



Metropolitan Tribunal of the Archdiocese of San Antonio

2718 W. Woodlawn Avenue, San Antonio, Texas 78228

Voice 210-734-1661 / Fax 210-734-9957

Tribunal@archsa.org / www.archsa.org/Tribunal

April 24, 2025

Protocol 665/2024

By courier

Rev. John Mary Foster
1531 Indian Chief Trail
New Braunfels, TX 78132

Dear Father Foster,

Thank you for your response to the original citation. We have rescinded that citation and send you the new one you are receiving now, in response to your letter wherein you raised certain issues.

After a preliminary investigation into your situation, the Archbishop of San Antonio communicated to the Dicastery for the Doctrine of the Faith (DDF) in September 2024. In a response in October 2024, the DDF encouraged the Archbishop to conduct a judicial penal trial based upon the evidence submitted, as per the Norms Regarding Delicts Reserved to the Dicastery for the Doctrine of the Faith, on October 11, 2021. You mistakenly noted in your letter that I conducted an investigation, which is incorrect.

On March 10, 2025, I was appointed the Presiding Judge of the first instance Penal Tribunal by the Archbishop of San Antonio, following canons 1718 and 1425, as well as the other officers mentioned in your citation letter.

The Promoter of the Justice submitted a libellus on April 2, 2025 which I have admitted on April 4, 2025. Now that you have responded to the citation by letter on April 19, 2025, I am sending you the libellus for your information.

While you imply I am prejudging you in this case, I am not. At the same time, your continued acts of disobedience and defiance to your Ordinary and dissemination of apparently schismatic documents are important to the investigation. If you are ultimately judged to have committed schism or to have remained in contumacy; you will have brought that judgment upon yourself.

There is no need to send any recusal of my participation in this case. As I have noted above, the Archbishop has received permission from the Dicastery for the Doctrine of the Faith to begin this first instance penal tribunal in your case and has subsequently appointed me and the members of this court to proceed in this matter.

You are invited to appoint an advocate who can plead your case. Alternately, the court is willing to provide you an advocate to assist you in your defense. However, if you choose not to appoint an advocate or accept one appointed by the court, we will still continue this trial.

Hoping that these clarifications will satisfy your claims, we await your communication for a joinder of the issues.

Respectfully submitted,



Rev. Warren A. Brown, OMI, JCD
Presiding Judge



Rev. Martin Leopold, JCL
Notary





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Rev. John Mary Foster
1531 Indian Chief Trail
New Braunfels, TX 78132

Dear Father Foster,

IN THE NAME OF THE MOST HOLY TRINITY

This letter serves as notice to you, Rev. John Mary Foster, that a tribunal has been constituted to investigate allegations concerning your conduct contrary to the norms of the Sacred Canons. The tribunal is constituted as follows:

Promoter of Justice:	Very Rev. Krikor Chahin, JCD
Presiding Judge:	Rev. Warren A Brown, OMI, JCD
Collegial Judge:	Rev. Roger Keeler, JCD
Collegial Judge:	Rev. John Makothakat, JCD
Notary:	Rev. Martin Leopold, JCL

Following the norm of canon law, the proofs so far gathered, that is, documentary evidence related to the accusation against you, were provided to the Promoter of Justice. Based on these proofs the Promoter of Justice prepared a *libellus* of accusation to the tribunal of the Archdiocese of San Antonio. This is the tribunal of your incardination, your domicile, and the alleged offense that took place. Having considered the facts, I, as the Presiding Judge, decreed this *libellus* be accepted and ordered your citation.

Father Foster, you are accused of the delict of Schism and of denying the legitimacy of the Supreme Pontiff, His Holiness Pope Francis, in violation of Canon 1364 of the Code of Canon Law, an offense, that if you are found guilty, is punished with *latae sententiae* excommunication, in addition to penalties mentioned in Canon 1336, §§ 2-4.

Father Foster, in this process, you have rights. You have the right to know of what you are accused. You have the right to know the proofs gathered against you. You have the right to defend yourself. You have the right to be judged in accord with the precepts of the law. You, additionally, have the right to use an advocate of your choosing. If you do not wish to participate and do not reply to this citation, your rights will continue to be respected, and care will be taken to safeguard those rights. Even if you decide at this moment not to respond to this citation, you may resume your participation at any point in the future.

You are assigned fifteen days, useful time, to respond to this citation. It would be best for you to respond in writing, directed to me, at the Metropolitan Tribunal of the Archdiocese of San Antonio, and manifest your intention regarding your participation. During this time, we will do all that we can to facilitate your participation in this process.

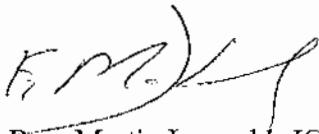
Father Foster, you must be aware that failure to respond or refusal of future notifications will in no way prevent the process from proceeding.

Assuring you of my prayers during this time of trial, I remain,

Yours in Christ,



Rev. Warren A. Brown, OMI, JCD
Presiding Judge



Rev. Martin Leopold, JCL
Notary





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PROT. N. 665/2024

VERY REVEREND PROMOTER CHAHIN
PROMOTER OF JUSTICE

ECCLESIASTICAL TRIBUNAL OF SAN ANTONIO, TEXAS

IN THE CASE OF REVEREND JOHN MARY FOSTER – PROT. N. 665/2024

WRIT OF ACCUSATION

I, the undersigned Very Reverend Doctor Promoter Chahin, was appointed by *Episcopus* Most Reverend García-Sillér, MSpS as Promoter of Justice for this cause.

Following the decrees issued on March 15, 2025 by His Excellency Most Reverend García-Sillér, MSpS, Archbishop of San Antonio, the undersigned received the publicly available proofs conducted by the same archdiocese, regarding the Reverend John Mary Foster, who is accused of having committed the delicts of the faith, apostasy and schism according to the norm of canons 751 and 1364 of the 1983 Code of Canon Law (*CIC*) and *Sacramentorum sanctitatis tutela* (*SST*) Art. 2. The commission of these delicts may be punished by a suspension to which other penalties can be added, including dismissal from the clerical state.

Having reviewed the acts of the case, and with regard to the provisions of canons 1502, 1504, and 1721 *CIC*, the undersigned Promoter of Justice has standing and does present the following:

LIBELLUS

Reverend John Mary Foster, born September 14, 1960, in Morgantown, West Virginia, ordained to the priesthood of Our Lord on June 27, 1987, and currently residing at 1531 Indian Chief Trail, New Braunfels, Texas, is accused of having committed a delict of the faith, schism, according to the norm of canons 751 and 1364 *CIC* and *SST* Art. 2.

A preliminary investigation was determined to be superfluous in this cause based on the credibility of the publicly available proofs and indeed the accusation seems established.

With respect to the competency of the Archdiocese of San Antonio, the commission of the delict, i.e., the place of the Mission of Divine Mercy, 1531 Indian Chief Trail, New Braunfels, Texas, is located within this Archdiocese. Additionally, Reverend Foster is a priest incardinated in this Archdiocese.

The Mission of Divine Mercy (MDM) web site, <https://missionofdivinemeracy.org>, posts a number of messages, alleged to be prophetic and received by Sister Amapola de Jesus, a founding member of the Mission of Divine Mercy. Reverend John Mary Foster posts those messages on the MDM web site as well as articles referencing the messages. They include statements that the Pope is a usurper of the Chair of Peter.

Despite the fact that the Archbishop of San Antonio has previously issued a canonical warning and admonition as well as imposed sanctions March 15, 2024, Reverend John Mary Foster has not expressed any intention to discontinue his public sharing of the messages or his statements that the Pope is a usurper of the Chair of Peter.

ALLEGATIONS

- It is alleged that Reverend Foster persists in publicly stating that the Pope is a usurper of the Chair of Peter.
- It is alleged that Reverend Foster has withdrawn himself from fraternal charity by his refusal of submission to the Pope and his unlawful separation from and refusal of communion with those who are subject to the Pope, thereby committing schism and excommunicating himself.
- It is alleged that Reverend Foster's schismatic acts have gone beyond a mere verbal refusal of submission; he no longer includes Pope Francis in the Eucharistic Prayers during Holy Mass.

The proofs upon which these allegations will be proven are as follows:

1. Written Statements made by Reverend John Mary Foster in the March 12, 2024 document, "We Must Obey God," <https://missionofdivinemeracy.org>.
 - a. "We know that many people are concerned that the Mission of Divine Mercy is being disobedient to our Archbishop in publishing these Messages. And that our "disobedience" discredits these Messages. That is a very legitimate concern. The key question is: Are we obeying God? We should always obey God. And normally, we should obey legitimate human authorities—but only in those cases where human authorities are acting in accord with God's law. There are occasions, as the Church has clearly taught, when we are called to obey God even though it means disobeying human authorities. We see many examples in the life of Our Lord Himself as we will discuss below. Is our situation one of those occasions? We are making three claims that may be shocking to many: 1. That these Messages are coming from God. They are prophetic Messages. 2. That the Church is facing an extreme crisis, beyond any she has faced before, because, as a Message we recently published says "the usurper [is sitting] on the chair of My Peter—he who is carrying out the Great Treason." 2. This extreme crisis calls for extreme measures. 3. Given this extreme crisis, we are obeying God in publishing these messages, even without our Archbishop's permission."

- b. [Bishops] "have allowed the usurper to sit on the chair of My Peter-he who is carrying out the Great Treason that will leave my Church desolate."
 - c. "Bergoglio is exercising illegitimate authority and acting as the enemy of Christ and His Church."
 - d. "Many will find the conclusion Bergoglio is a usurper and the enemy of the Church shocking. But is it really?"
 - e. "Now, however, they 'have allowed the usurper to sit on the chair of My Peter.'"
 - f. "We do believe that whatever scholars and canonists may say is the official or technical status of the man currently occupying the papacy, that man is a usurper and leading the most dangerous attack the Church has ever faced."
 - g. "The fruits of the past ten years have produced profound error, division, and confusion, and in the process have betrayed and subverted two thousand years of Church teaching. There have been immoral popes before. But never an apparent one, a usurper, who was part of a powerful, intentional effort to corrupt our Catholic Faith and destroy the Church."
 - h. "God is telling us that the Throne of Peter is occupied by a usurper, and we should not submit to him nor those who are carrying out his unjust designs."
 - i. "Bergoglio's usurpation is so painful."
 - j. "Conclusion In summary, we must always obey God. Normally, obeying God includes obeying the authorities of the Church. But we are living in an unprecedented crisis. God is telling us that the Throne of Peter is occupied by a usurper, and we should not submit to him nor those who are carrying out his unjust designs."
2. Video of Reverend John Mary Foster on the MDM web site reading the message, "2024-02-22 Reconquest – Time to Join My Army – A Call to Priests and Bishops," <https://missionofdivinemeracy.org/2024/03/06/time-to-join-my-army-a-call-to-priests-and-bishops/>, which includes the statement:
- a. "You have not only let the smoke of Satan infiltrate into My Sanctuary; but you have allowed a whole army of demons to take your places. And you have allowed the usurper to sit on the chair of My Peter – he who is carrying out the Great Treason that will leave My Church desolate."

3. Written Statement made by Reverend John Mary Foster, "Mission of Divine Mercy ~ 23rd Anniversary Letter," November 11, 2024, <https://missionofdivinemercy.org/wp-content/uploads/2024/11/2024-MDM-23rd-Anniversary-Letter-2.pdf>.
 - a. "In obedience to what we believe God is asking of us, MDM began to openly share the Messages from Heaven that we have been receiving for the last seven years."
4. Video of Reverend John Mary Foster being interviewed by John-Henry Westin on the LifeSite News web site, in which quotations from the alleged prophetic messages including "You have allowed the usurper to sit on the chair of my Peter" are made by Reverend John Mary Foster (https://www.lifesitenews.com/episodes/alleged-message-from-heaven-you-have-allowed-the-usurper-to-sit-on-the-chair-of-my-peter/?utm_source=featured_video&utm_campaign=canada). These can be accessed as links from an article on LifeSite News, entitled, "Archbishop removes faculties, seeks to seize property of priest for publishing alleged 'heavenly messages'" (<https://www.lifesitenews.com/news/archbishop-removes-faculties-seeks-to-seize-property-of-priest-for-publishing-alleged-heavenly-messages/>).
5. Audio recording of an illicit celebration of Sunday Mass on April 21, 2024, in which Reverend John Mary Foster omits the words, "Francis our Pope" from the first Eucharistic prayer, modifying it to "and bring her to the fullness of charity, together with Gustavo our bishop, and ..."

I further propose that the following individuals be deposed under oath:

1. Most Reverend Gustavo García Sillér, MSPS
2. Most Reverend Michael J. Boulette, DD
3. Most Reverend Gary W. Janak, JCI.

Considering the above, the undersigned Promoter of Justice, does hereby

CALL FOR THE ADJUDICATION

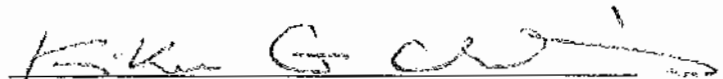
Of these claims against Reverend Foster by a judicial penal process for the aforementioned delict in order to resolve the following *dubium*:

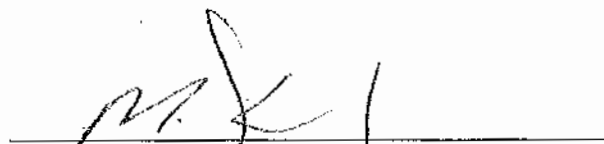
WHETHER Reverend John Mary Foster, a priest of the Archdiocese of San Antonio, is guilty of the delict of can. 1364 (CIC)?

AND, IF SO, what penalty is to be imposed upon Reverend Foster?

The undersigned Promoter of Justice declares, pursuant to the requirements of can. 1504, °3 and for the purposes of this judicial process, to elect his residence at the seat of the Ecclesiastical Tribunal of San Antonio, Texas.

Given at San Antonio, Texas on the 2nd day of April 2025.


Very Reverend Krikor G. Chahin, JCD
Promoter of Justice


Reverend Martin Leopold, JCL
Notary

