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August 14, 2025

RECEIVED
Aug 14 2025
SC Court of Appeals

South Carolina Court Administration
1015 Sumter Street, Suite 200
Columbia, SC 29201

RE: Expedited Request for Trial Transcript Order

Case: Jackson, et al. v. Smith, et al.

Circuit Court Case No.: 2019-CP-23-06363

Consolidated Cases: 2017-CP-23-05851; 2017-CP-23-06127

Court of Appeals Case No.: [To be assigned]

Judge: The Honorable Patrick C. Fant III (presiding at trial)

TO WHOM IT MAY CONCERN:

I am counsel for Appellants and Non-Party Petitioner Enoree Fork Baptist Church in the above-referenced consolidated cases now pending before the South Carolina Court of Appeals. I hereby request an **expedited order for preparation of complete trial transcripts** necessary for appellate proceedings involving critical constitutional and jurisdictional issues requiring immediate Court review.

CASE INFORMATION AND PARTIES

Requesting Parties:

- Charles "Bennie" Smith, Robin Smith, Larry Dawkins, Mable Dawkins, Jimmy Davis, Brenda Davis, Dorothy Thomason, L.C. Thomason, and James Sims (Appellants)
- Enoree Fork Baptist Church (Non-Party Petitioner seeking protection from unconstitutional orders)

Court: Thirteenth Judicial Circuit, Greenville County

Venue: Greenville County Courthouse, 301 University Ridge, Greenville, SC 29601

Presiding Judge: The Honorable Patrick C. Fant III (non-jury trial and final orders)

EMERGENCY NATURE OF CONSTITUTIONAL PROCEEDINGS

A. Unprecedented Constitutional Crisis

This case involves **extraordinary judicial overreach** where the circuit court has:

- **Bound a religious corporation (EFBC) that was never named as a party** or served with process
- **Directed internal church governance** in violation of First Amendment protections
- **Compelled ecclesiastical meetings and voting** under court supervision
- **Made religious membership determinations** through civil authority
- **Retained ongoing jurisdiction** over religious organization's internal affairs

B. Multiple Constitutional Violations Requiring Immediate Review

Daily constitutional harm occurring:

- **First Amendment Establishment Clause:** Excessive governmental entanglement in religious affairs
- **First Amendment Free Exercise Clause:** Interference with religious autonomy and self-governance
- **Fourteenth Amendment Due Process:** Binding non-party entity without notice or opportunity to be heard
- **Personal and Subject Matter Jurisdiction:** Orders affecting entity never properly before court

C. Emergency Appellate Proceedings Pending

Time-sensitive motions requiring transcript support:

- **Petition for Writ of Supersedeas** seeking emergency stay of unconstitutional orders
- **Motion for Stay Pending Appeal** to prevent ongoing constitutional violations
- **Limited Appearance by EFBC** as non-party petitioner seeking protection
- **Notice of Appeal** from orders violating fundamental constitutional principles

COMPLETE TRANSCRIPT REQUEST

A. Non-Jury Trial Proceedings (Primary Need)

1. Complete Trial Record

- **Dates:** June 20, 2025 - likely multiple days]
- **Duration:** 1 day trial
- **Judge:** The Honorable Patrick C. Fant III
- **Court Reporter:** unknown name.

Required Coverage:

- **Opening statements** by all parties

- **Complete witness testimony** including examination and cross-examination
- **All exhibits** presented and court rulings thereon
- **Legal arguments** regarding jurisdiction, constitutional issues, and church governance
- **Court's findings, conclusions, and reasoning** for final order
- **Hearing Held June 20, 2025**
- **Entry of July 31, 2025 Order** and court's statements regarding authority

B. Post-Trial Proceedings (Critical for Appeal)

1. Rule 59 Motion Proceedings

- **Date:** August 12, 2025
- **Nature:** Defendants' Motion to Alter or Amend Judgment
- **Constitutional Issues:** Jurisdictional and First Amendment challenges
- **Result: Denied without hearing** - transcript of any oral ruling or statements

2. Supersedeas/Stay Motion Proceedings

- **Date:** August 12, 2025
- **Nature:** Defendants' Petition for Writ of Supersedeas and Motion to Stay
- **Constitutional Urgency:** Emergency relief sought for ongoing violations
- **Result: Denied without hearing** - transcript of any proceedings or statements

C. Related Constitutional Proceedings

1. Any Hearings on Jurisdictional Issues

- Proceedings addressing whether EFBC was properly before the court
- Arguments regarding church entity's non-party status
- Court's statements about authority over religious organizations

2. Church Governance and Constitutional Arguments

- Any proceedings involving First Amendment or religious autonomy issues
- Arguments about neutral principles doctrine and ecclesiastical abstention
- Court's reasoning for directing internal church affairs

3. Summary Judgment and Pretrial Proceedings (if relevant to constitutional issues)

- Any hearings addressing party joinder or church entity status
- Constitutional arguments raised in pretrial proceedings

GROUND FOR EXPEDITED PROCESSING

A. Constitutional Urgency Requiring Immediate Attention

1. First Amendment Violations

- **Daily violation of religious autonomy** through court-supervised church governance
- **Excessive governmental entanglement** in ecclesiastical affairs violating Establishment Clause
- **Interference with free exercise** of religion through compelled religious activities

2. Due Process Violations

- **Non-party entity bound without constitutional process** violating fundamental procedural rights
- **Lack of notice and opportunity to be heard** before orders affecting religious governance
- **Jurisdictional violations** affecting entity never properly before court

B. Emergency Appellate Relief Pending

1. Petition for Writ of Supersedeas

- **Constitutional violations requiring immediate stay** of enforcement
- **Irreparable harm** to religious freedom occurring daily
- **Precedential significance** for church-state separation principles

2. Time-Sensitive Constitutional Issues

- **Religious organization's autonomy** being violated through ongoing court supervision
- **Ecclesiastical independence** threatened by judicial control
- **Church-state separation** principles at stake

C. Public Interest in Prompt Constitutional Resolution

1. Separation of Church and State

- **Fundamental constitutional principles** requiring protection from governmental overreach
- **Religious freedom implications** for all faith communities
- **Precedential impact** on governmental limits regarding religious organizations

2. Due Process Protection

- **Procedural rights** of entities not properly joined in litigation
- **Jurisdictional integrity** of court system
- **Constitutional limitations** on judicial authority

PAYMENT AND DELIVERY INSTRUCTIONS

A. Payment Responsibility and Authorization

Requesting Parties: Appellants and Non-Party Petitioner (through undersigned counsel)

Payment Authorization: Full payment responsibility accepted for expedited processing **Billing Address:**

Fletcher N. Smith, Jr., Esq.

P.O. Box 10496

Greenville, SC 29603

B. Expedited Delivery Requirements

Primary Delivery: **Electronic delivery strongly preferred** (PDF format for immediate use)

Secondary Delivery: Hard copy delivery to above address if required **Timeline Requested:**

Emergency processing within 20 days due to constitutional violations and pending Court of Appeals emergency motions

Justification for 20-Day Request:

- **Daily constitutional violations** requiring immediate appellate review
- **Emergency supersedeas petition** pending before Court of Appeals
- **First Amendment issues** warranting expedited constitutional protection
- **Non-party petitioner** facing ongoing harm without appellate relief

C. Emergency Contact Information

Primary Contact: Fletcher N. Smith, Jr., Esq.

Office Phone: (864) 232-6541

Emergency Cell: [Cell phone number]

Email: [Primary email address]

Available for: Emergency coordination, expedited processing questions, delivery arrangements

SPECIFIC REQUEST FOR EXPEDITED ORDER

Given the **unprecedented constitutional violations** and **emergency nature** of the appellate proceedings, I respectfully request that Court Administration:

A. Immediate Administrative Action

1. **Issue emergency expedited order** for transcript preparation within **20 days**
2. **Prioritize this case** due to First Amendment and due process violations
3. **Coordinate directly with court reporter** for immediate commencement
4. **Provide estimated completion timeline** within 48 hours of this request

B. Constitutional Priority Processing

1. **Recognize constitutional urgency** of religious freedom violations

2. **Expedite due to daily harm** occurring to non-party religious entity
3. **Prioritize over routine commercial disputes** given constitutional nature
4. **Facilitate immediate appellate review** of fundamental constitutional questions

C. Communication and Coordination

1. **Notify all counsel** of transcript order and timeline immediately
2. **Provide regular updates** on preparation progress
3. **Ensure electronic delivery** for immediate appellate use
4. **Coordinate with Court of Appeals** regarding emergency motion schedule

CERTIFICATION OF NECESSITY AND AUTHORITY

I hereby certify that:


1. **Transcripts are essential** for proper appellate review of constitutional violations and jurisdictional errors
2. **Expedited processing is warranted** due to ongoing daily constitutional violations against religious organization
3. **Emergency relief pending** before Court of Appeals requires immediate transcript support
4. **Payment arrangements confirmed** for prompt payment upon completion
5. **Constitutional urgency** justifies priority processing over routine matters
6. **All parties** will be notified of transcript completion as required by appellate rules

CONCLUSION AND URGENT REQUEST

The **constitutional violations presented in this case**—particularly the unprecedented judicial interference with religious organization governance without due process—**require immediate appellate review**. The **daily harm** to First Amendment religious freedom rights and due process protections **cannot await normal transcript processing timelines**.

Expedited transcript preparation is essential to:

- **Protect ongoing constitutional rights** through appellate relief
- **Enable proper appellate review** of fundamental constitutional questions
- **Prevent irreparable harm** to religious autonomy and church-state separation
- **Preserve constitutional principles** for all religious organizations

 Outlook

Transcript Request for Docket Number 2019CP2306363

From Transcripts@sccourts.org <Transcripts@sccourts.org>

Date Wed 8/13/2025 4:20 PM

To fsmith@bellsouth.net <fsmith@bellsouth.net>

Greetings,

You are receiving this notice and the **summarized Transcript Request shown below** because you are associated with case **Jackson, Sylvester vs Smith, Charles Bennie**.

Pursuant to Rule 207(a)(1), SCACR, you are being notified that the transcript has been requested on **8/13/2025**. There is no action required.

If you need further assistance, please contact us at transcripts@sccourts.org.

Regards,

Court Administration

Summarized Transcript Request ID: **1203199653**

Requester Information:

Name: Fletcher Smith

Entity: *Not entered*

Email: fsmith@bellsouth.net

Is the requester a party on the case? No

Does the requester represent a party? Yes Charles Smith

Transcript Information:

Docket Number: 2019CP2306363

Court Type: Circuit
County: Greenville
Case Caption: Jackson, Sylvester vs Smith, Charles Bennie
Appeal Pending? Court of Appeals
Death Penalty? No
Start Date of Proceeding: 6/20/2025
End Date of Proceeding: 6/20/2025
Presiding Judge: Fant, Patrick C. III
Court reporter daily assignments:
 6/20/2025 (Friday): WebEx, Circuit Court
Opposing Counsel and/or other parties information:
 (Attorney) Fletcher N. Jr. Smith
 (email): fnsmith@bellsouth.net
 (Defendant) Charles Bennie Smith
 (Plaintiff) Sylvester Jackson
 (Plaintiff Attorney) Jeffrey Alton Phillips
Next hearing date: *Date not entered*
Portion of proceeding to be transcribed: Entire Hearing

Delivery Information:

Delivery Timeframe: Regular Delivery (60 days)
Delivery Method: PDF & Hard Copy via Priority Mail (\$50 + shipping)
Delivery Timeframe: Private/Self

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