

The undisputed evidence shows that the Church of Nigeria, through its internal ecclesiastical governance, chose to reorganize its operations in the United States, including stopping the use of the Anglican Diocese of the Trinity (“ADOTT”). Although ADOTT exists as an Indiana corporation created to perform secular functions, the Church’s decision to “dissolve” it was an ecclesiastical action, not a dissolution under Indiana Code § 23-17-22-1.

Plaintiff does not dispute that no officer, agent, or representative of the Movant Defendants undertook any act constituting dissolution under Indiana law, nor does Plaintiff dispute that the Church regarded the status of the corporate entity as irrelevant to its ecclesiastical structure. The designated evidence reveals no attempt, authorized or unauthorized, to dissolve ADOTT’s corporate form. Accordingly, Plaintiff’s allegations under Indiana Code § 23-17-22-1 are groundless, and summary judgment in favor of the Movant Defendants is warranted on that basis alone.

2. Remaining Claims Are Barred by the First Amendment Church Autonomy Doctrine

Because the undisputed facts show that Movant Defendants did not pursue dissolution under Indiana law, all other claims relate to internal religious governance and are protected by the First Amendment’s Church Autonomy Doctrine.

The United States Supreme Court recently reaffirmed that while religious organizations can establish corporate entities, “religious institutions are a parallel authority to the State, not a creature of state law,” and the State “may not use such entities as a means of regulating internal governance.” *Catholic Charities Bureau, Inc. v. Wis. LIRC*, 605 U.S. 238, 259–60 (2025). Therefore, ADOTT’s status as an

Indiana corporation does not give civil courts authority to settle ecclesiastical disputes.

3. Plaintiff Has Failed to Produce Evidence Supporting Any Exception to Church Autonomy

Although the Amended Complaint asserts numerous claims, Plaintiff has presented no evidence in response to the Motion supporting any allegation or any recognized exception to church autonomy. Plaintiff has failed to demonstrate any real or personal property interest affected by Movant Defendants, and failed to rebut Movants' evidence that:

(a) ADOTT's founding documents disclaim ownership of property, real or personal;

(b) ADOTT is precluded from owning real estate or asserting the existence of a constructive trust in its favor; and

(c) ADOTT agreed to resolve disputes through ecclesiastical mechanisms.

Courts cannot intervene merely because a party disagrees with its religious organization's internal decisions. *Kedroff v. St. Nicholas Cathedral*, 344 U.S. 94, 116–21 (1952). Defendant Movants have provided evidence that this matter is an internal church governance issue, and Plaintiff has failed to rebut that proposition. Accordingly, pursuant to the First Amendment, this Court lacks authority over this matter and judgment in favor of Defendant Movants is proper as a matter of law.

4. This Suit Impermissibly Seeks Judicial Control Over Church Polity

The evidence shows that ADOTT aims to involve this Court in defining church policy and penalizing internal coordination among Church officials. The First

Amendment forbids such intervention. *Payne-Elliott v. Roman Catholic Archdiocese of Indianapolis*, 193 N.E.3d 1009, 1014 (Ind. 2022). Defendant Movants have designated evidence that Plaintiff's claims relate exclusively to an internal, ecclesiastical matter, and Plaintiff presents no contrary evidence. Indiana law dictates that civil courts are constitutionally barred from intervening in this type of dispute. Pursuant to Indiana law, Defendant Movants are entitled to judgment in their favor as a matter of law.

II. JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. There is no genuine dispute of material fact as to any claim asserted against the Movant Defendants.
2. The claims in Plaintiff's Amended Complaint constitute a purely ecclesiastical dispute that falls outside this Court's jurisdiction under the First Amendment to the United States Constitution and Indiana's Church Autonomy Doctrine.
3. The Movant Defendants, the Most Rev. Henry C. Ndukuba, the Rt. Rev. Nathan Kanu, Church of Nigeria, Church of Nigeria North American Mission, Anglican Church of the Resurrection, Inc., and Area One Great Lakes Missionary Region (CONNAM), Inc., are hereby **GRANTED SUMMARY JUDGMENT** on all counts asserted against them.

4. Pursuant to Trial Rule 54(B), the Court expressly finds that there is no just reason for delay, and this Order constitutes a final judgment as to the Movant Defendants only.
5. Plaintiff's claims against Defendant Olukayode Adebogun remain pending and are not resolved by this Order. The response filed by Mr. Adebogun has not been considered by the court and is stricken to the extent it was meant to be a Response to Motion for Summary Judgment for which he was not a party, as it was not timely filed and not responsive to the Motion of his co-defendants.
6. Court will internally diary this matter for 60 days so that Plaintiffs may decide if they intend to appeal and/or continue their claims against Defendant Olukayode Adebogun. If Plaintiff intends to proceed, it shall request a status conference. If Court does not hear back from Plaintiff or an appeal does not ensue, court will set matter for 41e hearing.

DATED: 12/10/2025


JUDGE, Marion Superior Court 1

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Counsel and Parties of Record