

9-2-08 - Yet another delay for Father Fay: A sixth prison postponement

Written by Susan Shultz, Darien Times (CT)

The Rev. Michael Jude Fay has another two week delay before reporting to prison, but this time it was not at his request.

The Bureau of Prisons requested both sides seek the delay in order to continue discussions with Fay's medical providers at Memorial Sloan Kettering regarding administering Fay's experimental cancer treatment.

Additionally, Fay is scheduled for various tests and an oncology visit within the next two weeks. The bureau is requesting that additional information be provided from these appointments to have Fay's most updated records.

The request for the two week delay was a joint one dated Aug. 29 from both Fay's attorney and the U.S. Attorney's office. The judge granted the request on Tuesday.

This is the sixth delay for Fay.

After five delays since being sentenced to more than three years in federal prison, Fay was expected to report to a North Carolina prison on Wednesday, Sept. 3.

Fay had been previously scheduled to report to jail Aug. 6. But U.S. Judge Janet Bond Arterton granted a three-week extension for Fay two days before that date. Unlike past requests, that delay was not opposed by the U.S. Attorney's office, and it was — until this week's two week delay — the shortest delay yet.

The three weeks is to complete arrangements between the Bureau of Prisons and Memorial Sloan Kettering Hospital so Fay could continue to receive an experimental treatment for prostate cancer while he is incarcerated.

The four previous prison delays granted to Fay were to determine whether or not the Bureau of Prisons could administer the treatment at all. This delay includes information that the Bureau of Prisons is likely to be able to administer the drug, but final details need to be worked out in the additional three weeks.

In July, Fay talked in an interview with The Darien Times about his pending 37-month prison sentence and his cancer treatment.

"The bone scans and CAT scans show that the drugs are working," Fay said. "We are begging for mercy."

Fay told The Times that he was "petrified" of prison and if he had to go to jail on July 8, a previously extended reporting date, his prison sentence would essentially be "a death sentence for me."

Fay, the former pastor of St. John Roman Catholic Church, pleaded guilty last year to stealing more than \$1 million from the church.

Federal Judge Janet Bond Arterton granted Fay an extension until July 8, and then Aug. 6, to report to prison. When he was originally sentenced to 37 months in prison, Fay was given until April to begin his sentence, following a postponement by the judge in order to begin his experimental treatment. The judge agreed to a second extension until May 19.

Fay's attorney, Lawrence Hopkins, previously said Fay would die in prison if he does not continue the experimental treatment for his prostate cancer. His medical records were turned over to the judge after the last request for an extension.

Fay pleaded guilty in federal court last September to one count of interstate transportation of money obtained by fraud. He was facing up to 10 years in prison and up to \$250,000 in fines.

In May 2006, it was discovered that Fay had been using church money to support his lavish lifestyle, which included trips to Europe, the Caribbean and other parts of the United States.

A private investigation — prompted by another church priest and its bookkeeper, who both left the parish in 2006 — also discovered that Fay was in a romantic relationship with another man. Fay, who denies their relationship was romantic, resigned shortly after the news broke.

An August 2006 independent audit commissioned by the Diocese of Bridgeport, reported that St. John Parish lost at least \$1.4 million since 2000. Fay became church pastor in 1991.

Fay is now required to surrender on Sept. 17 at noon to Butner Federal Correctional Complex in Butner, N.C., where he would be serving his jail time. A conference call updating all parties on the status will be held on Sept. 10.