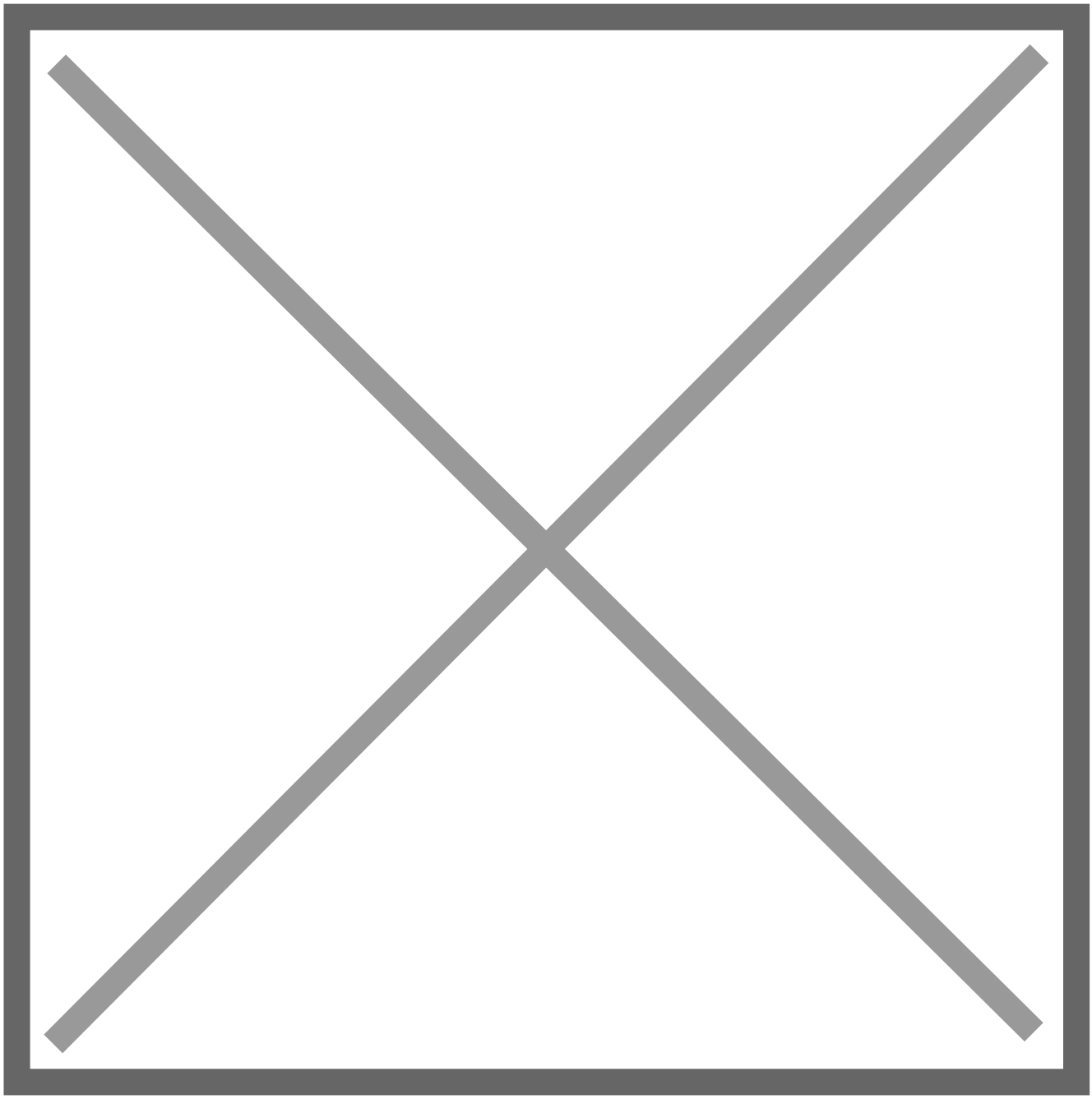


A man prays with a child in front of an image of Our Lady at Mount Cristo Rey in Sunland Park, N.M., during a pilgrimage Nov. 23, 2024, for the feast of Christ the King. The Diocese of Las Cruces is demanding a jury trial in response to the Trump administration's move under an eminent domain claim to seize a pilgrimage site for the construction of a border wall. (OSV News/Reuters/Jose Luis Gonzalez)

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The Diocese of Las Cruces, New Mexico, is demanding a jury trial as it fends off the Trump administration's move to seize a long-revered pilgrimage site for a border wall as part of Trump's hardline crackdown on immigration.

The request comes days after a June 28 pilgrimage with Bishop Peter Baldacchino leading more than 500 faithful from the dioceses of Las Cruces and El Paso, Texas, along with the Archdiocese of Santa Fe, in prayer to protect the shrine.

The July 6 filing is the latest in a legal battle playing out in the U.S. District Court for the District of New Mexico, with the administration seeking to take control of a 14-acre parcel that includes Mount Cristo Rey, located in Sunland Park, New Mexico.

The 4,675 foot peak, capped by a 29-foot limestone statue of Jesus Christ the King, has served as a shrine for Catholic faithful for close to a century.

Each year, thousands trek up the rugged path to the image, which depicts a robed Christ with arms stretched out against the cross, overlooking the El Paso and southern New Mexico landscapes.

The federal government filed a May 7 lawsuit claiming eminent domain — or government power to seize private property for public use, with "just compensation"

as required by the Fifth Amendment — over the land.

The diocese has invoked its rights under the First Amendment and the Religious Freedom Restoration Act, the latter of which expands protections for religious exercise beyond those covered under the former.

RFRA prohibits the government from placing a substantial burden on a person's exercise of religion without compelling government interest, and even in those circumstances, requires that they do so by the least restrictive means.

The federal government's plans for taking possession of the land are hardly that, said the diocese, stating, "Nothing could be less Catholic."

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Specifically, the diocese said, the federal government's plan would "deface" Mount Cristo Rey, and "profane" the site with the presence of a border wall segment that would in turn likely "damage or restrict access to this sacred space."

In addition, the diocese said in its response, the Trump administration's move to condemn the land and take immediate possession would "deprive" the diocese of its stewardship responsibilities, which ensure that "successor landowners do not use Diocesan property in ways that are inconsistent with Catholic values and teachings."

On June 15, U.S. District Judge Kenneth Gonzales ruled that the legally required just compensation — determined by the fair market value of the property and calculated as $183,071 — should be deposited into the court registry's bank account. The move is standard in eminent domain legal proceedings.

But in its July 6 filing, the diocese rejected that amount as just compensation, noting that the federal government "has not conducted a site visit" to assess the property.

In addition, said the diocese, the federal government assessed a much higher value for a nearby state-owned 7.3-acre site it also wishes to seize for the border wall, valuing that parcel at $798,500.

"In other words, the United States estimates a nearby tract of land roughly one-half the size of the Property to be more than four times as valuable," said the diocese in the July 6 filing.

If the court rules in favor of the federal government's seizure, the diocese demanded a jury trial "on the issue of just and adequate compensation."

In its filing, the diocese asked the court to invalidate the federal government's seizure, and to award the diocese just compensation as well as "reasonable costs and attorney's fees" and any other "just and proper" relief.

In a June 29 reflection on the Mount Cristo Rey pilgrimage, Baldacchino said the encounter "moved me deeply and was for me a clear sign of how God creates unexpected unity among people from different states, countries, age groups and walks of life, and thereby manifests His glory."

The bishop — who concelebrated a Mass on the mountain with Auxiliary Bishop Anthony Celino of El Paso — said he was "immensely grateful" for the more than 500 clergy, religious and lay faithful" who had participated.

Baldacchino also thanked Archbishop John Wester of Santa Fe and Bishop Mark Seitz of El Paso for their prayers and support of the pilgrimage, which was an "experience of the immense power of God even in conflict."

He added, "All your prayers have already born much fruit."

An online status conference on the case has been scheduled for July 16, with a motion hearing set to take place July 23.

This story appears in the **Immigration and the Church** feature series. View the full series.