

REPLY TO "RESPONSE IN OPPOSITION TO PETITION FOR CERTIORARI BY
APPELLANT/PETITIONER CYNTHIA J."

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Jul 29 2024

S.C. SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
Charles B. Simmons, Jr., Master-in-Equity

Opinion No. 2024-UP-126
S.C. Ct. App. filed April 17, 2024

Kenneth Curtis, Respondent,

V.

Cynthia Glenn, Petitioner

REPLY TO "RESPONSE IN OPPOSITION TO PETITION FOR CERTIORARI BY
APPELLANT/PETITIONER CYNTHIA J."

Cynthia-J: Glenn, Petitioner Sui Juris
411 West Main Street, ICO Unit 87
Gray Court, South Carolina 29645
864-350-2830

Kenneth Curtis,
Pro Se Respondent
113 Edwards Road
Marietta, South Carolina 29630

Petitioner received "RESPONSE IN OPPOSITION TO PETITION FOR CERTIORARI BY APPELLANT/PETITIONER CYNTHIA J." via certified mail on July 26, 2024.

This case remains clear. Upon Respondents' acceptance of the property located at 177 Edwards Road in Marietta, South Carolina, he deeded it in the name of "Saluda Rest" and began to solicit bodies from the public and from morgues. Having now definitely devoted it to burial purposes with burial grounds consuming the entire land and continuing the practice of monetary exchange for burial services, he has thereby designated himself as a trustee for the benefit of the families of those interred. There has been no "taking" of land. There is only the oversight of respondent's duty to his customers/beneficiaries, the protection of human and religious rights of the families of the deceased and the protection of the sanctity of burial rituals.

Although Respondent fails to address the majority of arguments of the petition, he does bring a plethora of new arguments to the court. While this petitioner objects to new arguments being presented, she now addresses them for the benefit of the court:

- I. I find no evidence of Judge Sutherland ever having been asked to recuse himself or for a venue change. Neither does the respondent offer any evidence to support his claim. There was no appeal from the judgment of Summary Court and this new issue was not argued prior to the current state Supreme Court reply.
- II. Forms SCCA 680 and 681 do not apply to this case as Respondent had a long history of allowing the petitioner access to the cemetery and he himself sued this petitioner only after law enforcement had to be called regarding his harassment of the petitioner. His suit involved allegations of damages that he alleged occurred six months prior to his forbidding of continued access to the cemetery or his filing of the original suit.
- III. His assertion of Saluda Rest "in all its contiguous parcels" as a ministry and private cemetery directly contradicts his assertions in the Master in Equity Court as he denied

there were separate parcels and claimed the cemetery parcel and his family land were the same parcel during all testimony by himself, examination of witnesses and submitted evidence.

- IV. Not only does the respondent bring new claims before this court, he is also writing entirely new orders. While the respondent's complaint did ask for a determination that he operated a ministry/church, he did not ask for a determination as a cemetery. The request for proof of cemetery was the intent of the order from Summary Court and was addressed by the Master in Equity, not because of respondent's argument or complaint but by his own judicial discretion. Yet Respondent now implies that he argued that he was a cemetery and that rulings were in his favor:

"There can now no longer remain any doubt or ambiguity as to the findings of all the many South Carolina Courts and Agencies that have heretofore considered the matters brought forth from Appellant Glenn proving and providing the fact that, SALUDA REST MINISTRIES is PRIVATE PROPERTY and a PRIVATE PROPERTY CEMETERY/ CEMETERY ON PRIVATE PROPERTY..."

Of course, the opposite is indeed the truth. The Master in Equity Ruled:

"the only evidence establishing that Plaintiff is a minister and that Saluda Rest is a church and church cemetery are Plaintiff's assertions of the same."

- V. While Respondent did address his claim that Saluda Rest was a ministry/church in his complaint, he presented no evidence to support his claim. Neither did he produce any evidence that this petitioner or her husband were members of his church or his religious affiliations that would allow us access to burial upon said "church" or "private" land. On the contrary, we were not. His lack of evidence of an affiliation with this respondent as having been a church member supports the fact that he is selling to the public and thereby outside of any Code of Laws as a private cemetery. It was also proven in

Summary Court that respondent does sell caskets, has an internet presence and is advertising to the public.

- VI. As to the assertion that he is 100% Tax Exempt, this claim has never been made or any evidence presented as to its validity or its effect upon respondent's rights to visit her husband's remains.

The petitioner, as well as other members of the community, have acquired burial services in a active cemetery created by Curtis in the name of Saluda Rest. A religious right and legal duty to visit and memorialize their loved ones is owed to the families of those interred in the burial ground. Currently, unenforced regulations and unclear orders of the court are interfering with these freedoms. It is the commission of the South Carolina Supreme Court to resolve errors of the Court of Appeals especially in matters of public interest. The public is best served by vacating the entirety of Master-in-Equity rulings and affirming the orders of Summary Court, and whatever other relief is deemed appropriate by the court.

Cynthia-J: Glenn w/o Prejudice
Cynthia-J: Glenn, Sui Juris
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