of August, 2014.



Michael W. Caspino
Busch & Caspino
Attorney for Most Reverend Paul S. Coakley, as Roman
Catholic Archbishop of Oklahoma City

SUBSCRIBED AND SWORN to before me this 19th day of August, 2014.



Notary Public