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In The court of appeals

APPEAL FROM GREENVILLE COUNTY court of Common Pleas

Charles B. Simmons Jr

C.A. No.: 2020-CP-23-00939

Appellate Case No. 2020-001699

RECEIVED

OCT 12 2023

SC Court of Appeals

Kenneth Curtis, Respondent,

v.

Cynthia J. Glenn, Appellant,

Reply to Motion: Requesting Permission to Serve and File Respondent's Final Brief outside of filing deadlines AND

Appellant's Motion to Permanently Strike Respondent's Briefs from the record

On October 4, 2023, I received an undated motion by Respondent requesting permission to file outside of timeline. He states:

*"Attorney of record Michael Dodd Esq. has resigned representation of Respondent Kenneth Curtis in this case therein causing unavoidable preparation delays." (EXHIBIT 1)*

Mr. Curtis has shown no proof that Mr. Dodd was ever retained to represent him in the Court of Appeals. Filings to be removed as the attorney of record by Mr. Dodd are dated September 7, 2022 in which Mr. Dodd states,

*"Kenneth Curtis has, since the day of the final order in the circuit court case was issued on November 17, 2020... instructed counsel, Michael B. Dodd not to represent him in any appeal of the matter." (EXHIBIT 2)*

According to Mr. Curtis' trial attorney, he has had three years to prepare for this appeal; therefore the delay is unwarranted.

Initial Brief and Final Brief of the Appellant are not properly formatted as required by SCACR. Motions, objections, defenses not included in the lower court and new arguments constitute the majority of the briefs.

Respondent's [Final] Brief contains an additional three pages not presented in the [Initial] Brief. Although enumerated differently because the Table of Authorities is not within the Final Brief, Pages 9-12 of the Final Brief are nowhere within the Initial Brief (Comparison of EXHIBIT 6 and EXHIBIT 7).

Respondent has caused chaos and intentionally corrupted the timeline by failing to serve the appellant on motions and briefs which is a violation of SCACR 262(b) and (c). Such actions have caused extreme delays in the process and interfered with due process rights. Further, these failures should be deemed as abandonment SCACR Rule 240(g).

Initial Brief and Final Brief do not properly address the Issues on Appeal. Instead, the briefs attack the moral character of this appellant and the Magistrate Court Judge and should be considered a scandalous matter. In bold font, Respondent states that this Appellant has accused a judge of "*Criminal 'Distribution of Pornography to a Child'*" and then claims that I continue to don a crusader's cape with demands from the Attorney General. Not only are the slanderous statements about this appellant intended to prejudice the rulings of the court, they do not remotely resemble anything rooted in truth (EXHIBIT 6).

Almost the entire [Final] Brief of Respondent consists of novel arguments and strays far from the defenses raised before the trial court or as a matter of record (EXHIBIT 6). An issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the

trial judge to be preserved for appellate review. *Creech v. South Carolina Wildlife and Marine Resources Dep't*, 328 S.C. 24, 491 S.E.2d 571 (1997).

Among these new defenses are the mentioning of the "Checklist for S.C. Magistrates," "proper written request...for access to a cemetery" and references to the decedent's (Appellant's husband who was buried at Saluda Rest Cemetery) child custody case. (EXHIBIT 6)

The evidence and Record on Appeal contradict Respondent's Statement of Case, specifically: Appellant's cemetery visitation history which was a matter before the Summary Court and not the Commons Pleas Court and therefore not preserved for appeal; Respondent's length of ownership (EXHIBIT 3 pg 172-173), and contract with Appellant regarding her husband's remains (EXHIBIT 4 pg 157-159).

The aforementioned issues comprise the majority of the briefs and leaves nothing of value that can be properly submitted.

Appellant was recently notified of other filings from Curtis in this case to which she was not served. The pattern of non-compliant behavior evidenced in his numerous failures to serve the opposing party are contemptible and intended to cause harm to the appellant's defense. As written,

Respondent Briefs have no bearing on the subject matter of the appeal; therefore, striking only portions of the briefs would not correct the issues but would cause continued delays to an already belabored case. (EXHIBIT 6)

Striking Respondent's Briefs will not adversely affect the Record on Appeal because Respondent only presented four items in his Designation of Matter (EXHIBIT 5). Items enumerated 1 and 2 are Final Orders in Common Pleas and the South Carolina statutes relating to cemeteries. Both of these are already included within the Record on Appeal. Item number 3 is a

request for the full transcript be included, which has already been ruled upon by this court (EXHIBIT 8). And item number 4 is the improperly captioned case filed by decedent and unrelated to this case but intended to prejudice the court.

**WHEREAS;** Respondent is abusing the process and using the public platform of the Court of Appeals to harass Appellant, defame her character and cause further damage, respondents briefs are untimely, do not meet mandatory requirements of Appellate Court Rules, bring issues not before this court, misrepresent facts of the case and whereas Appellant is in need of protection from defaming accusations presented in Respondent briefs;

Appellant prays of The Court that Respondent's Motion to submit the Final Brief outside of timeline be denied and that both Initial and Final Briefs be permanently stricken from the record.

Cynthia Glenn, Date: 10/9/23  
Autograph of Cynthia Glenn  
Post Office Box 87  
Gray Court, South Carolina [29645]  
(864) 329-0010  
APPELLANT

Exhibit 1

**BRIEF OF RESPONDENT THE STATE OF SOUTH CAROLINA**

**In The Court Of Appeals**

**APPEAL FROM GREENVILLE COUNTY, COURT OF COMMON PLEAS**

**The Hon. Charles B. Simmons Jr.**

**Master In Equity**

**C.A No. 2020-CP-23-00939**

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**Appellate Case No.2020-001699**  
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**Kenneth Curtis,                      Respondent**

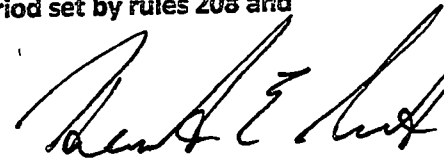
**v.**

**Cynthia Glenn,                      Appellant**

---

**Motion: Requesting Permission to Serve and File Respondent's Final Brief outside of filing deadlines {ref. Rule 208 and 209 S.C Appellate Court Rules.}**

**Whereas, Respondent's attorney of record Michael Dodd Esq. has resigned representation of Respondent Kenneth Curtis in this case therein causing unavoidable preparation delays, Kenneth Curtis moves this court to extend Respondent's Final Brief outside of filing deadline and except this Respondent's Final Brief outside of deadlines, but within the ten day grace period set by rules 208 and 209**



Kenneth E. Curtis,

Pro Se

Kenprivacypro@gmail.com

113 Edwards Rd.

Marietta, S.C 29661

(864) 884-9503

EXHIBIT 2

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED

Sep 07 2022

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

SC Court of Appeals

The Honorable Charles B. Simmons, Jr., Master in Equity

Appellate Case No. 2020-001699  
Circuit Court Case No. 2020-CP-23-00939

In RE: Kenneth Curtis..... Plaintiff,

Cynthia Glenn..... Defendants,

of which

Cynthia Glenn..... are the Appellants,

and

Kenneth Curtis..... is the Respondent.

PETITION AND MOTION TO WITHDRAW FROM REPRESENTATION

THE DODD LAW FIRM, LLC

Michael B. Dodd  
SC Bar No.: 100599  
The Dodd Law Firm, LLC  
13 Sevier Street  
Greenville, SC 29605  
864-747-5607  
michael@thedoddlawfirm.com

September 7, 2022

Attorney Michael B. Dodd of The Dodd Law Firm, LLC, who did represent Kenneth Curtis in the circuit court action related to this matter, does now file this motion to withdraw from representation pursuant to Rule 264 of the South Carolina Appellate Court Rules ("SCAR"). This motion is based upon justifiable cause, that Kenneth Curtis has, since the day the final order in the circuit court case was issued on November 17, 2020, numbered 2020-CP-23-00939, instructed counsel, Michael B. Dodd not to represent him in any appeal of this matter. Additionally, Kenneth Curtis, by virtue of his express desire that Michael B. Dodd not represent him on appeal, has consented to this motion pursuant to Rule 264(b) SCAR. Michael B. Dodd has given written notice to Kenneth Curtis multiple time since November 17, 2020, that he would not be representing him on appeal, and Mr. Curtis has informed Michael B. Dodd that he would retain other counsel. Mr. Curtis has been provided a copy of this petition and motion as well and has notice that Michael B. Dodd seeks to withdraw from representation. Kenneth Curtis has not responded to any communications sent from Michael B. Dodd regarding this matter.

Michael B. Dodd prays and asks this court to grant this petition and motion based upon justifiable cause, and based upon the express instruction and consent of Kenneth Curtis, and asks that this court issue an order pursuant to Rule 264 SCAR that Michael B. Dodd is hereby withdrawn and relieved s counsel for Kenneth Curtis in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael B. Dodd". The signature is written in a cursive style with a horizontal line underneath it.

Michael B. Dodd  
SC Bar No.: 100599  
The Dodd Law Firm, LLC  
13 Sevier Street  
Greenville, SC 29605  
864-747-5607  
michael@thedoddlawfirm.com

September 7, 2022

**RECEIVED**

**Sep 07 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

---

The Honorable Charles B. Simmons, Jr., Master in Equity

---

Appellate Case No. 2020-001699  
Circuit Court Case No. 2020-CP-23-00939

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In RE: Kenneth Curtis..... Plaintiff,

Cynthia Glenn..... Defendants,

of which

Cynthia Glenn..... are the Appellants,

and

Kenneth Curtis..... is the Respondent.

---

I, the undersigned attorney, Michael B. Dodd, do hereby certify that I have served the below parties in this action with a copy Michael B. Dodd's petition and motion pursuant to Rule 264 SCAR to withdraw as counsel via U.S. Mail to the following addresses:

**PARTIES SERVED:**

Cynthia Glenn

579 W Circle Road  
Gray Court, SC 29645

*Petitioner, Pro se*

Kenneth Curtis  
113 Edwards Road  
Marietta, SC 29661

And via email: [kenprivacypro@gmail.com](mailto:kenprivacypro@gmail.com)

Respondent

A handwritten signature in black ink, appearing to read "Michael B. Dodd", written over a horizontal line.

Michael B. Dodd  
SC Bar No.: 100599  
The Dodd Law Firm, LLC  
13 Sevier Street  
Greenville, SC 29605  
864-747-5607  
[michael@thedoddlawfirm.com](mailto:michael@thedoddlawfirm.com)

September 7, 2022



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EXHIBIT  
3

January 05, 2011 02:21:59 PM Book:52 2382 Page:4437-4441  
Rec:\$10.00 Cnty Tax:EXEMPT Cons:\$0.00 State Tax:EXEMPT

FILED IN GREENVILLE COUNTY, SC

# 177

RETURN TO:  
DOBSON JONES & BALL  
1306 South Church Street  
Greenville, South Carolina 29605  
(864) 271-9171

(Title Not Examined)

[Space Above This Line For Recording Data]

STATE OF SOUTH CAROLINA	)	QUIT-CLAIM DEED
	)	GRANTEE'S ADDRESS:
COUNTY OF GREENVILLE	)	113 Edwards Road
		Marietta, SC 29661

KNOW ALL MEN BY THESE PRESENTS, Robert C. Childs, Jr. (a/k/a Robert C. Childs) and Sandra W. Crisp, hereinafter referred to as "Grantors" in the State and County aforesaid, in consideration of the sum of a charitable gift and other valuable consideration, to the Grantors in hand paid at and before the sealing of these presents by the Grantee, hereinafter named, the receipt of which is hereby acknowledged, has remise, released and forever quit-claimed, and by these presents does remise, release and forever quit-claim unto the following named Grantee, to-wit: Kenneth E. Curtis f/b/o Saluda Rest, its successors and assigns forever, in fee simple, the following described property:

ALL that piece, parcel or tract of land containing 12.1 acres, located in Saluda Township, in Greenville County, State of South Carolina, and designated as Tract 1 on a plat recorded in Book 11-G, page 100, prepared by Jeffery M. Plumblee as a survey for the land of Winston Cox, said plat being dated May 2, 1985, and recorded in the RMC Office for Greenville County on May 7, 1985.

For derivation of title, see deed from Winston J. Cox to Robert C. Childs (Childs) and William Watts dated October 4, 1985, recorded in the RMC Office for Greenville County on October 7, 1985 in Deed Book 1250 at page 350 and deed of distribution from the Estate of William Maxwell Watts, dated February 26, 2003, recorded in the Register of Deeds Office for Greenville County on February 26, 2003, in Deed Book 2028 at page 687.

TAX MAP # 0522.01-01-023.01

This conveyance is made subject to all easements, conditions, covenants, restrictions and rights of way which are a matter of public record or that actually exist upon the subject property as would be discovered upon visual inspection of the property or otherwise.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in any wise incident or appertaining; TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee, its successors and assigns forever.

WITNESS the execution hereof this 30<sup>th</sup> day of December, 2010.

Signed, Sealed and Delivered  
In the Presence of

Crystal Hayes  
1st Witness

[Signature]  
2nd Witness

Robert C. Childs, JR. (SEAL)  
Robert C. Childs, JR. R.E.  
(a/k/a Robert C. Childs)

Crystal Hayes  
1st Witness

[Signature]  
2nd Witness

Sandra W. Crisp (SEAL)  
Sandra W. Crisp

**Legal Representative**

TS

EXHIBIT  
4

I hereby declare that I am the legal representative for the disposition of the remains of:

Mark Quinn

I am aware of no other person(s) that have any other claims to be Legal Representative for the purposes of this disposition.

I authorize Saluda Rest Natural Burials and Ministries to conduct the burial process of these remains in accordance with their policies and procedures.

Saluda Rest Burial Policies and Procedures have been explained to me and I accept them as explained to me without exceptions.

I agree to Hold Harmless, Saluda Rest Natural Burials and Ministries in All matters connected to the burial process of these remains.

I understand that Saluda Rest Natural Burials and Ministries assumes no liability for ANY issues, legal or personal, resulting from the performance of this burial process and hereby release them from any such liability.

TS  
12/27/18

[Signature] 12/27/18

[Signature]

579 W. Clark Rd. Greer, SC 29645

Legal Representative

2019

I hereby declare that I am the legal representative for the dispensation of the remains of:

DAVID JORDAN

- 1) I am aware of no other person(s) that have any other claims to be Legal Representative for the purpose of this dispensation.
- 2) I am aware that Saluda Rest Properties are Private Property and \*NOT\* a public cemetery or perpetual care cemetery, and that burial at Saluda Rest in no way confers ownership of burial space, plots or rights to real estate at Saluda Rest properties.
- 3) I understand and consent that the remains of the person listed above, once buried at Saluda Rest, will become part of the properties of Saluda Rest Preserve.
- 4) I authorize Saluda Rest Natural Burials and Ministries to conduct the burial process of these remains in accordance with their policies and procedures.
- 5) Saluda Rest Burial Policies and Procedures have been fully explained to me and I accept them as explained to me without exceptions.
- 6) I agree to Hold Harmless, Saluda Rest Natural Burials and Ministries in ALL matters connected to the burial process of these remains.
- 7) I understand that Saluda Rest Natural Burials and Ministries assumes no liability for ANY issues, legal or personal, resulting from the performance of this burial process and hereby release them from any such liability.
- 8) I understand that Saluda Rest properties are exempt from the regulations of the South Carolina Cemetery Board because Saluda Rest is exempt as a Church, Non-Profit Cemetery, Family Cemetery and Nature Preserve. (SC code Section 40-8-200)

Kandy Lely

Signature

8/29/19

Date

Print Name Address and Phone Contact

Subpoenaed

2020

### Legal Representative

I hereby declare that I am the legal representative for the dispensation of the remains of:

1) I am aware of no other person(s) that have any other claims on the Legal Representative for the purpose of this dispensation.

2) I am aware that Saluda Rest Properties are Private Property and **\*NOT\*** a public cemetery or perpetual care cemetery, and that burial at Saluda Rest in no way confers ownership of burial space, plots or rights to real estate at Saluda Rest properties.

3) I understand and consent that the remains of the person listed above, once buried at Saluda Rest, will become part and parcel of the properties of Saluda Rest Properties.

4) I authorize Saluda Rest Natural Burials and Ministries to continue this burial process of these remains in accordance with their policies and procedures.

5) Saluda Rest Burial Policies and Procedures have been fully explained to me and I accept them as explained to me without exceptions.

6) I agree to Hold Harmless and Inureme from complaint, Saluda Rest Natural Burials and Ministries in ALL matters connected to the burial process of these remains.

7) I understand that Saluda Rest Natural Burials and Ministries assumes no liability for ANY issues, legal or personal resulting from the performance of this burial process and hereby releases them from any such liability.

8) I understand that Saluda Rest properties are exempt from provisions of the South Carolina Cemetery Board because Saluda Rest is exempt as a Church, Non-Profit Cemetery, Family Cemetery and Natural Process. (SC code Section 40-5-200)

9) I understand and wish to acknowledge that any monies provided by me to Saluda Rest are NOT given to ANY WAY as an in-kind exchange for ANY Services or Products, or disposition of remains in any and nothing has been offered or promised me in exchange. I offer anything given to Saluda Rest as a Free Will offering to Saluda Rest in the hope of the propagation of Saluda Rest Church and its Ministry Mission.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Please Print: Name, Mailing Address, Drivers Lic or ID#, and Phone Contact below

**Initial Brief of Respondent: THE STATE OF SOUTH CAROLIA**

**In The Court of Appeals**

**RE: APPEAL FROM GREENVILLE COUNTY, Court of Common Pleas**

**Hon. Charles B. Simmons Jr. M.I.E**

**C.A. No: 2020-CP-23-001699**

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**Appellate Case No. 2020-001-001699**

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**Kenneth Curtis,**

**Respondent**

**RECEIVED**

**v.**

**SEP 15 2022**

**Cynthia Glenn,**

**Appellant**

**SC Court of Appeals**

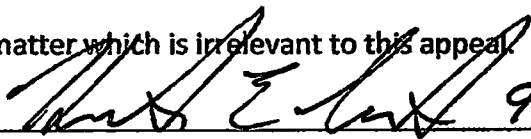
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**DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

**Respondent Pro Se (Curtis) proposes the following be included in the Record on Appeal:**

- 1] The Final Order of The Honorable Charles B. Simmons Jr., Master in Equity, In the Court of Common Pleas, 13<sup>th</sup> JUDICIAL CIRCUIT, State of SOUTH CAROLINA, County of Greenville, C.A. No.: 2020-CP-23-00939**
- 2] South Carolina Code of Laws, ARTICLE 3, Section 27-43-310 [Access to Cemeteries on PRIVATE PROPERTY]**
- 3] The ENTIRE TRANSCRIPT of the Master in Equity proceedings conducted by Master Charles B. Simmons Jr. [C.A. No.: 2020-CP-23-00939] Signed 2020-10-29**
- 4] Case documents filed by Cynthia Glenn Pro Se in case, Ref: United States Court of Appeals for the Fourth Circuit, No.:19-1555 (6:18-CV-01609-DCC) Cynthia Glenn Pro Se Plaintiff v. Defendant Rochelle Y. Conits, and others.**

**I certify that this designation contains no matter which is irrelevant to this appeal.**

 **9-13-2022**

**Kenneth E. Curtis Respondent Pro Se**

EXHIBIT 6

**BRIEF OF RESPONDENT THE STATE OF SOUTH CAROLINA**

**In The Court Of Appeals**

**APPEAL FROM GREENVILLE COUNTY, COURT OF COMMON PLEAS**

**The Hon. Charles B. Simmons Jr.**

**Master In Equity**

**C.A No. 2020-CP-23-00939**

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**Appellate Case No.2020-001699**  
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**Kenneth Curtis,            Respondent**

**v.**

**Cynthia J. Glenn,            Appellant**

-----  
**[FINAL]            BRIEF OF RESPONDENT**  
-----

Kenneth E. Curtis,

Pro Se



113 Edwards Rd.

Marietta, S.C 29661

(864) 884-9503

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## FINAL BRIEF OF RESPONDENT

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### Page# / Title

- 1) Cover / Case Information
- 2) Table of Contents
- 3-7) Respondents Final Brief Statement of Case
- 8-12) Respondents Answer to Appellants Final Brief
- 13) Motion to serve and file outside of deadline

-

## Respondent's Final Brief: Statement of Case

### BEGGING THIS COURTS INDULGENCE

Saluda Rest Ministries Preserve and Natural Burials is an active and operating non-profit burial Ministry / Church that uses the occasion of death to minister to the grieving through preaching Christian doctrines in services and facilitating families in the burial of loved ones.

All persons responsible for the dispensation of remains act legally as their own Funeral Directors when burying at Saluda Rest. As such they are solely responsible for all legally required procedures and paperwork such as, Burial Removal and Transportation Permit, and SC D.H.E.C Death Certificates connected with any burial. Saluda Rest Ministries operates exactly as thousands of other South Carolina private property church cemeteries, and private property family cemeteries and under the same South Carolina statutes. Saluda Rest properties are all 100% Tax Exempted Properties by the South Carolina Department of Revenue under applicable [ *SC Code Section 12-37-220(A3)*]. [*Churches and Burial Grounds*.] Saluda Rest is strictly non-profit and has never sold, demanded of, or billed anyone for, any product or service. Saluda Rest does not sell plots or caskets. Remains buried at Saluda Rest become part and parcel Saluda Rest properties by consent and authority of the person responsible for dispensation. Saluda Rest requests responsible persons, self acting as Funeral Director only to cover our actual material costs by donation. However, Saluda Rest performs all functions regardless of an individual's ability to compensate our material costs. Saluda Rest has never accepted ANY donation in advance of actual grave closing and has never made any type of demand for monies. Saluda Rest has never advertised burial service to the public nor solicited bodies for burial. Saluda Rest has no compensated employees. Saluda Rest accepts many indigent persons for burial from upstate County Coroners without

compensation. All persons wishing to act as Funeral Directors at Saluda Rest must personally visit the burial ground, speak extensively with the owner / Respondent (Curtis), and sign a "Release of Liability and Consent to Procedures" document with Saluda Rest.

Cynthia Glenn signed this informed consent document.

From the beginning this case has been of the very simplest of statutory matters, being completely and explicitly covered under:

South Carolina Code of Laws, Chapter 43, Article 3, Section 27-43-310  
*[Access to Cemeteries on Private Land]*.

Starting after appellant Glenn's undisputed multiple unannounced, unscheduled and unauthorized entrances through locked gates onto the properties of Saluda Rest, Respondent (Curtis) contacted Appellant (Glenn) to address access notification, as well as the significant damage done to Saluda Rest Properties by Appellant (Glenn) in her Jeep vehicle by driving directly across manicured graves and badly rutting delicate wetland drainage areas. Glenn was found responsible and ordered to pay Respondent (Curtis) for these damages by Greenville County Magistrate Kenneth Sutherlin Jr.

After all sincere good faith attempts by Respondent (Curtis) to resolve visitation issues with Glenn were met with angry denial and direct threat by Appellant (Glenn), Respondent (Curtis) sought proper statutory relief in Travelers Rest Magistrate Court, under Magistrate Sutherlin.

Access to Private Property Burial Grounds cases have been a longtime troublesome issue, and extensively litigated in the South Carolina courts. In addressing this court clogging, contentious issue, South Carolina Supreme Court, Chief Justice, Hon. Donald W. Beatty, issued a ***Binding Order (February 23, 2018)*** and a ***Checklist for S.C. Magistrates***. The Order requires Magistrates 1) complete, 2) issue, and 3) forward this Checklist Order with any case of Private Cemetery Access. Titled RE: ***Checklist for Magistrates and Municipal Judges, (SCCA/681)***.

This case could not be a better example as to why the Checklist was created and ordered to all Magistrates by the South Carolina Chief Justice.

If Magistrate Southerlin had properly used this simple Checklist (SCCA/681) as required by Supreme Court Order, it would have been quickly and obviously apparent that Glenn had not met, and adamantly had no intention to meet, the most basic statutory obligation of a petitioner party in Question #3, *Has "The Petitioner made a proper written request, pursuant to SC Code Section 27-43-310 for access to a cemetery, burial ground or grave, located on land owned or occupied by the respondent."*

It is a requirement of the statute cited that a written request be made by any petitioner for access to a burial ground located on private property be sent to that owner seeking appropriate visitation access, and giving owner the opportunity to give reasonable times and conditions for visitation.

Thereby, protecting the private property rights of owners as well as rights of petitioners with enforceable written documentation.

To date, Appellant Pro Se (Glenn) has refused to acknowledge a need for owner permission for entry, claiming public cemetery open access applies to Saluda Rest private property. Glenn has never sent any such required written access request to Saluda Rest or Respondent (Curtis).

Neither has Greenville County Magistrate Sutherlin used, completed, or filed the required South Carolina Supreme Court issued Checklist when deciding this case, or forwarding the case to any upper court as required by Supreme Court order.

This case could and should have been easily and finally adjudicated in Magistrate Court. It most certainly would have been, had the Magistrate heeded the plain requirement of both statute and Supreme Court Order. Instead regrettably, the Magistrate chose to entertain the narcissistic, premature, inflated, and conflated public cemetery arguments of Glenn Pro Se into the court.

Magistrate Southerlin then issued multiple orders, that would have changed title, and made public, the private properties of Saluda Rest and Kenneth Curtis, (an action clearly outside of Magistrate fiat authority),

thereby emboldening Glenn and setting in motion this unnecessary, costly and protracted case.

After objection and motion by attorney for Respondent (Curtis), a Clarification of Order hearing was held in Magistrate court.

Magistrate Sutherlin, recognizing the private property issues beyond his authority, *ordered* the Respondent (Curtis) to Master In Equity Court under the Hon. Charles B. Simmons Jr.

Respondent (Curtis) believes that Master In Equity Simmons was unquestionably and uniquely the best and only truly qualified judicial entity able to cut through the issues of this case, and sort out Magistrate Court errors. Master In Equity Simmons has previously visited and resolved ownership and boundary issues with the current properties of Saluda Rest. He is therefore well familiar with the ownership, history, boundaries, and purposes of the property as clearly reflected in his Masters Order in this case. The Master is not confused, nor unaware of, the adjoining synchronous nature of the two parcels as Appellant Glenn seems to be, or supposes the Master to be.

Respondent (Curtis) has never directly spoken to Master In Equity Simmons, outside of in court proceedings as a witness, nor has he any relationship with Master Simmons whatsoever.

Respondent (Curtis) believes this case to have been properly and completely resolved in Masters Court by The Hon. Charles B. Simmons Jr.

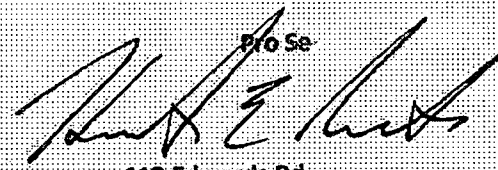
Respondent (Curtis) therefore prays this Court will order dismissal of all Appellant claims with prejudice to include an Order of Review issued to Appellant (Glenn), preventing Cynthia Glenn from further Pro Se court filing without court review for her vexatious conduct, therein returning all jurisdiction of any future issue between parties to the Master's Court and The Honorable Charles B. Simmons Jr.

**END: [ Respondent's Statement of Case ]**

---

**Kenneth E. Curtis**

**Pro Se**



**113 Edwards Rd.**

**Marietta, South Carolina, 29661**

**(864) 884-9503**

## Respondent's Answer To Final Brief Of Appellant

### BEGGING THIS COURTS INDULGENCE

Respondent (Kenneth Curtis) presenting Pro Se, asserts that all issues brought forth from Appellant (Cynthia Glenn) in her final brief have been properly, lawfully and meticulously addressed in the Master In Equity Order by the Hon. Charles B. Simmons Jr. in this case, and there are no legitimate issues whatsoever remaining for this Appellate Court to consider. Reference:

C.A. NO.: 2020-CP-23-00939 and Order issued by Master In Equity,  
In The Court Of Common Pleas 13<sup>th</sup> Judicial Circuit,  
Hon. Charles B. Simmons Jr. Signed 2020-10-29

To date Appellant Pro Se (Glenn) has failed to order or pay for a Full Transcript of the proceedings from Master In Equity Court as required by APPELLATE COURT RULES. Appellant Pro Se Glenn has instead filed a convoluted and fanciful motion regarding a full transcript with this Appellate Court implying some imagined holding "in abeyance due to a Federal case.", and seeking to proceed with a partial, contextually insufficient transcript that in no way complies with the rules required to proceed in this appeal or that allows Respondent (Curtis), to prepare a proper response or factually and contextually contest the Appellant's many false bald assertions and misrepresentations of witness testimonies as well as Master Simmons' statements made at trial. Respondent (Curtis) objects to this motion to proceed by Appellant Pro Se (Glenn).

Appellant Pro Se (Glenn) has served a Notice of Removal to Federal District Court wildly alleging civil rights violations in this case. This is clearly more than indication of Appellant (Glenn's) intention of pursuing a Federal case regardless of any decision of this or any South Carolina Court.

Essentially, Appellant Pro Se (Glenn) is asking to simultaneously try dual cases in both State and Federal courts and use her Federal court filings in order to excuse her failure to comply with the transcript rules of this South Carolina Court. Appellant Pro Se (Glenn's) case should be dismissed for failure to order, and make timely available, the Full Transcript from the Masters Court according to the plain rules of this South Carolina Court.

Appellant Pro Se (Glenn) outrageously and shockingly questions the ethics and motives of Master In Equity, The Hon. Charles B. Simmons in not recusing himself, then salaciously accuses him of being "intimately involved with [ *Ref. Appellant's Initial and Final Brief pg #4 items #5 & #6*], and of "befriending" Respondent (Curtis).

Common language interpretation could only lead to a conclusion of a baseless and outrageously salacious accusation of illegal conduct against both Master In Equity, Hon. Charles B. Simmons and this Respondent (Curtis). Such repeated accusation and declaration in Appellant (Glenn's) briefs without any basis whatsoever, should never be tolerated by this Court, nor should it be left as a frivolous issue unaddressed directly by this Court.

***IF*** this were Appellant Pro Se (Glenn's) only such malicious accusation against a South Carolina Judge sitting in one of Glenn's Pro Se court representations, it would be conduct outrageous enough to warrant sanction. However, it becomes exponentially more relevant and egregious if this Court considers that Appellant Pro Se (Glenn) has also very recently, directly, maliciously, egregiously and salaciously accused yet another respected Jurist, South Carolina Family Court Judge, The Hon. Rochelle Y. Conits, of ***Criminal "Distribution of Pornography to a Child"*** in repeated court filings,-

(Ref. United States Court Of Appeals for the Fourth Circuit, No. 19-1555 (6:18-cv-01609-DCC) Cynthia Glenn Pro Se Plaintiff/Appellant and Mark Guion v. Defendants, Melissa Marsh, Rochelle Y. Conits, Rachel Hopkins, Brittany Van De Gohm, John Does 1-20, Jane does 1-20, XYZ 1-0, Entities and Agencies) and seeking millions of dollars in damages from Judge Conits directly. This Pro Se (Glenn) case was completely dismissed by MANDATE and JUDGEMENT, June 19, 2020.

Appellant Pro Se (Glenn) is clearly, demonstrably and provably a **Vexatious Litigant** by any legal standard. Appellant (Glenn) has grossly abused her many Pro Se indulgences and leniencies granted by previous Courts in order to harass, falsely accuse and abuse many innocent individuals as well as clog the courts with a plethora of cases Local, State, and Federal with wildly inappropriate filings and knowingly false statements. Accusations against public officials that are completely inappropriate, that would never be allowed any practicing Bar Licensed Attorney. Appellant (Glenn) knowingly presented false evidence in this case wildly accusing Respondent (Curtis) of being part of a "large Meth ring" and "ongoing criminal enterprise".

While Respondent (Curtis) recognizes and supports an individual right to self-representation, a person acting Pro Se must adhere to the same standards and rules as a Licensed Attorney. Any Licensed Attorney would surely be sanctioned by both Bar and Courts for conduct even remotely similar to that of Appellant Pro Se (Glenn). Therefore, Respondent (Curtis) asks this Court to issue not only a complete Order of Dismissal in this case, but that it review all filings and cases, (to include County, State, and Federal) filed and argued by Appellant Pro Se (Glenn) and issue a **Sanction of Review Order**,

barring Cynthia Glenn from henceforth entering into any legal proceedings Pro Se without the prior approval of this Court, and remand oversight and jurisdiction back to the Master In Equity regarding any and all future or remaining issues involved with this case and between parties.

Appellant Pro Se (Glenn) quite simply refuses to accept reason or any ruling, by any authority, that Saluda Rest Ministry properties are not a public interest of any kind, and in particular not a public cemetery. Appellant Pro Se (Glenn) continues unabatedly and repeatedly to insist that a "Public Interest" exists in the private properties of SALUDA REST MINISTRIES in spite of the unquestionable Jurisdiction and Order of the Master In Equity detailing that that no public interest exists in this Private Property. Cynthia Glenn has admittedly filed multiple factually false complaints in this regard with the South Carolina Department of Labor, Licensing and Regulation, The South Carolina Cemetery Board and the South Carolina Attorney General's Office. All South Carolina agencies listed have, after completing their investigations, issued Letters of Complaint Dismissal [*Ref. South Carolina Department of Labor, Licensing and Regulation and South Carolina Cemetery Board, Office of Investigations and Enforcement, letter to Kenneth Curtis Dated 11-5-2020, re. case 2020-62*] against all of Glenn's public interest, as well as regulatory claims, with "well wishes" to the Respondent (Curtis) and Saluda Rest Ministries in "future endeavors."

Yet, appallingly and with flagrant disregard to all rulings, Appellant Pro Se (Glenn) continues to don her crusaders cape of public interest and supposed benevolent representation of a non-complaining public, with demands upon the South Carolina Attorney General's Office to intervene in a matter clearly outside of its purview and of no relevance to this case in any way. This Court should specifically bar any future public interest claims by Glenn in any **Review Sanction** it may impose against Appellant (Glenn), so prays Respondent Kenneth Curtis.

Proper relief was granted Glenn from the Masters Court, granting Glenn through gate vehicle access, visitation with 24 hour notice and a mutual restraining order.

Glenn has absolutely NOT been prevented or hindered in visitation to the gravesite of Mark Guion in any way whatsoever and Glenn has not presented any claim of such to the Master or law enforcement. Respondent (Curtis) has complied completely with the Order of Master In Equity, Simmons.

The issue of Glenn's, public access /public interest claim was fully addressed in the Masters Order when he ruled, Saluda Rest and the property of Kenneth Curtis to be private property and a cemetery on private property. This clear private property declaration and determination by the Masters Court, has been the Respondent (Curtis') claim and plea from the beginning of Magistrates court proceedings.

All Magistrate Court issues of Glenn's were fully addressed by the Masters Order and Jurisdiction.

In conclusion:

Saluda Rest Ministries and Kenneth Curtis have been performing natural burials as part of ministry for over twenty years using the entirety of our private adjoining properties. Over 75 whole body burials and dozens of cremains scatterings/burials have been done at Saluda Rest properties with zero complaint of any kind. The only exception being that of Appellant Cynthia Glenn.

Proper relief having already been granted Glenn by the Master, it is clear by her lack of actual grave visitation and her conflated court filings that Glenn's obvious motive is to punish and abuse Respondent (Curtis) with endless regulatory agency and court filings. Respondent Kenneth Curtis therefore prays this court to, dismiss with prejudice Appellant Cynthia Glenn's appeal in entirety, and issue an Order of Review to Glenn preventing her from further Pro Se filings without this courts review and approval.

EXHIBIT 7

**BRIEF OF RESPONDENT THE STATE OF SOUTH CAROLINA**

**In The Court Of Appeals**

**APPEAL FROM GREENVILLE COUNTY, COURT OF COMMON PLEAS**

**The Hon. Charles B. Simmons Jr.**

**Master In Equity**

**C.A No. 2020-CP-23-00939**

**RECEIVED**

**SEP 15 2022**

**SC Court of Appeals**

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**Appellate Case No.2020-001699**  
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**Kenneth Curtis,                      Respondent**

**v.**

**Cynthia J. Glenn,                      Appellant**

-----  
**[INITIAL]                      BRIEF OF RESPONDENT**  
-----

**Kenneth E. Curtis,**

**Pro Se**

**Kenprivacypro@gmail.com**

**113 Edwards Rd.**

**Marietta, S.C 29661**

**(864) 884-9503**

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## **Initial Brief of Respondent**

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**16 Motion Requesting Permission to Serve and Designation of Matter outside of deadlines.**

**17 Motion for Sanction, Order of Review**

**18 Designation of Matter and Certification**

**19 Proof of Service upon Appellant Pro Se Cynthia Glenn**

## **Table of Authorities**

1] The Order of:

The Honorable Judge Charles B. Simmons Jr., MASTER IN EQUITY  
IN THE COURT OF COMMON PLEAS, 13<sup>th</sup> JUDICIAL CIRCUIT  
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

C.A. NO.: 2020-CP-23-00939

Signed 2020-10-29 15:33:51

2] South Carolina Code of Laws, ARTICLE 3, Section 27-43-310 [ Access to  
Cemeteries on PRIVATE PROPERTY ]

[Initial Brief of Respondent]

## **Respondent's Statement of Case**

### **BEGGING THIS COURTS INDULGENCE**

Saluda Rest Ministries Preserve and Natural Burials is a non-profit burial Ministry / Church that uses the occasion of death to minister to the grieving both through preaching Christian doctrines in services and facilitating families in the burial of loved ones. Persons responsible for the dispensation of remains act legally as their own Funeral Directors when burying at Saluda Rest. They are responsible for all legally required procedures and paperwork such as, Burial Removal and Transportation Permit, and SC D.H.E.C Death Certificates connected with any burial. Saluda Rest operates exactly like thousands of other South Carolina private property church cemeteries, and private property family cemeteries and under the same South Carolina statutes. Saluda Rest properties are all Tax Exempted Properties by the South Carolina Department of Revenue under applicable [ *SC Code Section 12-37-220(A3). [Churches and Burial Grounds.]* Saluda Rest is strictly non-profit and has never sold, demanded of, or billed anyone for any product or service. Saluda Rest does not sell plots or caskets. Remains buried at Saluda Rest become part and parcel Saluda Rest properties by consent of person responsible for dispensation. Saluda Rest requests responsible persons, self acting as Funeral Director to cover our actual material costs by donation. However, Saluda Rest performs all functions regardless of an individual's ability to compensate our material costs. Saluda Rest has never accepted ANY donation in advance of actual grave closing and has never made any type of demand for monies. Saluda Rest has never advertised burial service to the public nor solicited bodies for burial. Saluda Rest has however, accepted many indigent persons for burial from upstate County Coroners without compensation.

All persons wishing to act as Funeral Directors at Saluda Rest must personally visit the burial ground, speak extensively with the owner / Respondent (Curtis), and sign a "Release of Liability and Consent to Procedures" document with Saluda Rest.

Cynthia Glenn signed this document.

From the beginning this case has been of the very simplest of statutory matters, being completely covered under, South Carolina Code of Laws, Chapter 43, Article 3, Section 27-43-310 [*Access to Cemeteries on Private Land*].

After Glenn's multiple unannounced and unscheduled entrances through locked gates onto the properties of Saluda Rest, Respondent (Curtis) contacted Appellant (Glenn) to address access, as well as significant damage done to Saluda Rest Properties by Appellant (Glenn) in her Jeep vehicle by driving directly across graves and badly rutting delicate wetland drainage areas. Glenn was found responsible and ordered to pay Respondent (Curtis) for these damages by Magistrate Sutherlin.

After all sincere good faith attempts by Respondent (Curtis) to resolve visitation issues with Glenn were met with angry denial and direct threat by Appellant (Glenn), Respondent (Curtis) sought proper statutory relief in Travelers Rest Magistrate Court, under Magistrate Sutherlin.

Access to Private Property Burial Grounds cases have been a troublesome issue, and extensively litigated in the South Carolina courts. In addressing this court clogging, contentious issue, South Carolina Supreme Court, Chief Justice, Hon. Donald W. Beatty, issued a binding Order (*February 23, 2018*) and a Checklist for S.C. Magistrates. The Order requires Magistrates complete, issue and forward this Checklist Order with any case of Private Cemetery Access. Titled RE: Checklist for Magistrates and Municipal Judges, (SCCA/681).

**This case could not be a better example as to why the Checklist was created and ordered to all Magistrates by the South Carolina Chief Justice.**

**If Magistrate Southerlin had properly used this simple Checklist (SCCA/681) as required by Supreme Court Order, it would have been quickly and obviously apparent that Glenn had not met, and adamantly had no intention to meet, the most basic statutory obligation of a petitioner party in Question #3, Has *"The Petitioner made a proper written request, pursuant to SC Code Section 27-43-310 for access to a cemetery, burial ground or grave, located on land owned or occupied by the respondent."***

**It is a requirement of the statute cited that a written request be made by any petitioner for access to a burial ground located on private property be sent to that owner seeking appropriate visitation access, and giving owner the opportunity to give reasonable times and conditions for visitation. Thereby, protecting the private property rights of owners as well as rights of petitioners with enforceable written documentation.**

**To date, Appellant Pro Se (Glenn) has refused to acknowledge a need for owner permission for entry, claiming public cemetery open access applies to Saluda Rest private property. Glenn has never sent any such required written access request to Saluda Rest or Respondent (Curtis).**

**Neither has Magistrate Sutherlin completed or filed the South Carolina Supreme Court issued Checklist when deciding this case, or forwarding the case to any upper court as required by Supreme Court order.**

**This case could have been easily and finally adjudicated in Magistrate Court. It most certainly would have been, had the Magistrate heeded the plain requirement of both statute and Supreme Court Order.**

**Instead regrettably, the Magistrate chose to entertain the narcissistic, premature, inflated, and conflated public cemetery argument of Glenn Pro Se into the court.**

**Magistrate Southerlin then issued multiple orders, that would have changed title, and made public the private properties of Saluda Rest and Kenneth Curtis, (an action clearly outside of Magistrate fiat authority), thereby setting in motion this unnecessary and protracted case.**

After objection and motion by attorney for Respondent (Curtis), a Clarification of Order hearing was held in Magistrate court.

Magistrate Sutherlin, recognizing the private property issues beyond his authority, ordered the Respondent (Curtis) to Master In Equity Court under the Hon. Charles B. Simmons Jr.

Respondent (Curtis) believes that Master In Equity Simmons was unquestionably and uniquely the best and only truly qualified entity able to cut through the issues of this case, and sort out Magistrate Court errors. Master In Equity Simmons has previously resolved ownership and boundary issues with the current properties of Saluda Rest. He is therefore well familiar with the ownership, history, boundaries, and purposes of the property as clearly reflected in his Masters Order in this case. The Master is not confused nor unaware of the adjoining, synchronous nature of the two parcels as Appellant Glenn seems to be, or supposes the Master to be.

Respondent (Curtis) has never directly spoken to Master In Equity Simmons, outside of court proceedings as a witness, nor has he any relationship with Master Simmons whatsoever.

Respondent (Curtis) believes this case to have been properly resolved in Masters Court by The Hon. Charles B. Simmons Jr.

Respondent (Curtis) therefore prays this Court will order dismissal of all Appellant claims with prejudice to include an Order of Review issued to Appellant (Glenn), preventing Cynthia Glenn from further Pro Se court filing without court review for her vexatious conduct, therein returning all jurisdiction of any future issue between parties to the Master's Court and The Honorable Charles B. Simmons Jr.



EXHIBIT 8

The South Carolina Court of Appeals

Kenneth Curtis, Respondent,

v.

Cynthia Glenn, Appellant.

Appellate Case No. 2020-001699

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ORDER

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Appellant's unopposed motion to proceed without the full transcript is granted. Appellant's initial brief and designation of matter shall be served and filed within thirty days of the date of this order. No extensions will be granted absent a showing of extraordinary circumstances.

  
FOR THE COURT

Columbia, South Carolina

cc:

Cynthia J. Glenn

Michael Bland Dodd, Esquire

**FILED**  
**Jun 30 2022**

In The court of appeals

APPEAL FROM GREENVILLE COUNTY court of Common Pleas

Charles B. Simmons Jr

C.A. No.: 2020-CP-23-00939

Appellate Case No. 2020-001699

RECEIVED

OCT 12 2023

Kenneth Curtis,

Respondent, SC Court of Appeals

v.

Cynthia J. Glenn,

Appellant,

Proof of Service

On 10/10/23 I did deposited Reply to Motion: Requesting Permission to Serve  
and File Respondent's Final Brief outside of filing deadlines AND Appellant's Motion to  
Permanently Strike Respondent's Briefs from the record in the USPS postage paid to Respondent at 113  
Edward Rd, Travelers Rest South Carolina.

Cynthia Glenn, Date: 10/10/23

Autograph of Cynthia Glenn  
Post Office Box 87  
Gray Court, South Carolina [29645]  
(864) 329-0010  
APPELLANT