



14<sup>th</sup> May 2013

Mr. John Christopher Donahue,  
Chair, Board of Directors,  
St. Vincent College, Latrobe  
C/O Federated Investors,  
1001 Liberty Ave, Pittsburgh, PA 15222,  
United States of America.

**Ref: The Ms. Metzgar 'Statement' with respect  
Chancellor Nowicki's Serious Sexual Misconduct  
with a student at St. Vincent College/Seminary.  
The Lies of Fr. Nowicki to the CDF.**

Dear Mr. Donahue:

The recent statement issued by Ms. Metzgar, on behalf of Fr. Nowicki, the incumbent Chancellor of St. Vincent College, Latrobe, in response to a letter<sup>1</sup> written and disseminated to parties with a legitimate connection to the governance of St. Vincent Archabbey/Seminary/College; by Mr. James Carr, which purportedly contained untrue, slanderous, and defamatory allegations. Said statement, masquerading as a clarification, was a cynical, but ultimately amateurish attempt at traducement, that has backfired spectacularly. Said statement can be equated to an Enron balance sheet - a tissue of lies masquerading as the truth. It raises further serious questions about the corporate governance of the college, ultimately your responsibility as the Chair of the Board of Directors.

Importantly, the statement by Ms. Metzgar, was the first public confirmation of the **SUSTAINED cover-up of Fr. Nowicki's serious sexual misconduct**. The statement reveals the completely unacceptable and deeply egregious violation of the *Norms of the Dallas Charter*, and the appropriate Canons of the 1983 Code of Canon Law, which will be further outlined in a subsequent letter. More importantly, it confirms that the detailed prescriptions, which are subject to review by the **Middle States Commission on Higher Education** were NOT followed, when allegations of serious sexual misconduct were made. The record shows that Chancellor Nowicki, did not step aside at any time, as required, during the **multiple investigations into his serious sexual misconduct**; nor was any public statement made by the appropriate St. Vincent College authorities. It is indubitably noteworthy to observe that the said statement does not record the **current canonical status of the case**; nor does it give any indication to the totality of the cost associated with the Fr. Mark Gruber lawsuit by the College.

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<sup>1</sup> Available on: [www.misconductinlatrobe.com](http://www.misconductinlatrobe.com).

It can be evinced that, Mr. J. Christopher Donahue, and the entire Board of Directors did not made any public statement about the **serious sexual misconduct** of the incumbent Chancellor of the College, Fr. Nowicki, while, he was being investigated, a serious dereliction of corporate governance; nor has the recent statement made by Ms. Metzgar appeared on the Archabbey website and/or the St. Vincent College website. There should be no hesitancy, if the college is being managed in a transparent fashion to make a public statement about: a) Fr. Nowicki's **serious sexual misconduct**; and, b) the total cost of the Fr. Gruber lawsuit, who paid for it, and make the final invoice[s] available for the entire world to see. SNAP, have called for transparency with respect to Fr. Nowicki.<sup>2</sup>

The recent statement by the College President, Br. Norman Hibbs, that the College is running a **deficit of \$1.3 million**, with the aforesaid deficit 'utilised' to justify the decision not to give college staff a pay increase. Therefore, it is respectfully submitted that the questions surrounding the totality of the costs concerning the Prof. Gruber lawsuit, and Gruber's subsequent delation to the Congregation for the Doctrine of the Faith, have never been more pertinent.

### **A 'surrogate' of Fr. Mark Gruber.**

It is important to highlight that I am not a 'surrogate' of Fr. Mark Gruber. My interest in matters at St. Vincent emanate from the harassing emails, which I received from a certain '**Randall Flag**', about matters that are inextricably linked to Fr. Nowicki's **serious sexual misconduct**. The '**Randall Flag**' issue is subject to the scrutiny of the District Attorney of Westmoreland County; and was, the subject of a court order, facts that can be independently verified by the aforesaid District Attorney. Mr. Donahue, should you ever learn in the future that emails from your email account have been unlawfully intercepted; you will be furious. Furthermore, I can assure you that should you ever receive the volume of emails from an individual[s] utilising a Luciferian *nom de guerre*, you will be as equally unrelenting in unmasking, and highlighting 'known' misconduct. As I have continuously asserted, until I receive, a written apology from '**Randall Flag**', I will continue to highlight Fr. Nowicki's **serious sexual misconduct** at every opportunity.

Indeed, it has been noted by many that no legal action has ever been commenced against Mr. James Carr by the Archabbey, St. Vincent College, and/or Fr. Nowicki. Again, I assert my willingness to subject these assertions, and the supporting proof of Fr. Nowicki's **serious sexual misconduct** to independent judicial scrutiny before: a) the Court of Common Pleas, Westmoreland County; and, b) before a High Court judge in London. You are respectfully advised, I am ready for a lawsuit at any time; and, that I will vigorously defend any legal action commenced against me. Such a legal action will have ruinous consequences for the reputation of the Archabbey, and St. Vincent College, but a decision to litigate can

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<sup>2</sup> [http://www.snapnetwork.org/pa\\_victims\\_want\\_pa\\_catholic\\_official\\_to\\_step\\_down](http://www.snapnetwork.org/pa_victims_want_pa_catholic_official_to_step_down)

be made by the incumbent Archabbot/Chancellor in consultation with his legal counsel. As I have no wish to do any harm to the Archabbey/College, you are further respectfully advised that is why, I have not commenced legal proceedings, which can be avoided for the future by the immediate resignation of Chancellor Nowicki.

### **The Investigation into Fr. Nowicki's Sexual Misconduct.**

Returning to the purported dismissal of the complaint against Fr. Nowicki. Mr. Donahue, you may not be familiar with canonical jurisprudence, and the current practices of the Apostolic Tribunal's of the Roman Curia. Thus, it is salutary to highlight that the decision of the competent Dicastery, in this instance, the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life most properly has been appealed to the *Apostolic Signatura*.<sup>3</sup> Forthwith, a further public statement is now required **FROM YOU** detailing the exact canonical status of the case. Said statement will have to clarify to all concerned parties – a very simple matter; namely, has the canonical complaint with respect to Fr. Nowicki's **serious sexual misconduct** been appealed to the *Apostolic Signatura*?. The tangible obfuscation about the matter is not surprising, as it has been the *modus operandi* of Fr. Nowicki for a number of years, but it is now no longer acceptable; nor will be **your unwillingness to deal with these matters in an effective but transparent fashion.**

Should the denunciation be now subjected to the jurisdiction of the said *Apostolic Signatura*: then morally, and canonically, the simple inescapable fact remains: Fr. Douglas Robert Nowicki will have to **resign** [the most preferable solution], or step aside as Chancellor of St. Vincent College until the decision of the aforesaid *Apostolic Signatura* is rendered, and more importantly made public. This is established Canon Law, clearly defined within the *Norms of the Dallas Charter*. Additionally, this does not foresee what actions the Middle States Commission on Higher Education may demand to ensure acceptable academic integrity/governance with respect to the management of the college in Latrobe. It remains wholly unacceptable that a credibly accused priest was allowed to masquerade in good standing as the Chancellor, where vulnerable young people are subject to exploitation; and, you willingly continue to be associated with this deviant.

### **Substantiating Fr. Nowicki's Serious Sexual Misconduct.**

Let us be very clear, Ms. Metzgar's statement substantiates the veracity of my assertions, namely, that the said Fr. Douglas R. Nowicki was credibly accused of **serious sexual misconduct**, with the said **serious sexual misconduct** further investigated, as a result of a **canonical denunciation** to the competent Dicastery of the Roman Curia, the Congregation for Institutes of Consecrated Life and

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<sup>3</sup> The Apostolic Signatura is analogous to the U.S. Supreme Court. The current Cardinal Prefect is an American: H.E. Raymond L. *Cardinal*/Burke.

Societies of Apostolic Life, by Mr. Robert Flummerfelt, Esq., on behalf of his client, who was a professed monk of the Archabbey. The complainant was a graduate of St. Vincent College, who had commenced academic studies for ordination to the Roman Catholic priesthood at St. Vincent Seminary. Both institutions have their degrees validated by the Middle States Commission on Higher Education. **The authenticated letter of acknowledgement from the Dicastery attests to this fact; as does the recent statement issued by Ms. Metzgar.** Irrefutably, we can now prove that a number of **separate investigations** were conducted into Fr. Nowicki's **serious sexual misconduct**. While, the complainant was not a minor; nonetheless, he was a vulnerable person that was subject to exploitation, by Fr. Nowicki. A further press statement is now required from the College, and the Archabbey outlining:

- Why Fr. Nowicki not stand down as Superior of the Archabbey of St. Vincent, and step aside as the Chancellor of St. Vincent College, Latrobe, when the original allegations were made **many years** ago, and confirm that the **original** investigation into the allegations of Fr. Nowicki's misconduct was conducted in accordance with **Canon 1717**;
- Publish the letter from the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, permitting the derogation from Canon Law, and the Norms of the Dallas Charter, along with a detailed explanation behind the reasons; why Fr. Nowicki did to step aside as Archabbot, since the receipt of the canonical denunciation to said Dicastery;
- Explain to the public, why Fr. Nowicki did not have his faculties as a priest suspended, why he has continued to celebrate the Eucharist in public during **THE TIME THAT** investigations into his misconduct were being conducted in contravention of the *Norms* of the Dallas Charter; and detail how many times Fr. Nowicki celebrated the Eucharistic liturgy in the St. Vincent College Chapel, since the allegations were made.

### **The Anthropology Seminar Room Computer.**

It has become rather tedious correcting the lies of Fr. Nowicki, but for the sake of Truth and Justice, one must highlight his erroneous, and deliberate misrepresentation of the Truth. To do this, the annexed extracts from the **two police reports**, produced by Pennsylvania State Troopers, are illuminating, eviscerating the lies of Fr. Nowicki with respect to said computer.

In the first instance, it must be recorded that the Commonwealth of Pennsylvania has a **zero tolerance** approach, when it comes to child-pornography.

For the purposes of the exposition that follows, it is useful to cite pertinent sections from the recent Ms. Metzgar statement issued:

**“In July 2009, when child pornography images were discovered on the computer assigned to Rev. Gruber, the Archabbot, as required by law, reported the matter to civil and Church authorities. On June 30, 2012, after a thorough investigation, the Vatican Congregation for the Doctrine of the Faith, with the approval of His Holiness Pope Benedict XVI, issued a decree indicating that Rev. Gruber was guilty of the grave crime of possession of child pornography, production of materials which gravely injure good morals, the abuse of the Sacrament of Confession with the aggravating factor of manipulation of conscience, and defamation of a legitimate superior. The Congregation ordered that Rev. Gruber must live the remainder of his life in prayer and penance in a religious community to be determined by the Vatican.”**

Let us deal with the ‘child pornography’ matter, utilising the written narrative of Trooper Bard from pages of the initial police report **X43-33359** pertaining to the now infamous computer.

**Trooper Bard:** "I then examined the contents of the drive using Encase 6.10.2. My first function was to review any images or videos that were still saved to the drive. That review reveals numerous files but none that were notable. I then initiated several carve functions on the drive, including a ‘jpeg’ carve and a video file carve. These carves yielded numerous results **which I personally reviewed**. The jpeg carve revealed several thousand files, many of which depicted young men, **but none that fit the criteria of the ‘Sexual Abuse of Children’** statute. I found the same results with a review of the video files.

Lastly, I conducted an e-mail analysis to determine if any pictures had been obtained via e-mail. That analysis revealed thousands of emails, including several web based, as well as server-based email accounts. As I review the emails, I found no notable file; however, it became apparent that the computer system was being used by more than just Gruber. I found several email accounts on the computer system that appeared to belong to other students, or faculty members.

After my review was complete, I spoke with Cpl. LaRoche, and District Attorney John Peck concerning the investigation. I relayed my findings, and my opinion that no prosecution should be sought **since I was unable to substantiate that the computer had been used to view child pornography**. Both of them concurred that no prosecution should be sought."

Mr. Donahue, you are a successful businessman, so you will have no problem acknowledging that Fr. Nowicki, by virtue of the recent statement made by Ms. Metzgar, imputes that Trooper Bard,<sup>4</sup> a most respected and experienced forensic analyst now in private industry was negligent, and completely incompetent in the performance of his duties during this investigation as Pennsylvania State

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<sup>4</sup> <http://www.linkedin.com/pub/glenn-bard/7/668/ba3>

Trooper. **It must be noted that the said Trooper Bard personally reviewed all the images on the anthropology seminar room computer, and found no child pornography.** Now either Trooper Bard is lying or Fr. Nowicki is lying. Given Fr. Nowicki's pathological tendency (for whatever arcane reason) to tell the truth, I am more likely to believe the veracity of the facts recorded in the official police report by Trooper Bard. Also, it must be noted that none of the faculty members within the department were interviewed under caution, as Trooper Bard, clearly records other St. Vincent faculty members, and students were using the infamous computer in the **anthropology seminar room.**

Furthermore, if Trooper Bard was negligent, and I very much doubt it, then the whole policing efforts of Pennsylvania State Police, need to be examined at the highest level for the protection of the young and the vulnerable. Also, the statement issued by Ms. Metzgar called into question the competence and credibility of the incumbent District Attorney of Westmoreland County, as he too had to be negligent, for not prosecuting Fr. Gruber. In this reckless statement, Fr. Nowicki, intentionally for his own purposes: namely to again attempts to validate **the lies** he told to Congregation for the Doctrine of the Faith, with the complicity of Monsignor Mark L. Barchak, with this statement besmirches the good name, and deeply impugns the professional integrity of the District Attorney of Westmoreland County, and the retired Pennsylvania State Trooper Glenn A. Bard.

If any child pornography had been discovered on the computer, then Fr. Gruber would have been arrested, and faced a maximum total sentence of 10 years in prison, a fine of \$250,000, or both. Again, the despicable lies of Nowicki do not stand up to scrutiny. There was no child pornography in the computer in the anthropology seminar room at St. Vincent College. Furthermore, the only reason the Congregation for the Doctrine of the Faith, rendered the decision against Fr. Gruber is quite simple, they were presented with spurious evidence, **manufactured** by Fr. Nowicki, in an act of complete profligacy. All that is required is for fresh evidence to be presented to H.H. Pope Francis, and the whole thing can be overturned immediately. **It really is that simple.**

Maybe, the matter should be "re-submitted" to the Attorney General for the Commonwealth of Pennsylvania for a new determination to be made. Additionally, this statement will be a matter of real concern for Frank Noonan, the Pennsylvania State Police Commissioner, as one has to take the view the police in Greensburg are completely incompetent in the world view of Fr. Nowicki.

Furthermore, it is clearly recorded within the second police report, again with the reference: **X43-33359** produced by Trooper Glenn Bard on June 14, 2010, that three (3) images that were of concern were positively identified on the above computer. Explicitly, the individual, Fr. Gruber's penitent who voluntarily came forward to admit his culpability, clearly identified these three (3) offending images, as those, which were personally downloaded, and viewed by him, to the

satisfaction of the two police officers present; their determination was reviewed by the District Attorney of Westmoreland County.

Indeed, it must be further recorded that the individual identified in the police report risked, a significant period of incarceration in a federal prison, for his admitting his culpability for downloading these images. It is further salutary to highlight, once again, that Fr. Gruber was never arrested at any time; the police reports are completely exculpatory of Fr. Gruber. Thus, the Ms. Metzgar statement is completely and utterly fallacious, as was Fr. Nowicki's vindictive and spurious case to the Congregation for the Doctrine of the Faith.

Therefore, in light of the aforesaid; the statement asserts that my letter contained allegations which were: "untrue, slanderous and defamatory" is wholly specious. As previously noted, the statement does the world, a very great favour, by making public **Fr. Nowicki's serious sexual misconduct**; thus my assertions are validated, and more importantly **substantiated by the statement**; along with proving the assertion that Fr. Nowicki's sole motivation with respect to Fr. Gruber & Fr. Wenzinger was to cover up his own **serious sexual misconduct**.

The record shows that the complainant Junior monk, was never taught by Fr. Mark Gruber, during Gruber's time as a professor of anthropology at St. Vincent College; nor was Fr. Gruber, a spiritual director or confessor to said complainant Junior monk. Therefore, the assertion made in the 'Metzgar Statement' that the complainant Junior monk was a close associate of Fr. Gruber is completely specious, and fallacious. Yet again, it reveals the ongoing and deliberate conflation of the 'Gruber Saga' with Fr. Nowicki's **serious sexual misconduct**. It proffers a perspicacious insight into the multiplicity of lies excogitated by Fr. Nowicki, and presented as truthful facts to Pennsylvania Law Enforcement Officials; the Congregation for the Doctrine of the Faith, and the Congregation for Religious, and the **truly despicable** attempts of Fr. Nowicki to traduce the professional integrity of law enforcement officials within the Commonwealth of Pennsylvania for his own despicable ends.

### **The Congregation for the Doctrine Of The Faith.**

It is important to highlight very clearly that the Congregation for the Doctrine of the Faith [hereinafter the CDF], **DID NOT** thoroughly investigate the Fr. Gruber case. In fact, said Dicastery have now acknowledged, that, the then Promoter of Justice,<sup>5</sup> Monsignor Charles J. Scicluna, in an act of stunning, and inexplicable incompetence delegated Fr. Gruber's penal case to another Tribunal outside the parameters of the CDF. The person/persons appointed to deal with the Gruber Saga by the CDF were nothing more than amateurs with an agenda. Their amateurish is evidenced by the multiple spelling mistakes, and erroneous facts recorded in the first Decree on behalf of the CDF. Their cut-and-paste approach to justice is further evidenced in the second decree of the CDF. From a

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<sup>5</sup> In American parlance: a prosecuting District Attorney

sociolinguistic perspective, it is manifestly evident, the scriptor of both Decrees, was an individual from North America. One cannot help but wonder out loud given their biased and partial nature, where they were written by Monsignor Mark L. Bartchak, Fr. Nowicki's canonical adviser, as they were so blatantly one-sided? Given the mirroring of the first Decree with the second Decree, many now are of the view that Fr. Gruber's appeal was never actually heard by the *Feria IV*.<sup>6</sup>

One a forensic reading of the Gruber Decrees, that the following is missing: a) the name of the Promoter of Justice; b) the names of the judges, who must be priests with a doctorate in canon law, are not recorded; c) the date and location where the judges met to decide the case, a detailed consideration of the evidence, the expositive reasons for their decision; and, d) the seal/rubberstamp of an ecclesiastical notary, who must also be a priest attesting to the validity of the Decree. One thinks immediately when reviewing the Gruber Decrees: **a decision of a kangaroo court in a banana republic.**

Thus, it is wholly incorrect to assert that the Congregation for the Doctrine of the Faith had anything to do with the determination made in the Fr. Mark Gruber penal case. Yet again, sadly, another lie of Fr. Nowicki, which brings the canonical tradition of the Church into significant, and now legitimate disrepute, but ultimately, **Monsignor Scicluna, ultimately bears the responsibility for this disaster, as he gave unquestioned credence to the lies of Fr. Nowicki.**

It is further duly noted that the aforesaid Congregation for the Doctrine of the Faith, one of the most powerful Dicasteries of the Roman Curia, has not insisted that Fr. Gruber move to another monastic community; and, has given Fr. Gruber explicit permission in writing on two occasions to function publicly as a priest, at the Rite of Christian Burial on the occasion of the death of each of Fr. Gruber's parents. Therefore, it is evident, that there is a growing realisation among the official's of the aforementioned Dicastery, that they were misled (lied to) by the Ordinary of St. Vincent, Fr. Nowicki.

### **The Church Has a Higher Standard.**

One of the most egregious lies of Fr. Nowicki must be exposed: namely, that the Church has a higher standard, than that of the Commonwealth of Pennsylvania, when it comes to the matter of child pornography – this is completely incorrect. The *Norms* that were used to errantly convict Fr. Gruber, clearly state that possession of child pornography is a canonical crime - **if the images of the children are under the age of fourteen (14).**<sup>7</sup> Thus, if Pennsylvania State Troopers were unable to establish the criminal culpability of Fr.

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<sup>6</sup> A panel of independent judges, who hear appeals from cases decided at first instance at the CDF.

<sup>7</sup> Art. 6.... 2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;  
[http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html)



Gruber, after **two detailed forensic examinations** of the infamous computer, using the age benchmark of eighteen (18); then, unless manufactured evidence was presented to the CDF, Fr. Gruber was errantly convicted upon 'evidence' manufactured by Fr. Nowicki, presented to the CDF, that was unquestioned by Monsignor Scicluna, to hide his [Nowicki's] own serious sexual misconduct. If Fr. Gruber was guilty of viewing or possessing child pornography, then Fr. Gruber would have been incarcerated for a long period in the State Correctional Institute, Greensburg.

Mr. Donahue, the issues concerning the incumbent Chancellor of St. Vincent College, remain an intractable mess, and will not ameliorate with the passing of time. Furthermore, the longer this toxic situation is left to fester by your inaction, the more ruinous the consequences for the college, and your professional reputation. I invite you to show leadership – obviously, this will require you to make a public statement, and you must insist that Chancellor Nowicki resign step/aside immediately. In conclusion, I wonder are you starting to experience that sinking feeling that Fr. Nowicki is metamorphosing into another **Fr. Marcial Maciel Degollado**, the sexual deviant who founded the Legion of Christ, whom you were closely associated with in the past? Abjure from any further involvement with Fr. Nowicki. One, notes with sadness, all the vehement denials associated with Fr. Degaollado's sexual misconduct, now accepted by all as TRUE. The similarities between Fr. Degollado, and Fr. Nowicki are sadly evident to all who have eyes to see, but evidently not to you for some inexplicable reason. In due course, you will have to come to accept that you allowed yourself, for a second time, to be misled by the lies and sycophancy of another recidivist priest.

Respectfully, I remain,

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James Carr.

CC:

The Hon. Kathleen G. Kane Pennsylvania Attorney General; Frank Noonan Pennsylvania State Police Commissioner; Sec. Ronald J. Tomalais, Pennsylvania Department of Education, Mr. Richard J. Pokrass, Middle States Commission on Higher Education; Dr. B. Robert Kreiser, American Association of University Professors; Board of Incorporators of the Benedictine Society/St. Vincent College Board of Directors / College Advisers; St. Vincent Seminary Board of Regents; Mr. Patrick J. Marker; H.E. Donald William *Cardinal* Wuerl. Retired Trooper Glenn A. Bard; Mr. John A. Peck, Esq., District Attorney of Westmoreland County.

**The Prefect, and the Cardinal members of the Congregation for the Doctrine of the Faith:** H.E. Archbishop Gerhard L. Müller, H.E. Tarcisio Pietro Evasio *Cardinal* Bertone, S.D.B., H.E. Giovanni Battista *Cardinal* Re, H.E. Polycarp *Cardinal* Pengo, H.E. Christoph *Cardinal* Schönborn, O.P., H.E. Zenon *Cardinal* Grocholewski, H.E. Crescenzo *Cardinal* Sepe, H.E. Ivan *Cardinal* Dias, H.E. Peter Kodwo Appiah *Cardinal* Turkson, H.E. Marc *Cardinal* Ouellet, P.S.S., H.E. Jean-Pierre Bernard *Cardinal* Ricard, H.E. Antonio *Cardinal* Cañizares Llovera, H.E. Jean-Louis Pierre *Cardinal* Tauran, H.E. Angelo *Cardinal* Amato, S.D.B., H.E. Kurt *Cardinal* Koch.

**The Cardinal Prefect, and the Cardinal members of the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life:** H.E. João *Cardinal* Bráz de Aviz, H.E. Nicolás de Jesús *Cardinal* López Rodríguez, H.E. Francis Eugene *Cardinal* George, O.M.I., H.E. Wilfrid Fox *Cardinal* Napier, O.F.M., H.E. Philippe Xavier Ignace *Cardinal* Barbarin, H.E. Agostino *Cardinal* Vallini, H.E. Seán Patrick *Cardinal* O'Malley, O.F.M. Cap., H.E. Paolo *Cardinal* Sardi, H.E. Francisco Javier *Cardinal* Errázuriz Ossa, P. Schönstatt.