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Chaplain's discharge blocked, for

now

By Chris Amos - Staff writer

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A three-judge panel has temporarily blocked the Navy from discharging an evangelical chaplain who was convicted last year of disobeying a lawful order by wearing his uniform to a press conference outside the White House.

The ruling allows Lt. Gordon J. Klingenschmitt to stay on active duty at least another week. During that time, the court will decide whether it should grant a longer term injunction that would keep Klingenschmitt in the Navy at least until his lawsuit against Navy Secretary Donald C. Winter is heard, according to William Farley, Klingenschmitt's civilian lawyer.

Klingenschmitt had been scheduled to be discharged Jan. 31.

No date has been set for the lawsuit to be heard, but Farley said Thursday he expects to begin to receive documents from the Navy next week that will allow him to prepare his case.

"We will get to the bottom of this," he said. "We will find out why everything started to fall apart after he began praying in Jesus' name."

Klingenschmitt was pleased with the court's decision.

"I consider this a small miracle at the eleventh hour, but my career still dangles by a thread since this stay will probably only last a week," he said Thursday. "Next week, I pray the court of appeals makes a more permanent decision. But for now, God has answered our prayers."

Navy officials moved to discharge Klingenschmitt after they refused to accept his ecclesiastical endorsement from a new religious group, the Full Gospel Church. He resigned from his previous endorser, the Evangelical Episcopal Church, shortly

after his September conviction.

“Lt. Klingenschmitt’s request to renew his contract under a new endorser was denied,” Navy spokesman Lt. Tommy Crosby said last month. “The determination was based on a review of his record to include his military record and performance as a naval officer. This review was initiated due to a withdrawal of his original endorser and is standard procedure for any Navy chaplain who changes endorsements for any reason.”

But Farley said Navy regulations require that the Navy accept a chaplain’s new endorsement if it is given by a qualified religious organization. The Full Gospel Church, he said, is an approved endorser of military chaplains.

Although he says he was forced to move from base housing earlier this week, Klingenschmitt continues to be assigned to Naval Station Norfolk, Va., where he is performing administrative duties. Klingenschmitt said he said he has filed a petition with Winter asking to be reinstated as a chaplain, but has received no reply.

Navy officials disputed that.

“The Navy has no record of a request to the secretary of the Navy from Lt. Klingenschmitt since the November 2006 decision to deny his request seeking reappointment as a Navy chaplain under a new ecclesiastical endorsement,” Crosby said Thursday.

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