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## Judge Rules Lawsuit against Priest 'Fails to Meet Burden'

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Troy - An alleged victim of clergy sex abuse had his case against a deceased priest and the Albany Diocese tossed out of a Massachusetts court Thursday.

City resident Edmund Zampier's \$3 million lawsuit filed in Massachusetts Superior Court was dismissed by Justice Lloyd Macdonald, partially due the plaintiff failed to "meet his burden" to explain his failure to "timely file this" action.

The 63-year-old Zampier's, accusations of sexual molestation by Msgr. William Slavin, stem from alleged incidents that occurred in the late 1950s and early '60s. Slavin was a priest from in the Albany Diocese from 1934 to 1978 and died in the early '80s.

According to Zampier's lawyer John Aretakis, the alleged acts against Zampier occurred in New York, Vermont, Massachusetts and Canada.

The suit was filed in Massachusetts because the state's statute of limitations laws are more open ended than New York's.

Slavin was the pastor at Our Lady of Victory Church from 1959 to 1978 and was named Papal Chamberlain by Pope John XXII in 1959 and served on the board of governors of the Alumni Association of Georgetown University.

He was also on the Board of Trustees at both La Salle Institute and Catholic Central, where the alleged relationship with Zampier began.

"I am deeply hurt by the decision in Massachusetts," Zampier said Thursday night. "Msgr. Slavin ... was a sexual predator who exploited me for five years. Bishop (Howard) Hubbard won the case, but I shall continue to fight for justice for me and dozens of others who were harmed by priests of the Roman Catholic Diocese of Albany."

The issue before the courts was whether Zampier's case was time barred. Zampier claimed the abuse occurred when he was 17-years-old.

Statute of limitation laws in Massachusetts automatically begins on child abuse cases when the victim reaches the age of 18.

The statute fixes a three-year limitations period from the time the victim discovered or reasonably should have discovered that an "emotional or psychological injury or condition" was caused by the abuse.

The court found that Zampier filed his complaint more than three years after describing his story of abuse to his lawyer, knew what his options were but didn't take action fast enough.

"The judge's decision applies to all defendant's in the case (including Bishop Howard Hubbard)," said Albany Diocese spokesperson Ken Goldfarb, "because the evidence did not support the claims."

"This is one more in a continued string of cases that have been tossed," he added.

Goldfarb also noted that before Zampier, no one has made similar allegations against Slavin.

Zampier was an altar boy and Catholic Central High School graduate who claims being sexually abused by three priests as a teenager triggered a future of self-described destructive behavior.

Aretakis said they still might pursue the case in New York.

"The judge basically sent the case back to New York," said Aretakis. "We will pursue to whatever extent we can but there are more difficult statute of limitations issues in New York."

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