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May 21 2026

S.C. SUPREME COURT

EXHIBIT
A

Order of the South Carolina Court of Appeals Dismissing Appeal

March 19, 2026

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

The South Carolina Court of Appeals

Enoree Fork Baptist Church, Plaintiff,

v.

Sylvester Jackson, Stepping-Stone Ministries, Inc.,
William M. Landreth, Landreth Properties, LLC, Cordell
Porter, Donald Cox Ernest Murray, CresCom
Bank/Formerly Greer State Bank, and Rodney Butler,
Defendants,

AND

Sylvester Jackson, Karen Robinson, Michael Robinson,
Dorothy Williams, John Woodfold, Ernest "Terry"
Murray, Donald Cox, Timothy McBee, Derrick Cox,
Reginald Jackson, Willie Foster, Cynthia Robinson,
Zelma Brown, Telek Cobb, Sarah Thomason, and
Thurshia Jamison-Jackson, Respondents,

v.

Charles "Bennie" Smith, Robin Smith, Larry Dawkins,
Mable Dawkins, Jimmy Davis, Brenda Davis, Dorothy
Thomason, L.C. Thomason, and James Sims, Appellants.

Appellate Case No. 2025-001623 .

The Honorable Patrick Cleburne Fant, III
Greenville County
Trial Court Case No. 2019CP2306363

ORDER

Appellants failed to provide a status update regarding the delivery of the transcript and file Appellants' initial brief as required by Rules 207 and 208 of the South Carolina Appellate Court Rules and this Court's letter dated December 16, 2025. Accordingly, this matter is dismissed.¹ The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT
BY Jasmine D. Smith, Deputy
CLERK

Columbia, South Carolina

cc:

Fletcher N. Smith, Jr., Esquire
Rustin Bryce Duncan, Esquire
Garrett Miller Simpson, Esquire
Patrick Ian Toomey, Esquire

FILED
Mar 19 2026

¹ No further action will be taken on the Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity filed on August 19, 2025, due to the dismissal of this appeal.

EXHIBIT B

Order of the South Carolina Court of Appeals Denying Rehearing

April 22, 2026

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

The South Carolina Court of Appeals

Enoree Fork Baptist Church, Plaintiff,

v.

Sylvester Jackson, Stepping-Stone Ministries, Inc.,
William M. Landreth, Landreth Properties, LLC, Cordell
Porter, Donald Cox Ernest Murray, CresCom
Bank/Formerly Greer State Bank, and Rodney Butler,
Defendants,

AND

Sylvester Jackson, Karen Robinson, Michael Robinson,
Dorothy Williams, John Woodfold, Ernest "Terry"
Murray, Donald Cox, Timothy McBee, Derrick Cox,
Reginald Jackson, Willie Foster, Cynthia Robinson,
Zelma Brown, Telek Cobb, Sarah Thomason, and
Thurshia Jamison-Jackson, Respondents,

v.

Charles "Bennie" Smith, Robin Smith, Larry Dawkins,
Mable Dawkins, Jimmy Davis, Brenda Davis, Dorothy
Thomason, L.C. Thomason, and James Sims, Appellants.

Appellate Case No. 2025-001623

ORDER

After careful consideration of the motion to reinstate, which we construe as a petition to rehear the dismissal, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there

is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

John D. South J.

Blake L. Hewitt J.

Kristi Curtis J.

Columbia, South Carolina

cc:

Fletcher N. Smith, Jr., Esquire
Rustin Bryce Duncan, Esquire
Garrett Miller Simpson, Esquire
Patrick Ian Toomey, Esquire

FILED
Apr 22 2026

EXHIBIT

C

**Order of the South Carolina Court of Appeals Granting Supersedeas and Ordering
Briefing on Rule 240 Motion**

August 29, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

The South Carolina Court of Appeals

Enoree Fork Baptist Church, Plaintiff,

v.

Sylvester Jackson, Stepping-Stone Ministries, Inc.,
William M. Landreth, Landreth Properties, LLC, Cordell
Porter, Donald Cox Ernest Murray, CresCom
Bank/Formerly Greer State Bank, and Rodney Butler,
Defendants,

AND

Sylvester Jackson, Karen Robinson, Michael Robinson,
Dorothy Williams, John Woodfold, Ernest "Terry"
Murray, Donald Cox, Timothy McBee, Derrick Cox,
Reginald Jackson, Willie Foster, Cynthia Robinson,
Zelma Brown, Telek Cobb, Sarah Thomason, and
Thurshia Jamison-Jackson, Respondents,

v.

Charles "Bennie" Smith, Robin Smith, Larry Dawkins,
Mable Dawkins, Jimmy Davis, Brenda Davis, Dorothy
Thomason, L.C. Thomason, and James Sims, Appellants.

Appellate Case No. 2025-001623

ORDER

On August 14, 2025, Appellants filed their notice of appeal, a motion to stay, and a petition for a writ of supersedeas. The relief requested in the motion to stay and petition for a writ of supersedeas is to stay enforcement of the circuit court's July 31, 2025 order. Respondents filed a return, opposing the requested relief or in the alternative to stay only the Enoree Fork Baptist Church congregation's vote. After

careful consideration, we grant the motion to stay and the petition for a writ of supersedeas and stay the July 31, 2025 order during the pendency of the appeal.

Also on August 14, 2025, Enoree Fork Baptist Church filed a "Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity." At this time, we take no action on this motion. However, we order Respondents to serve and file a return to the motion within ten days of the date of this order. Thereafter, a reply shall be served and filed within five days of receipt of the return. The court will consider the "Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity" upon receipt of the requested return and reply.



FOR THE COURT

Columbia, South Carolina

cc:

Fletcher N. Smith, Jr., Esquire
Rustin Bryce Duncan, Esquire
Garrett Miller Simpson, Esquire
Patrick Ian Toomey, Esquire

FILED
Aug 29 2025

EXHIBIT D

Letter from the South Carolina Court of Appeals Regarding Rule 240 Motion Status

November 24, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
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November 24, 2025

Mr. Fletcher N. Smith, Jr., Esquire
112 Wakefield Street
Greenville SC 29601

Mr. Rustin Bryce Duncan, Esquire
955 W. Wade Hampton Blvd
Ste 8A
Greer SC 29650

Mr. Garrett Miller Simpson, Esquire
PO Box 26418
Greenville SC 29616

Mr. Patrick Ian Toomey, Esquire
PO Box 156
Spartanburg SC 29304

Re: Sylvester Jackson v. Charles "Bennie" Smith
Appellate Case No. 2025-001623

Dear Counsel:

On August 14, 2025, Enoree Fork Baptist Church filed a "Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity," arguing in it was never named as a party in any of the underlying consolidated actions, thus, orders of the circuit court purporting to bind Enoree Fork Baptist Church should be vacated. On August 29, 2025, this court requested a return and reply to the motion and explained it would consider the motion upon receipt of the requested filings.

The court has now received the return and reply. The court will consider the "Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity," return, and reply in conjunction with the court's further consideration of the case.

Very truly yours,

Jasmino J. Smith, Deputy

CLERK

EXHIBIT E

Letter from the South Carolina Court of Appeals Regarding Transcript Delinquency

December 16, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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December 16, 2025

Mr. Fletcher N. Smith, Jr., Esquire
112 Wakefield Street
Greenville SC 29601

Re: Sylvester Jackson v. Charles "Bennie" Smith
Appellate Case No. 2025-001623

Dear Counsel:

Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the Office of Court Administration. The address for Court Administration is as follows:

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201
transcripts@sccourts.org

Be sure to copy the Court and opposing counsel with all correspondence concerning the transcript.

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal will be dismissed.

Very truly yours,

Jasmine D. Smith, Deputy
CLERK

cc: Rustin Bryce Duncan, Esquire
Garrett Miller Simpson, Esquire
Patrick Ian Toomey, Esquire

EXHIBIT F

Order of the Honorable Patrick C. Fant, III Regarding Plaintiffs' Causes of Action for Declaratory Judgment

July 31, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Enoree Fork Baptist Church)
)
Plaintiff,)
Vs.)
)
Sylvester Jackson, Stepping-Stone)
)
Ministries, Inc., William M. Landreth,)
)
Landreth Properties, LLC, Cordell Porter,)
)
Donald Cox Ernest Murray, CresCom Bank/)
)
Formerly Greer State Bank, and Rodney)
)
Butler,)
)
Defendants.)

IN THE COURT OF COMMON PLEAS
Civil Action No.: 2017-CP-23-06127
CONSOLIDATED FILE NUMBER-
2019-CP-23-06363

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Sylvester Jackson, Karen Robinson,)
)
Michael Robinson, Dorothy Williams, John)
)
Woodfold, Ernest "Terry" Murray, Donald)
)
Cox, Timothy McBee, Derrick Cox,)
)
Reginald Jackson, Willie Foster, Cynthia)
)
Robinson, Zelma Brown, Telek Cobb, Sarah)
)
Thomason, and Thurshia Jamison-Jackson,)
)
Plaintiffs,)
Vs.)
)
)
Charles "Bennie" Smith, Robin Smith,)
)
Larry Dawkins, Mable Dawkins, Jimmy)
)
Davis, Brenda Davis, Dorothy Thomason,)
)
L.C. Thomason, and James Sims,)
)
Defendants.)

IN THE COURT OF COMMON PLEAS
Civil Action No.: 2017-CP-23-05851
CONSOLIDATED FILE NUMBER-
2019-CP-23-06363

**ORDER REGARDING PLAINTIFFS'
CAUSES OF ACTION FOR
DECLARATORY JUDGMENT**

I. INTRODUCTION

This matter came before the Court for a non-jury trial regarding Plaintiffs Sylvester Jackson, Karen Robinson, Michael Robinson, Dorothy Williams, John Woodfold, Ernest "Terry" Murray, Donald Cox, Timothy McBee, Derrick Cox, Reginald Jackson, Willie Foster, Cynthia

Robinson, Zelma Brown, Telek Cobb, Sarah Thomason, and Thurisha Jamison-Jackson's Declaratory Judgment claims on June 20, 2025. The Court finds that the congregation of Enoree Fork Baptist Church ("EFBC") never officially met pursuant to EFBC's 1996 Constitution and Bylaws for the purpose of disposing of Plaintiff Sylvester Jackson ("Pastor Jackson") or any of the other Plaintiffs. Additionally, it was not established by a preponderance of the evidence that the 2016 Constitution and Bylaws was adopted by the Congregation of EFBC and controlled Pastor Jackson's termination. Since the congregation never met, the Court has jurisdiction over this matter to restore the status quo of EFBC back to April 3, 2017. By restoring the status quo of the Church, the congregation of EFBC is enabled to act in its duly constituted manner in whatever way it deems appropriate regarding Pastor Jackson's pastoral status or any other EFBC member's membership status. The Court retains jurisdiction over this case to ensure both factions of EFBC comply with its Order for the congregation to meet and vote on whether EFBC will terminate Pastor Jackson or expel any of the other Plaintiffs pursuant to EFBC's 1996 Constitution and Bylaws.

II. PROCEDURAL HISTORY

This case concerns a church dispute between two factions of the EFBC Congregation. In August 2015, Sylvester Jackson was elected as the Pastor of EFBC pursuant to EFBC's 1996 Constitution and Bylaws. On November 30, 2016, Charles "Bennie" Smith filed a civil action against Sylvester Jackson, Ernest Murray, Rodney Duck, Karen Robinson, and Cynthia Robinson in Civil Action Number 2016-CP-23-06929 alleging the parties misappropriated church funds without authorization and the parties did not legitimately vote on or institute the 2016 Constitution and Bylaws.

On March 23, 2017, the Honorable Perry H. Gravely Ordered the parties to hold a church meeting on April 15, 2017 ("Church Meeting") at the Enoree River Association located at 421

Dallas Road, Greenville, South Carolina and conduct such business as allowed by the existing church Constitution and Bylaws, among other orders. On April 11, 2017, the Honorable Letitia H. Verdin amended Judge Gravely's Order to include that at the Church Meeting the parties were to decide whether a receiver would be necessary for the case and that if no decision was reached then the Court would determine if a receiver was necessary, among other amendments.

According to the parties, the Church Meeting occurred; however, the Parties were unable to agree on whether a receiver was necessary and, despite Judge Verdin's Order, the Court never decided on the necessity of a receiver after the Church Meeting. On March 15, 2018, at the request of the Plaintiff, Judge Gravely dismissed Civil Action Number 2016-CP-23-06929 without prejudice and *voided* all prior Orders issued before that date.

On September 11, 2017, over seven (7) years ago, Pastor Jackson, and his supporting faction of the EFBC Congregation, instituted this Declaratory Judgment action (Civil Action Number 2017-CP-23-05851) against Defendant Charles "Bennie" Smith and a faction of the EFBC congregation that opposed Pastor Jackson. On September 26, 2017, Plaintiff Charles "Bennie" Smith, and the faction of the EFBC Congregation opposed to Sylvester Jackson, instituted Civil Action Number 2017-CP-23-06127 on behalf of "Enoree Fork Baptist Church." This action was against Pastor Jackson, Stepping Stones Ministries, Inc., and Pastor Jackson's supporting faction of the EFBC Congregation. On March 20, 2019, Judge Stilwell granted a consent dismissal of Civil Action Number 2017-CP-23-05851 with leave to restore pursuant to Rule 40(J) of South Carolina Rules of Civil Procedures. On October 30, 2019, Judge Stilwell ordered Civil Action Number 2017-CP-23-05851 be restored and the case was subsequently reassigned as Civil Action Number 2021-CP-23-06230. Civil Action Number 2021-CP-23-06230 has no filings.

The allegations in Civil Action Number 2017-CP-23-05851 and Civil Action Number 2017-CP-23-06127 arise from the same set of facts. On February 3, 2020, Judge Gravely consolidated Civil Action Number 2017-CP-23-05851 and 2017-CP-23-06127 into 2019-CP-23-06363. Judge Gravely also referred 2019-CP-23-06363 to Greenville County's Master-in-Equity, Honorable Charles B. Simmons, Jr. On March 3, 2021, Judge Simmons ordered, based on the consent of the parties, that Civil Action No. 2019-CP-23-06363 be stricken from the civil trial docket pursuant to Rule 40(j), SCRPC.

On December 16, 2021, Judge Verdin restored Civil Action No. 2019-CP-23-06363 to the civil trial docket. On May 4, 2023, the Honorable G.D. Morgan Jr. held that Plaintiff Enoree Fork Baptist Church could not ask the Court to reconsider Judge Gravely's February 3, 2020 Order pursuant to Rule 59(e), SCRPC. Judge Morgan also ruled that the Plaintiff Enoree Fork Baptist Church waived its request for a jury trial. On May 8, 2023, Judge Morgan reconsidered his previous ruling and held that the Plaintiff Enoree Fork Baptist Church requested a jury trial in its Amended Complaint filed on October 4, 2017. Judge Morgan amended his prior Order to reflect that EFBC had not waived its right to a jury trial. However, Judge Morgan stated that any rulings regarding whether jury issues existed would be determined by Judge Simmons at trial.

On May 10, 2023, Judge Simmons referred the case back to the Circuit Court for a jury trial on a finding that the legal issues were "so intertwined with equitable issues that a trial on the equitable issues alone would be impossible." On March 10, 2025, this case was scheduled to come before the Court for a jury trial in the Circuit Court. Prior to trial commencing, the Plaintiffs moved for the appointment of a receiver, and after hearing arguments from both sides, the Court issued an oral ruling and a corresponding Form 4 Order on March 11, 2025, finding that a pre-judgment

receivership was appropriate. Subsequently, EFBC filed two memoranda on March 12, 2025, followed by two amended memoranda on March 17, 2025:

1. Amended Memorandum in Support of Rule 59 Motion to Alter and Amend Order Dated March 11, 2025, and Memorandum in Support of Rule 59 Motion
2. Amended Motion to Stay Pursuant to Rules 52 and 59 of the South Carolina Rules of Civil Procedure for Expedited Appeal and Rule 241, SCACR, and Rules 59(E) and 60, SCRCP

On April 23, 2025, the Court granted the Motion to Alter and Amend the Court's March 11, 2025 Order deciding it would not appoint a receiver and disposed of the Court's prior decision to stay the matter. The Court scheduled Plaintiff Sylvester Jackson's Declaratory Judgment Causes of Action for a non-jury trial on June 20, 2025, and stated it would schedule EFBC's claims for a jury trial after it decided the declaratory judgment issues.

III. FACTS

The Plaintiffs' first witness was Pastor Jackson. Pastor Jackson testified he was first hired by EFBC to be its pastor in August of 2015. During this time, Pastor Jackson stated that EFBC was governed by EFBC's 1996 Constitution and Bylaws. However, Pastor Jackson testified that after he was hired he reviewed EFBC's 1996 Constitution and Bylaws when the Church was in the process of securing its 501(c)(3) status. He noted several items in the 1996 Constitution and Bylaws that were outdated and out of compliance with Internal Revenue Service's guidelines. Pastor Jackson testified that the Church decided to amend the 1996 Constitution and Bylaws to bring EFBC in compliance with the IRS guidelines, as well as to update EFBC's Constitution and Bylaws.

Pastor Jackson testified that in order to amend EFBC's Constitution and Bylaws the 1996 Constitution and Bylaws provides that it must be announced at two consecutive Church meetings that a meeting will be held to amend the Constitution and Bylaws. Pastor Jackson testified that the

Church followed the procedure set out in EFBC's 1996 Constitution and Bylaws and, in fact, went beyond the procedures required to amend EFBC's Constitution and Bylaws. Pastor Jackson testified that it was announced there would be an amendment to EFBC's 1996 Constitution and Bylaws and that three separate readings for the new amended revised Constitution were held by the Church. He stated that the members of EFBC were given the revised Constitution and Bylaws and that the Church had a final reading at an annual Church meeting where EFBC adopted the 2016 Constitution and Bylaws on January 23, 2016. Pastor Jackson also testified that page 22 of EFBC's 2016 Constitution and Bylaws shows that it was received, approved, and adopted on January 23, 2016. (See Plaintiffs' Ex. 2). Pastor Jackson further testified that the meeting minutes from the January 29, 2016 church meeting speak to the 2016 Constitution and Bylaws being approved by 43 members of the Church. (See Plaintiffs' Ex. 3).

The 1996 EFBC Constitution and Bylaws Article VII, Sub-article I. provides:

A Pastor's term of office may be ended upon thirty (30) days of notification on the part of the Pastor or of the Church by mutual consent. Termination of office shall be voted on at a regularly called business meeting; notice of such meeting and its purpose having been read on two (2) Successive Sundays. A vote of a majority of the members present shall make a valid termination of said office.

(Plaintiffs' Ex. 1).

In contrast, the Amended 2016 EFBC Constitution and Bylaws Article VII, Sub-Article 4. provides:

The engagement of a Pastor may be terminated by a two-thirds vote of the active members present at a church family conference called for that purpose by the Joint Board. A quorum of not less than thirty (30) percent of the Active members of this Church shall be required for such conference.

(Plaintiffs' Ex. 2).

Pastor Jackson testified that in December 2016, a woman hand delivered him a letter before church service. The December 8, 2016 letter was signed by Fletcher Smith, counsel for the

Defendants, Charles Bennie Smith, and Rodney Duck. (Plaintiffs' Ex. 4). The letter informed Pastor Jackson that he was immediately suspended as Pastor of EFBC, with pay, due to a pending lawsuit filed against him—Civil Action No.2016-CP-23-06929. (Plaintiffs' Ex. 4). Pastor Jackson also received two petitions allegedly signed by members of the EFBC Congregation. One of the petitions suspended him as pastor of EFBC without pay until Civil Action No. 2016-CP-23-06929 was resolved. (See Plaintiffs' Ex. 5). The other petition purportedly authorized the treasurer of EFBC to institute a lawsuit and gather financial records of EFBC and also hired Fletcher Smith to represent EFBC in the lawsuit. (Plaintiffs' Ex. 6).

Pastor Jackson testified that Rodney Duck, Chairman of Deacon Ministry, did not have the authority to suspend him as Pastor because neither the 1996 or 2016 EFBC Constitution and Bylaws allows the Deacons to suspend the pastor. Rather, he argued that the Constitution and Bylaws both require that the termination of the pastor is to be handled by the congregation of the Church. Pastor Jackson also testified that there is not a provision in either the 1996 or 2016 EFBC Constitution and Bylaws that allows members of the church to act against the Pastor through petition. Moreover, Pastor Jackson testified that the petitions appeared to be signed by the same person in some instances, and were also signed by minor children under the age of ten (10) years old. Pastor Jackson stated that it looked as if about a third of the signatures on both petitions were not active members of EFBC. Pastor Jackson testified that he did not stop serving as pastor after he received the letter and the petitions and continues to serve as the Pastor of EFBC to this date.

Pastor Jackson testified that on April 3, 2017, he received a letter from Defendants Rodney Duck, James Sims, Charles Smith, L.C. Thomason, and Larry Dawkins informing him that his tenure as Pastor of EFBC had been terminated and it was effective immediately. (Plaintiffs' Ex. 9). The letter provides that the chairpersons of the Board of Deacons made the decision to terminate

Pastor Jackson with the full support of the leaders of the Church who also signed the letter. (Plaintiffs' Ex. 9). The letter also states that "[t]he church has not had an official meeting to remove any church leader from their post" since Pastor Jackson was hired as Pastor. (Plaintiffs' Ex. 9).

The letter goes on to state that:

The Honorable Perry H. Gravely issued a Court Order on March 23, 2017 during the Injunction hearing that was held on March 21, 2017. The Court Ordered an Annual meeting for the Enoree Fork Baptist Church to take place at 421 Dallas Rd., Greenville, SC; said meeting to be held at 2:00PM on Saturday, April 15, 2017. At this meeting we will inform the entire church family of our decision to terminate you as Pastor and make the membership aware of the church financial transactions set forth in the pending lawsuit. Please note that you are restricted from the premises of the Enorre Fork Baptist Church.

(Plaintiffs' Ex. 9).

Pastor Jackson testified that none of the people that signed the letter had the authority to terminate him and that a proper vote by the Church on the issue of termination never occurred.

Pastor Jackson testified on April 3, 2017, he received a no trespass notice banning him from EFBC, which was signed by the same individuals that sent him the letter of termination. Pastor Jackson testified that none of the individuals that signed the no trespass notice had the authority to restrict someone from the church. Pastor Jackson also testified that he did not comply with the notice. After receiving the trespass notice from the faction opposed to him, Pastor Jackson testified that he and some of EFBC's officers went to the church to change the locks because members of the opposing faction locked them out of the church. However, Pastor Jackson testified that this resulted in the police being called because one of the opposing EFBC members claimed that one of Pastor Jackson's supporting church officers pulled a gun on her.

Pastor Jackson testified that on April 10, 2017, he received a letter signed by the same individuals that signed Plaintiffs' Exhibit 9 and Exhibit 10 notifying him that the Chairpersons of the EFBC Deacon Board held a special meeting on Sunday, April,9, 2017, to inform the church

body of their decision to terminate him as Pastor on April 3, 2017. (Plaintiffs' Ex. 11). The letter states, "[p]lease note that in this Special Meeting of the Church Body, the Enoree Fork Baptist Church family unanimously voted to approve and confirm the Deacon Board Chairpersons decision to terminate you as Pastor of Enoree Fork Baptist Church." (Plaintiffs' Ex. 11). The letter also requested that Pastor Jackson immediately cease and desist representing himself as Pastor of EFBC after April 10, 2017. (Plaintiffs' Ex. 11). Pastor Jackson testified that both the 1996 or 2016 EFBC Constitution and Bylaws require two weeks' notice be given to the Church when calling a meeting to vote on the Pastors termination. Pastor Jackson testified that no notice was given to the Church that such a meeting would be called and that he was not aware of whether any such meeting actually occurred on April 9, 2017.

Pastor Jackson testified that after the events with the police, he did not go back to the physical EFBC location at 100 Enoree Road, Greer, South Carolina ("Enoree Road Location"). He testified that the majority of officers and members of EFBC, including himself, began holding service at Enoree River Baptist Complex Building on Mauldin Road for a couple of years then, after COVID-19 hit, he started having church service via telecommunication. Pastor Jackson testified that the other faction stayed in the EFBC church building at the 100 Enoree Road, Greer, South Carolina, location. Pastor Jackson testified that he believed the 2016 Constitution and Bylaws governed EFBC at the time he was terminated as Pastor of EFBC and that he continues to operate under the 2016 Constitution and Bylaws.

On cross examination, Pastor Jackson testified that Judge Gravely ordered a meeting to occur on April 15, 2017, so that both factions of EFBC could vote on whether to appoint a receiver for the Church. The Court took Judicial Notice of Judge Gravely's March 23, 2017 Order requiring both factions to meet on April 15, 2017. Pastor Jackson testified that on April 17, 2017 a decision

was reached by the Church to appoint a receiver and that he, the church secretary, and moderators signed a letter to be given to Judge Gravely that a receiver would be appointed for the Church. Pastor Jackson denied that he could have motioned to call a vote regarding his termination at the April 15, 2017 meeting because orders were given to the state convention officer and the local convention moderator that only the issue of whether a receiver would be appointed would be addressed at the meeting. Pastor Jackson denied ever disassociating himself from EFBC. Pastor Jackson also denied ever reincorporating a new church and testified that he believes he is still the Pastor of EFBC.

Cynthia Robinson, EFBC's Clerk, and Zelma Brown, EFBC's Secretary, were the only other witnesses that testified on behalf of the Plaintiffs. Ms. Robinson testified she believed the 2016 Constitution and Bylaws were properly adopted by the Church. Ms. Robinson testified that EFBC's members received copies of the 2016 Constitution and Bylaws in advance and that a vote was held in January 2016 at an annual church conference. However, Ms. Robinson also admitted that there was no record of the 2016 Constitution and Bylaws being distributed to EFBC's members before it was voted on and that she did not have with her in court the meeting minutes from the church meeting where EFBC's congregation allegedly voted to adopt the 2016 Constitution and Bylaws. Ms. Robinson also testified that pursuant to EFBC's Constitution and Bylaws the Church body has to terminate a pastor and that there is a procedure for calling a church family conference. Ms. Robinson testified she did not recall if the EFBC Congregation ever voted to terminate Pastor Jackson and that she believed Pastor Jackson was still EFBC's Pastor. Ms. Robinson testified that she started keeping membership records for EFBC in 2015 and confirmed that the contents of Plaintiffs' Exhibits 3 (Minutes of Church Business Meeting from January 29,

2016); Plaintiffs' Exhibit 7 (2015 Membership list); and Plaintiffs' Exhibit 8 (2016/2017 Membership Lists), were accurate and that she signed off on them.

Zelma Brown, EFBC's Secretary, testified that EFBC had three meetings regarding the 2016 Constitution and Bylaws. Ms. Brown testified that the meetings were called so that the 2016 Constitution and Bylaws could be read to the Church; however, the meetings were not called during regular church meetings. Ms. Brown testified that the appropriate Bylaws were followed by the Church to adopt the 2016 Constitution and Bylaws and that the Church adopted the amended 2016 Constitution and Bylaws on January 23, 2016. Ms. Brown believed there is no reason to doubt members of EFBC's congregation were given a fair opportunity to vote on the adoption of the 2016 Constitution and Bylaws; however, she did not remember the dates when the first two meetings regarding the adoption of the 2016 Constitution and Bylaws actually occurred. The Plaintiffs rested after Zelma Brown's testimony.

Defendants first called lifelong member of EFBC and current temporary Pastor of EFBC Larry Dawkins. Pastor Dawkins testified that he voted to terminate Pastor Jackson on at least one occasion and that the Church operated under the 1996 Constitution and Bylaws at the time he voted to terminate Pastor Jackson. Pastor Dawkins also testified that Judge Gravely ordered EFBC to meet and that the meeting was held at the Enoree Association Center. Pastor Dawkins also testified that he signed Plaintiff's Exhibit 9 and that the Church never actually had a meeting to terminate any church leader since the Church hired Pastor Jackson, as referenced in Exhibit 9, because Pastor Jackson would not let them have a meeting. On cross-examination, Pastor Dawkins testified that he did not know if Pastor Jackson, Zelma Brown, or Cynthia Robinson were given notice of the meeting referenced in the April 10, 2017 letter to Pastor Jackson (Plaintiff's Ex. 11). Pastor

Dawkins also testified he did not remember how many EFBC members attended the meeting that day or whether the 1996 or 2016 Constitution and Bylaws were followed to conduct the meeting.

The Plaintiff also called Jimmy Davis, a EFBC member since 2009. Jimmy Davis testified that he believed Pastor Jackson had been terminated in 2016 and that the Church had several votes over the years to reaffirm his termination. However, Mr. Davis also testified that neither Pastor Jackson nor any of his supporting faction were present at any of these meetings. Mr. Davis testified the process for holding a meeting to terminate a Pastor in a Baptist Church is to announce from the pulpit two successive weeks in advance that a meeting will be held to vote on whether the church will terminate its pastor. If members do not attend church then they do not receive notice. Mr. Davis further testified that Pastor Jackson would not have received notice after the trespass notice against Pastor Jackson (Plaintiffs' Ex. 10) was issued, but Pastor Jackson did receive notice from Judge Gravely of the April 15, 2017 Court Ordered Meeting. Mr. Davis testified that Pastor Jackson and the EFBC members were present at Judge Gravely's Court Ordered April 15, 2017 Meeting, but there was no motion to reinstate Pastor Jackson as EFBC's Pastor during that meeting. On cross-examination, Mr. Davis testified that the meeting referenced in the April 10, 2017 letter to Pastor Jackson (Plaintiff's Ex. 11) did occur and about 25 to 30 active members attended the meeting.

The Plaintiff then called longtime EFBC member and trustee of EFBC, L.C. Thomason, who testified that he remembered Pastor Jackson proposing the 2016 Constitution and Bylaws to the Church and receiving a copy of it; however, Mr. Thomason testified that it was never adopted by the Church. Mr. Thomason further testified that Church never rescinded the 1996 Constitution and Bylaws and that there is nothing in the Church meeting minutes that shows the Church rescinded it. Mr. Thomason also testified he did not ask Pastor Jackson to call a meeting to discuss

his termination, but that he had discussions with other EFBC members about terminating Pastor Jackson.

After L.C. Thomason's testimony the Defendants called Robin Smith, Charles Bennie Smith's wife and longtime EFBC member. Ms. Smith testified that Pastor Jackson passed out copies of the 2016 Constitution and Bylaws, however, she travels a lot so she did not vote on it. Ms. Robinson also testified she participated in meetings to suspend Pastor Jackson. Ms. Smith further testified that the Church could not have a meeting because Pastor Jackson did not allow them to have a meeting. Ms. Smith testified that they had to reach out to moderator Bradley to ask if they could have a meeting at the Enoree Association Center. Ms. Smith testified that they eventually had a meeting at the Enoree Association Center and the Church voted that Pastor Jackson would no longer be EFBC's Pastor. On cross-examination, Ms. Smith testified that they contacted the main office in Columbia, the moderator for the Enoree Association, and Reverend Simmons, but that no action was taken by any of these Boards to terminate Pastor Jackson. Ms. Smith also testified that moderator Brantley sent her a letter after the meeting stating that she would no longer be Missionary President because Pastor Jackson had kicked her out of the Church.

Next, the Defendants called Brenda Davis, another longtime EFBC member. Ms. Davis testified that there were no meetings about amending the Constitution between the time Pastor Jackson was hired in August of 2015 and January 23, 2015. Ms. Davis also testified that she did not remember receiving the proposed 2016 Constitution and Bylaws from Pastor Jackson. Ms. Davis further testified that she attended Judge Gravelly's ordered meeting on April 15, 2017. Ms. Davis testified that there was a moderator and the active and inactive EFBC members were present. Ms. Davis also testified that no one moved to rehire Pastor Jackson at the April 15, 2017 meeting. Ms. Davis further testified that she signed two Petitions (*See* Plaintiffs' Ex. 5 and Plaintiffs' Ex.

6) and that she remembered the congregation meeting as a church body to terminate Pastor Jackson. On cross examination, Ms. Davis testified that she remembered Pastor Jackson asking them at a Church meeting to adopt the 2016 Constitution and Bylaws, but that they refused because they did not know what was in it.

Next Defendants called Lorisa Robinson, a lifelong EFBC member, and she testified that she attended the meeting to terminate Pastor Jackson at the Enoree Association Center and that she signed the petition to terminate Pastor Jackson. Ms. Robinson also testified that Pastor Jackson refused to let them have a meeting at the Church. Ms. Robinson further testified that prior to the Court Ordered April 15, 2017 meeting, the Church had several association meetings to terminate Pastor Jackson, pursuant to the 1996 Constitution and Bylaws. Ms. Robinson testified that no one was ever given the 2016 Constitution and Bylaws that Pastor Jackson prepared. On cross-examination, Ms. Robinson testified that she was not aware if there was a committee created by the Church to prepare the 2016 Constitution and Bylaws.

Next, the Defendants called Dorothy Thomason, longtime EFBC member, who testified that the Church had several meetings to terminate Pastor Jackson including a meeting at the Enoree River Association.

Finally, Defendants called Mable Dawkins, longtime EFBC member, who testified that there came a time when the Church wanted to part ways with Pastor Jackson and that they had a meeting at the Enoree Association Center because Pastor Jackson would not let them have a meeting. Ms. Dawkins also testified that when the Defendants' faction tried to go to the church to hand out the Court Order to provide notice to the congregation of the April 15, 2017 Court Ordered meeting, Pastor Jackson blocked them from doing so. Ms. Dawkins also testified that at the April 15, 2017 Court Ordered meeting no one tried to reinstate Pastor Jackson as EFBC's Pastor. Ms.

Dawkins testified that at the time the Church was operating under the 1996 Constitution and Bylaws. On cross-examination, Ms. Dawkins testified that she did not remember a committee being formed to draft the amended 2016 Constitution and Bylaws.

IV. LAW

The Plaintiffs, Pastor Jackson and his supporting EFBC faction, brought this action for declaratory relief. “Whether an action for declaratory relief is legal or equitable in nature depends on the Plaintiff’s main purpose in bringing the action.” *Williams v. Wilson* 349 S.C. 336, 340, 563 S.E.2d 320, 322 (2002). The Plaintiffs’ main purpose in bringing this action is for the Court to determine whether Pastor Sylvester Jackson and members of his supporting faction were properly terminated by the EFBC’s Congregation, as well as to enjoin the Defendants from prohibiting the Plaintiffs from accessing the EFBC building and performing their respective roles for the church. Therefore, this is an action in equity.

Courts have limited review of church matters, and “[c]hurch disputes may be resolved by the courts only if resolution can be made without extensive inquiry into religious law.” *Id.* “It is not the function of the courts to dictate procedures for a church to follow.” *Id.* “Generally, a civil court has no authority to intervene in cases involving expulsion from church membership where there is no question of an invasion of a civil, property or contract right.” *Bowen v. Green*, 275 S.C. 431, 434, 272 S.E.2d 433, 434 (1980). “South Carolina case law is in accord with the view that no review of the ecclesiastical decision follows absent the infringement of those rights but South Carolina authorities do not treat the specific issue of membership expulsion.” *Id.* at 434, 272 S.E.2d at 434–35.

It is uncontested EFBC is a congregational church. “A congregational church is an independent organization, governed solely within itself, either by a majority of its members or by

such other local organism as it may have instituted for the purpose of ecclesiastical government. . . .” *Seldon v. Singletary*, 284 S.C. 148, 149, 326 S.E.2d 147, 148 (1985). Baptist churches are independent congregational churches governed by their own congregations. The congregation selects the church's trustees and the trustees are always members of that church. In a congregational church, the congregation is the highest authority. *Williams*, 349 S.C. at 151, 326 S.E.2d at 149. “The law is clear that the majority controls the decisions of a congregational church.” *Seldon*, 284 S.C. at 151, 326 S.E.2d at 149.

In cases involving the dismissal of a pastor, the Court only has the power to consider two questions: (1) whether the congregation met; and, (2) whether the congregation disposed of the Pastor. *Morris Street Baptist Church v. Dart*, 67 S.C. 338, 343, 45 S.E.2d 753, 754 (1903). In the process of answering the two questions, the Court will not determine who shall or shall not be members of a church or dictate procedure for a church to follow. *Bowen*, 275 S.C. at 435, 272 S.E.2d at 435. It is also not proper for this Court to “determine whether the Church acted consistently with its religious laws and doctrines, its system of discipline and administration in revoking [the minister’s] ministry. . . [because that] would be a quintessentially ecclesiastical matter over which a court could not exercise jurisdiction.” *Pearson v. Church of God*, 325 S.C. 45, 53, 478 S.E.2d 849, 853 (1996).

“Whenever the Congregation meets as a church, it may [act]. . . in any way that it sees fit; and, when a congregation has acted, the civil courts will not inquire whether in doing so it violated any of its own rules.” *Morris St. Baptist Church v. Dart*, 67 S.C. 338, 45 S.E. 753, 754 (1903). “[T]he function of this Court. . . [is] to assure that the Church itself has spoken. If it has, this Court inquires no further. If it has not, this Court may restore the status quo to enable the church to act.” *Bowen*, 275 S.C. at 435, 272 S.E.2d at 435. If the two questions referenced above are answered in

the affirmative, then the Court has no jurisdiction to hear the case. *Id.* If the Court finds that no action has been taken by the congregation in regard to the litigation, then the appropriate action is to dismiss the case for lack of subject matter jurisdiction. *Knotts v. Williams*, 319 S.C. 473, 479, 462 S.E.2d 288, 291 (1995).

V. ANALYSIS

a. PRELIMINARY ISSUES

During preliminary arguments, the Defendants, the faction opposed to Pastor Jackson, moved to dismiss the case on grounds that the Plaintiffs, the faction that supports Pastor Jackson, had disassociated themselves from the Church on their own accord and therefore, no longer had standing to bring the declaratory judgment action against the Defendants pursuant to *Bramlett v. Young*, 229 S.C. 519, 93 S.E.2d 873 (1956). However, the Plaintiffs argued that Pastor Jackson and his supporters never disassociated from EFBC and continued to act as EFBC, despite his physical separation from the Church. Thus, Defendants' Motion was denied because Pastor Jackson claimed to have never disassociated from EFBC. This same issue was raised at the end of the trial, however, based on the evidence presented, the Court finds Pastor Jackson and his supporters never disassociated from EFBC.

The Defendants also argued that pursuant to *Knotts v. Williams*, 319 S.C. 473, 462 S.E.2d 288 (1995), the Plaintiffs' case should be dismissed because this Court cannot tell EFBC how it should vote to remove its members or dictate a procedure for the Church to follow. The Court denied the Motion to allow the Parties to develop the issue during the trial. After hearing the evidence presented, the Court finds that it has jurisdiction to restore the status quo of EFBC back to April 3, 2017, thus the Court hereby denies Defendants' Motion.

Defendants further argued that since EFBC is an Eleemosynary Corporation, EFBC Members cannot hold EFBC accountable for anything EFBC did to its members in this case. However, the Defendants also admitted that the grounds for dismissal had been denied in a prior Motion to Dismiss and Motion for Summary Judgment filed by the Defendants. Since this Court cannot overturn the decision of another Circuit Court Judge, the Court Denied the Motion. Finally, Defendants claim the Plaintiffs failed to name Enoree Fork Baptist Church as a necessary party. The Court hereby denies Defendants' motion and finds that this issue has been raised in a prior Summary Judgment memorandum (January 14, 2020), and denied by Judge Gravely on February 3, 2020.

b. DECLARATORY JUDGMENT ANALYSIS

1. Plaintiffs' First Cause of Action

Plaintiffs' first declaratory judgment cause of action requests for this Court to declare the Constitution and Bylaws allegedly adopted by EFBC on January 23, 2016, according to the Plaintiffs, are appropriate to govern the function and operation of the church. "It is not the function of the courts to dictate procedures for a church to follow." *Williams*, 349 S.C. at 340, 563 S.E.2d at 322. Given the relevant law, the Court does not believe it is appropriate for this Court to determine which constitution and bylaws are appropriate to govern the function and operation of EFBC, as a whole, or dictate what procedures EFBC should follow *in toto*. Therefore, the Court refuses to consider or provide any relief in regard to Plaintiffs' First Cause of Action and hereby denies the Cause of Action for lack of subject matter jurisdiction. However, the Court does find, in accordance with South Carolina law, that EFBC's 1996 Constitution and Bylaws controlled the procedure for expelling EFBC's members and Pastors, as discussed below.

2. Plaintiffs' Second Cause of Action

Regarding Plaintiffs' Second Cause of Action for Declaratory Relief, the Plaintiffs request for this Court to declare that Pastor Jackson is the lawful Pastor of EFBC. In cases involving the dismissal of a pastor, the Court only has the power to consider two questions: (1) whether the congregation met; and, (2) whether the congregation disposed of the Pastor. *Morris Street Baptist Church v. Dart*, 67 S.C. 338, 343, 45 S.E.2d 753, 754 (1903). In the process of answering both questions, the Court will not determine who shall or shall not be members of a church or dictate procedure for a church to follow. *Bowen*, 275 S.C. at 435, 272 S.E.2d at 435. It is also not proper for this Court to "determine whether the Church acted consistently with its religious laws and doctrines, its system of discipline and administration in revoking [the minister's] ministry. . . . [because that] would be a quintessentially ecclesiastical matter over which a court could not exercise jurisdiction." *Pearson*, 325 S.C. at 53, 478 S.E.2d at 853. Church disputes may be resolved by the courts only if resolution can be made without extensive inquiry into religious law. *Williams*, 349 S.C. at 340, 563 S.E.2d at 322. The function of the Court is to assure that the congregation has spoken: if it has, this Court will inquire no further, but if it has not, this Court may restore the status quo to enable the church to act. *Bowen*, 275 S.C. at 435, 272 S.E.2d at 435.

Given the relevant law, the only issue the Court is concerned with regarding Plaintiffs' Second Cause of Action for Declaratory Relief is whether the congregation of EFBC met to terminate Pastor Jackson. The Court reaches its decision by following the precedent set in *McCain v. Brightharp*, 399 S.C. 240, 730 S.E.2d 916 (Ct. App. 2012), and *Bowen v. Green*, 275 S.C. 431, 272 S.E.2d 433 (1980). In *McCain*, the South Carolina Court of Appeals looked to Mount Canaan Baptist Church's Bylaws and the testimony developed at trial to answer the question of whether the congregation of Mount Canaan Baptist Church met to terminate its Pastor. *McCain*, 399 S.C. at 250, 730 S.E.2d. at 921. Therefore, this Court looks to the Constitution and Bylaws adopted by

EFBC, and the testimony developed at trial by the parties, to determine whether EFBC's congregation met to terminate Pastor Jackson.

In this case, there are two competing sets of Constitutions and Bylaws that each faction argues governs the procedure for how the congregation of EFBC can hold a meeting to terminate its Pastor.

The 1996 EFBC Constitution and Bylaws Article VII, Sub-article I, provides:

A Pastor's term of office may be ended upon thirty (30) days of notification on the part of the Pastor or of the Church by mutual consent. Termination of office shall be voted on at a regularly called business meeting; notice of such meeting and its purpose having been read on two (2) Successive Sundays. A vote of a majority of the members present shall make a valid termination of said office.

(Plaintiffs' Exhibit 1).

In contrast, the Amended 2016 EFBC Constitution and Bylaws Article VII, Sub-Article 4, provides:

The engagement of a Pastor may be terminated by a two-thirds vote of the active members present at a church family conference called for that purpose by the Joint Board. A quorum of not less than thirty (30) percent of the Active members of this Church shall be required for such conference.

(Plaintiffs' Exhibit 2).

The Defendants, the EFBC faction that opposes Pastor Jackson, argues that the 1996 EFBC Constitution and Bylaws governed EFBC's Pastor termination process at the time Pastor Jackson was ousted by the Defendants. The Plaintiffs, the EFBC faction that supports Pastor Jackson, argues that the Amended 2016 Constitution and Bylaws governed EFBC's Pastor termination process at the time Pastor Jackson was terminated. The Plaintiffs further argue that Pastor Jackson was not properly terminated under either Constitution. This Court agrees.

EFBC's Congregation had not adopted the Amended 2016 Constitution and Bylaws when it purportedly terminated Pastor Jackson on April 3, 2017. The Court finds that it was not shown by a preponderance of the evidence that EFBC was operating under the Amended 2016 Constitution and Bylaws at the time Pastor Jackson was terminated. Although, Pastor Jackson, Cynthia Robinson, and Zelma Brown testified that EFBC followed the procedures set out in EFBC's 1996 Constitution and Bylaws to amend the Constitution and Bylaws in 2016, none of them testified as to the specific dates the church met to amend the 1996 Constitution. Furthermore, Cynthia Robinson testified that there was no record that EFBC handed out the Amended 2016 Constitution and Bylaws to EFBC's congregation before it was voted on and she did not have the meeting minutes from the day Defendants claim EFBC voted to adopt the Amended Constitution. Moreover, several of EFBC's members, who testified on behalf of Defendants stated that Pastor Jackson's proposed amended 2016 Constitution and Bylaws were not distributed to the EFBC's members before it was allegedly voted on, or that EFBC never voted on whether to adopt the 2016 Constitution and Bylaws at all. Thus, this Court finds that the Constitution and Bylaws adopted by the EFBC's Congregation in 1996 governed Pastor Jackson's termination at the time he was purportedly terminated from his position in April of 2017.

Regardless, based on the language of both the 1996 EFBC Constitution and Bylaws, as well as the language of the Amended 2016 EFBC Constitution and Bylaws, the Court finds that under either document no church meeting to terminate Pastor Jackson could have occurred in this case. No evidence was presented by the Defendants that Pastor Jackson received thirty (30) days' notice of his termination from the Church as required by the 1996 Constitution and Bylaws. (See Plaintiffs' Ex. 1). There was also no evidence presented by Defendants that EFBC gave notice on two (2) successive Sundays that the congregation of EFBC would be voting on whether to

terminate Pastor Jackson at a regularly called business meeting. (Plaintiffs' Ex. 1). Furthermore, the Court was provided no documentary evidence that a majority of the members of EFBC's Congregation voted to terminate Pastor Jackson.

Similarly, no evidence was brought out through Defendants' witness testimony that two-thirds of the active members present at a church family conference ever called for the purpose of terminating Pastor Jackson by the Joint Board as required by the Amended 2016 Constitution and Bylaws. (See Plaintiffs' Ex. 2). Moreover, the Defendants provided no evidence that a quorum of not less than thirty (30) percent of the active members of the EFBC's Congregation voted to terminate Pastor Jackson. (See Plaintiffs' Exhibit 2).

In this case, Pastor Jackson's termination was initiated by an April 3, 2017 letter from the Chairpersons of the Board of Deacons. (Plaintiffs' Ex. 9). The letter explicitly states that EFBC did not have an official church meeting to remove any church leader from their post since Pastor Jackson was hired. (Plaintiffs' Ex. 9). The letter goes on to state that the Chairpersons of the Board of Deacons would inform the entire church family of its decision to terminate Pastor Jackson on April 15, 2017, pursuant to Judge Gravely's March 23, 2017 Order. (Plaintiffs' Ex. 9). Subsequently, on April 10, 2017, Pastor Jackson received another letter from the same individuals that sent him Plaintiffs' Exhibit 9. (See Plaintiffs' Ex. 11). The April 10, 2017 letter stated that the Chairpersons of the Board of Deacons held a special meeting on Sunday, April 9 to inform the church body of their decision to terminate him as Pastor on April 3, 2017, and that the church body had unanimously voted to approve and confirm the Boards decision to terminate Pastor Jackson¹. Pastor Jackson was already "terminated" before the April 9, 2017 special meeting.

¹ The Court notes that the actions of the Board of Deacons were inconsistent with what was stated in both the April 3, 2017 letter (Plaintiffs Ex. 9) and the April 10, 2017 letter (Plaintiffs Ex. 11).

Therefore, under either the 1996 EFBC Constitution and Bylaws or the Amended 2016 EFBC Constitution and Bylaws, EFBC's Congregation never met for the purpose of terminating Pastor Jackson. Since EFBC's Congregation did not vote to dispose of Pastor Jackson prior to this litigation, the Court finds it has subject matter jurisdiction to restore the status quo back to the day Pastor Jackson was wrongfully terminated as EFBC's Pastor by the Chairpersons of the Board of Deacons on April 3, 2017.

3. Plaintiffs' Third Cause of Action

Regarding Plaintiffs' Third Cause of Action for Declaratory Relief, the Plaintiffs request for this Court to declare who the lawful active members of EFBC were during the year of 2016, as well as who the lawful active members of EFBC were during the year of 2017. Since the Court is hereby restoring the status quo of EFBC back to April 3, 2017, to enable the Congregation to act to determine Pastor Jackson's pastoral status, EFBC's membership at that time will be restored as well. The membership at that time will be based on the members listed in Plaintiffs' Exhibit 8 attached to this Order.

4. Plaintiffs' Fourth Cause of Action

Regarding Plaintiffs' Fourth Cause of Action, the Plaintiffs requests that this Court declare John Woodfolk, Timothy McBee, Michael Robinson, Karen Robinson, Dorothy Williams, Cynthia Robinson, and Zelma Brown were unlawfully terminated from their EFBC officer positions. Similar to the Court's analysis of the termination of Pastor Jackson above, the Court finds that no evidence was presented to the Court that EFBC's congregation ever met to terminate any of the above-named individuals from their EFBC positions. Thus, the Court finds it has subject matter jurisdiction to declare that the expulsion of these members by the Defendants faction was a nullity. In any regard, since the Court is restoring the status quo of EFBC back to April 3, 2017, the

membership of the Church at that time will be restored as well. Thus, the Court finds Plaintiffs' Fourth Cause of Action is addressed by the Court's ruling regarding Plaintiffs' Second Cause of Action. To the extent that some of these individuals have passed away, such individuals no longer have the ability to bring such a claim.

5. Plaintiffs' Fifth Cause of Action

Regarding Plaintiffs' Fifth Cause of Action, Plaintiffs requests for this Court to declare that Terry Murray, Donald Cox, Timothy McBee, Derrick Cox, Reginald Jackson, and Willie Foster were unlawfully terminated from their positions as EFBC Trustees and that the Defendants may not prohibit them or any of the other Plaintiffs from accessing the church building. Similar to the Court's analysis of the termination of Pastor Jackson above, the Court finds that no evidence was presented to the Court that EFBC's congregation ever met to terminate any of the above-named individuals from their EFBC positions. Thus, the Court finds it has subject matter jurisdiction to declare that the expulsion of these members by the Defendants faction was a nullity. In any regard, since the Court is restoring the status quo of EFBC back to April 3, 2017, the membership of the Church at that time will be restored as well. Thus, the Court finds Plaintiffs' Fifth Cause of Action is addressed by the Court's ruling regarding Plaintiffs' Second Cause of Action. To the extent that some of these individuals have passed away, such individuals no longer have the ability to bring such a claim.

CONCLUSION

In conclusion, the Court hereby restores the status quo of EFBC back to April 3, 2017, before any of the Plaintiffs to this lawsuit were terminated from their EFBC positions. This enables EFBC's congregation to act pursuant to its 1996 Constitution and Bylaws regarding the expulsion and termination of the named Plaintiffs in this matter. To facilitate this, the Court hereby Orders a

church business meeting of both EFBC factions be scheduled on Saturday, August 30, 2025, at the Enoree River Association, 421 Dallas Road, Greenville, South Carolina, at 2:00 PM. A moderator will be chosen by the attorneys of both parties to preside and if one cannot be chosen then the parties must notify the Court and the Court shall choose a moderator to serve, equally paid by both parties. This business meeting is to be announced to both factions on two successive Sundays beginning on August 17, 2025, and August 24, 2025. These announcements will notify the respective factions that a business meeting of all those who were members of EFBC, based on the members listed in Plaintiffs' Exhibit 8, will meet for the specific purpose of voting on whether Pastor Jackson shall be terminated as EFBC's Pastor. This vote will be taken in accordance with EFBC's 1996 Constitution and Bylaws requiring a vote of a majority of the members to terminate.

The Court hereby retains jurisdiction over this case to assure compliance with this Order, like the trial Court in *Bowen*, until the final vote of EFBC's Congregation is reached on August 30, 2025.

IT IS SO ORDERED.

The Honorable Patrick C. Fant, III
Presiding Circuit Court Judge

July _____, 2025
Greenville, SC

Active Members
Enoree Fork Year 2016/2017

1. Pastor Sylvester Jackson
2. Adams, Exotica
3. Austin, Mekosha
4. Benson, A.P. (Deacon)
5. Benson, Reverend Ruby
6. Black, Betty

7. Brown, Jerry
8. Brown, Zelma (Secretary)
9. Cobb, Telek (Musician)
10. Cox, Akeba
11. Cox, Derrick (Trustee)
12. Cox, Donald (Trustee)
13. Cox, Betty
14. Dawkins, Alma
15. Dawkins, Betty
16. Dawkins, Mable
17. Dawkins, Min. Larry
18. Foster, Willie (Trustee)
19. Gist, Birdie
20. Glymph, Jackie
21. Golden, Virginia

22. Gooda, Xzavier
23. Grady, Donald
24. Harmon, Margaret
25. Hawthorne, Janelle (Musician)
26. Houston, Trudy
27. Jackson, Anita Yvette
28. Jackson, Dajahnique
29. Jackson, Mangalene "Lana"
30. Jackson, Reginald (Trustee)
31. Jamison - Jackson, Thurshia
32. Jones, Quintella
33. Linder, Marilyn
34. McBea, Tim (Trustee)
35. McClintock, Fannie
36. McDonald, Karen
37. Miller, Rosie
38. Morris, Christopher
39. Murray, Ernest (Trustee)
40. Nelson, Roosevelt (Trustee)
41. Robinson, Cynthia (Clerk)
42. Robinson, Georgia Mae
43. Robinson, Michael
44. Robinson, Minister Karen
45. Simmons, James E. (resigned)
46. Sims, James (Deacon)
47. Smith, Jacqueline
48. Smith, Toy
49. Thomas, Janie M
50. Thomason, Curtis
51. Thomason, LC (resigned)
52. Thomason, Sarah

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PLAINTIFF'S
EXHIBIT

8 2019-103103

M. [unclear]
J. Brown
2017

- 53. Todd, Corine
- 54. Valentine, Sarah
- 55. Williams, Minister Dorothy
- 56. Wofford, Geraldine
- 57. Woodfolk, Deacon John
- 58. Woodfolk, Margaret

**Inactive Members
Enoree Fork Year 2016/2017**

- 1. Baskerville, Shelby
- 2. Booker, Carolyn
- 3. Boyce, Kirk
- 4. Davis, Brenda
- 5. Davis, Jimmy
- 6. Dawkins, Lois - (Health)
- 7. Dawkins-Posey, Janette
- 8. Duck, Carolyn
- 9. Duck, Rodney (resigned)
- 10. Griffin, Sarah
- 11. Harmon, Kenyatta
- 12. Hicks, Yvonne
- 13. Holmes, Deborah
- 14. Houston, Tyrone
- 15. Hurst, Carol
- 16. Johnson, Deborah
- 17. Jones, Sherecka
- 18. Ladson, Margie
- 19. Ladson, William
- 20. Latta, Rev. Hoover - (Health)
- 21. Leatherwood, Brenda
- 22. Leatherwood, Nelson (Health)
- 23. Pickett, Mary
- 24. Pinson, Pauline - (Health)
- 25. Radden, Mae - (Health)
- 26. Rice, Yvonne - (Health)
- 27. Robinson, Clarissa
- 28. Sims, Charlene
- 29. Sims, James Travis
- 30. Sims, Jurline
- 31. Skinner, Regina
- 32. Smith, Charles "Bennie"
- 33. Smith, Robin
- 34. Thomas, Demetris
- 35. Thomas, Isaiah
- 36. Thomas, Janette
- 37. Thomason, Dorothy M.
- 38. Thomason, Kim
- 39. Thomason, Laura Pearl

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- 40. Thomason, Murtis- (Health)
- 41. Wright, JoAnn - (Health)

Associate Members
Enoree Work Year 2016/2017

- 1. Brown Deacon James _____
- 2. Dockett Kim _____
- 3. Henderson Mattie _____
- 4. Leake Elder Regina _____
- 5. Leake Willie _____

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Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Order/Other

So Ordered

Patrick C. Fant, III

EXHIBIT G

Form Order of the Honorable Patrick C. Fant, III Denying Post-Judgment Motions

August 12, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

Sylvester Jackson et al
PLAINTIFF(S)

Charles Bennie Smith et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Please see the attachment on Page 2 below.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 08/12/2025 .

Case Party Info Protected

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

This matter is before the Court pursuant to multiple motions filed by the Parties after the Court filed its Order Regarding Plaintiffs' Causes of Action for Declaratory Judgment on August 31, 2025.

Regarding Defendants' Motion to Stay Pending Appeal (Rule 62; Rule 221, SCACR), the Court hereby Denies the Defendants' Motion.

Regarding Defendants' Petition for Writ of Supersedeas (Rule 65, SCRCP; Rule 221, SCACR), the Court hereby Denies the Defendants' Petition.

Regarding Defendants' Motion to Alter or Amend Judgment, For Rehearing, or Vacatur (Rule 59, SCRCP), the Court hereby Denies the Defendants' Motion.

Regarding Defendants' Supplemental Rule 59(e) Motion, the Court hereby Denies the Defendants' Motion.

Regarding Plaintiffs' Motion to Alter or Amend Judgment Under SCRCP Rule 59(e), the Court hereby Denies the Plaintiffs' Motion.

It is so ordered.



Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Order/Electronic Form 4

So Ordered

Patrick C. Fant, III

Electronically signed on 2025-08-12 14:08:04 page 3 of 3

EXHIBIT H

Order of the Honorable Patrick C. Fant, III Reversing Appointment of Receiver

April 23, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2019CP2306363

Sylvester Jackson et al
PLAINTIFF(S)

Charles Bennie Smith et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Please See p.2 below.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 04/23/2025 .

Case Party Info Protected

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

Pursuant to SCRCP 59(e) Plaintiff's counsel timely filed a Motion to Alter and Amend this Court's March 11, 2025 Order as well as a Motion to Stay pursuant to SCRCP 52 and 58. The Court allowed the parties to brief the issues and have a hearing on April 2, 2025. After oral arguments, briefs of the parties, and an extensive review of the applicable law, this Court grants the Motion to Alter and Amend the March 11, 2025 Order. After reconsideration, the Court will not appoint a receiver.

Therefore, a hearing will be scheduled to first address the issues raised in the Declaratory Judgement. This hearing will be set as soon as possible. At that time the Court will take evidence and then issue a ruling on the issues raised in the Declaratory Judgement. The Court will then instruct the Greenville County Clerk of Court to place the Civil causes of action for Civil Conspiracy, Breach of Contract Accompanied By Fraudulent Act, Fraud and Fraudulent Concealment and Negligent Mismanagement of Assets back on the trial docket.

This order disposes of any request for a stay.

And it is so ORDERED.



Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Order/Electronic Form 4

So Ordered

Patrick C. Fant, III

Electronically signed on 2025-04-23 14:26:39 page 3 of 3

EXHIBIT I

Order of the Honorable Patrick C. Fant, III Appointing Receiver

March 11, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

Sylvester Jackson et al
PLAINTIFF(S)

Charles Bennie Smith et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Please see the attachment on Page 2 below.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/10/2025 .

Case Party Info Protected

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

This matter was scheduled to come before the Court on March 10, 2025 for a civil jury trial. Rustin Duncan, counsel for the Plaintiff Sylvester Jackson, et al., moved for the Court to appoint a receiver for both consolidated cases. After hearing arguments from the attorneys of both parties, the Court decided it would be appropriate, and to the benefit of both parties, for the Court to Grant Plaintiffs' Motion. Therefore, the Court will require both parties to pay 50% of the costs incurred by the Receiver. Counsel for both Parties were encouraged by the Court to work together to prepare a proposed formal order to be reviewed and approved by Judge Fant. The proposed order should include a provision that references the specific church bank accounts that will be under the control of the receiver when it is appointed. Judge Fant will edit the proposed order to include the specific receiver that will be used in this case. This matter will be stayed pending the work of the appointed receiver.

It is so ordered.



Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Order/Electronic Form 4

So Ordered

Patrick C. Fant, III

EXHIBIT J

Order of Master-in-Equity Charles B. Simmons, Jr. Returning Cases to Circuit Court Jury Roster

May 10, 2023

Sylvester Jackson v. Charles "Bennie" Smith
S.C. Supreme Court – Appellate Case No. 2025-001623
Petition for Writ of Certiorari – Filed May 21, 2026

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF GREENVILLE
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2019CP2306363

Sylvester Jackson Ernest Terry Murray Dorothy Williams Karen Robinson	Derrick Cox Donald Cox John Woodfolk Michael Robinson	Charles Bennie Smith Brenda Davis Mable Dawkins Robin Smith L C Thomason	Dorothy Thomason Jimmy Davis Larry Dawkins James Sims
--	--	--	--

PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

The cases (2017-CP-23-06127 and 2019-CP-23-06363) were consolidated and referred to the Master in Equity pursuant to an order filed February 3, 2020. There were no motions nor appeals to that order. There have been various attorneys involved and relieved during the pendency of the actions. The cases have also been dismissed and then restored by the parties during the pendency pursuant to Rule 40(j). At a recent status conference, counsel for plaintiff asserted that his client was entitled to a jury trial. Since that time, several motions have been filed by plaintiff and orders have been issued by the Circuit Court arising from plaintiff's motion filed February 9, 2023 for "Clarification/Amendment" of the above-mentioned order filed February 3, 2020. The most recent order was filed May 8, 2023 finding that plaintiff had filed a jury trial request in its Amended Complaint filed October 4, 2017.

This court held a pre-trial status conference with counsel May 8, 2023 (the day before the two day trial was scheduled) and plaintiff's attorney asserts that his client demands a jury trial on all legal issues. It is clear to the court that the legal issues are so intertwined with the equitable issues that a trial on the equitable issues alone would be virtually impossible. And, even after such trial, the case would necessarily be tried again by a jury on the legal issues.

In light of the above, and the convoluted history of the cases, the Master in Equity reluctantly finds that justice is better served by referring the cases back to the Circuit Court jury roster for immediate trial of any and all issues.

And It Is So Ordered.

This order ends does not end the case.

Additional Information for the Clerk: _____

ELECTRONICALLY FILED - 2023 May 10 9:30 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2306363

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

_____	3023	5/8/2023
Circuit Court Judge	Judge Code	Date

For Clerk of Court Office Use Only

This judgment was entered on _____, and a copy mailed first class or placed in the appropriate attorney's box on _____, to attorneys of record or to parties (when appearing pro se) as follows:

Rustin Bryce Duncan 1320 West Poinsett Street Greer, SC
29650

Fletcher N. Smith Jr. 112 Wakefield Street Greenville, SC
29601

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

- Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Master/Order/Form 4

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)

EXHIBIT K

Order of the Honorable G.D. Morgan, Jr. Confirming Preservation of Jury Demand

May 8, 2023

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2019CP2306363

Sylvester Jackson et al
PLAINTIFF(S)

Charles Bennie Smith et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

See page 2

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 05/05/2023 .

Case Party Info Protected

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

This matter is before the Court on Plaintiff Enoree Fork Baptist Church's Motion Pursuant to Rule 59 and Rule 42(B) of the South Carolina Rules of Civil Procedure. The ruling set forth in the Order on the issue of deconsolidation remains and the ruling and reasoning is incorporated herein and made a part of this Order. Plaintiff, in its motion, argues that the order of Judge Gravely incorrectly referenced Civil Action 2019CP2302167 as the case to be consolidated with 2019CP2306363. That is correct and appears to be a scrivener's error, but the correct case of 2017CP2306127 was also cited in the same order when setting forth what motions were before the Court. Therefore, there is no error and furthermore, no motions to amend or clarify were filed by any party in the three plus years since the Order was filed.

However, on the issue of Plaintiff's claim for a jury trial, the Court, upon further review, notes Plaintiff did request a jury trial in its Amended Complaint filed October 4, 2017 and therefore that portion of the Order is hereby amended. There does not appear from the record that any written stipulation has been filed with the Court or any oral stipulation has been made in open court and entered in the record withdrawing the jury trial demand. Consequently, the Court finds there has been no waiver in that regard pursuant to Rule 38(a) and Rule 5(d) SCRPC. Any rulings as to whether or not jury issues exist will be determined by the Master-In-Equity at the trial of the case.



Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Order/Electronic Form 4

So Ordered

G.D. Morgan Jr.

Electronically signed on 2023-05-05 18:40:49 page 3 of 3

EXHIBIT L

Order of the Honorable Perry H. Gravely Consolidating Cases

February 3, 2020

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2019CP2306363

Sylvester Jackson et al
PLAINTIFF(S)

Charles Bennie Smith et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

See Page 2.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 02/03/2020 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

This matter came before the Court upon a Motion for Summary Judgment filed by the Defendant and was heard in connection with other motions filed in Civil Action NO. 2017CP2306127.

Motions for Summary Judgment. Pursuant to Rule 56 of the SCRCP, summary judgment may be granted when "the judgment sought shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law." If there is even a scintilla of evidence showing an issue of fact then the motion shall be denied. These cases present very complicated issues and after reviewing all the materials and arguments, the court has determined that numerous factual issues exist in the present case and, therefore, denies the Defendant's motions for summary judgment.

In Civil action No. 2019CP2302167, Defendant filed a Motion to Consolidate which was granted. Therefore, these case shall be merged and proceed under Civil Action No. 2019CP2306363.

Finally, Rule 53, SCRCP, provides that "the circuit court may, upon application of any party or upon its own motion, direct a reference of some or all of the causes of action in a case." After reviewing the issues raised by these cases, the Court has determined that these cases, as consolidated, shall be referred to the Honorable Charles B. Simmons, Jr., Master in Equity in Greenville County, pursuant to the provisions for Rule 53, for complete disposition and final judgment with any appeal as set forth in Rule 53 (e), SCRCP.

It is so ordered.



Greenville Common Pleas

Case Caption: Sylvester Jackson , plaintiff, et al vs. Charles Bennie Smith ,
defendant, et al
Case Number: 2019CP2306363
Type: Order/Electronic Form 4

So Ordered

s/ Honorable Perry H. Gravely, #2755

Electronically signed on 2020-02-03 12:51:43 page 3 of 3

EXHIBIT
M

**Amended Summons and Amended Complaint of Enoree Fork Baptist Church
(Containing Jury Demand)**

October 4, 2017

Sylvester Jackson v. Charles "Bennie" Smith
S.C. Supreme Court – Appellate Case No. 2025-001623
Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA,)
)
 COUNTY OF GREENVILLE)
)
 ENOREE FORK BAPTIST CHURCH,)
)
 Plaintiff,)
)
 v.)
)
 Sylvester Jackson, Stepping-Stones)
 Ministries, Inc. William M. Landreth,)
 Landreth Properties, LLC and Cordell)
 Porter, Donald Cox, Ernest Murray)
 CresCom Bank/ Formerly Greer State Bank,)
 and Rodney Butler,)
)
 Defendant.

IN THE COURT OF COMMON PLEAS
 CASE NO.: 2017CP2306127

**AMENDED COMPLAINT FOR
 COMPENSATION AND EQUITABLE
 RELIEF
 Jury Trial Demanded**

Comes now the Plaintiff alleges:

1. That the Plaintiff is a religious organization organized and existing under the laws of the state of South Carolina; and the Defendant CresCom Bank formerly known as Greer State Bank is a corporations organized and existing under the laws of some state of the United States and does business in Greer South Carolina; That the Defendants are illegally using the name of Enoree Fork Baptist Church and collecting money in that name.
2. That the Defendant, Sylvester Jackson, former pastor of Enoree Fork Baptist Church is a resident and citizen of Anderson County;
3. That the Defendants, Donald Cox and Ernest Murray, are upon information and belief residents and citizens of Greenville County;
4. That the Defendants, Rodney Butler, Cordell Porter and William M. Landreth, are residents of the State of South Carolina and Stepping-Stones Ministries is a

corporation organized and existing under some state of the United States and Landreth Properties LLC is a corporation organized and existing under the laws of the State of South Carolina and the Plaintiff will pierce the corporate veil to recover the money it lost due to fraudulent conveyances.

5. That on or about 22 September 22 2016, members of Enoree Fork Baptist Church filed a report, case # 1600016343, with Greenville County Sheriff's Office alleging wrongdoing on the part of the Pastor, Sylvester Jackson, and several Church members.
6. That the Sheriff's Office investigated the matter and reviewed the case with Assistant Solicitor, Sylvia Harrison, and a determination was made, based on available information, that this was a civil matter and, on 14 November 2016, the case was cleared.
7. On 30 November 2016 Charles Smith, Treasurer of Enoree Fork Baptist Church, filed a Complaint in Greenville County, SC; 2016-CP-2306929. The Defendants of record in this filing were Sylvester Jackson, Ernest Murray, Rodney Duck, Karen Robinson and Cynthia Robinson.
8. That the Complaint alleges that the Defendants misappropriated Church funds and withheld Church financial records from the Church Treasurer, Charles Smith.
9. That on 23 March 22017 an Order was entered in this matter freezing all accounts standing in the name of Enoree Fork Baptist Church pending further review.
10. That on 24 April 2017 the Church retained Michael O'Shea to conduct a forensic accounting review.
11. That an Executive Summary was issued.

12. That a review indicates, with a reasonable degree of accounting certainty, that Sylvester Jackson, with the assistance of others engaged in illegal conduct both international and negligently:
13. In contravention to the Constitution and By-Laws of the Church and without any legal authority and/or compensation to the Church, caused \$61,000.00 of Church funds to be used to pay his personal mortgage obligation, and that of an unrelated third party.
14. That Caused Church funds to be used to pay more than \$10,000 of repairs and maintenance on his personal residence.
15. That the Defendant, Sylvester Jackson, Caused in excess of \$1,600 in Church funds to be used to pay his personal IRS obligations.
16. That the Defendant, Sylvester Jackson, used Church funds to pay in excess of \$8,500 of his personal legal fees in connection with the pending matter.
17. That the Defendant, Sylvester Jackson, used a Church owned credit card to pay for in excess of \$11,500 of personal charges.
18. That an additionally, review indicates that, under the control of the Defendants, the Church financial condition deteriorated significantly during 2016.
19. That at the start of that year the Church had approximately \$028,000.00 in CD's/Savings and no debt. By the end of 2016 had approximately the same \$208,000in CD's/Money Markets and \$278,000 in debt; it appearing that the debt was used to replenish the prior savings.
20. That In addition, more than \$130,000 of the \$208,000 is unavailable for Church use as it is pledged as partial collateral for the \$278,000 in new debt. The net

result is a reduction of \$130,000 of available cash and an increase of \$270,000 in debt.

21. That as part of our process we were provided with and reviewed a large quantity of Church records including, but not limited to;
 - a. Constitution and By-Laws of the Church
 - b. Weekly Finance & Treasurers Reports
 - c. Various bank statements, copies of checks and deposit tickets for Greer State Bank (now Crescom Bank) and BB&T
 - d. Copies of CD statements from Greer Bank (now CresCom Bank) and BB&T
 - e. Copies of Bank Signature Cards
 - f. Copies of various loan documents from Greer State Bank (now CresCom Bank)
 - g. Copies of minutes from Church meetings and resolutions
22. That a review of various deposit accounts standing in the name of the Church indicates that the accounts of the Church, in early 2016, were quite straight forward as follows;
23. That BB&T IDA Account ending 6555 with a balance, at 04/29/16, of \$18,769.25
24. That BB&T CD ending 3436 with a balance, at 04/29/16, of \$110,361.40
25. That BB&T Checking Account ending 7327 with a balance, at 01/29/16, of \$4,920.84
26. That Greer State CD ending 6629 with a balance, at 08/27/16, of \$78,932.63
Greer State Checking ending 4908 with a balance, at 04/31/16, of \$29.50.

Note! No debt with the exception of ordinary operational bills.

27. That by mid to late 2016 the following existed.
28. That BB&T IDA Account ending 655 with a balance, at 04/26/16, of \$18,769.65.
(Closed 08/13/16)
29. That BB&T CD ending 3436 with a balance, at 04/29/16, of \$110,361.40. (Closed 08/13/16)
30. That BB&T Checking Account ending 7327 with a balance, at 01/29/16, of \$4,920.84. (Closed 08/31/16)
31. That BB&T Checking Account ending 5679 with a balance, at 02/28/17 of \$65,038.98.
32. That Greer State CD ending 6629 with a balance, at 08/27/16, of \$78,932.63. (All but \$2,932.63 held as security for loans)
33. That Greer State Money Market Account ending 7154 opened 09/20/16 with a transfer of \$65,064.85 from checking ending 5188 (Pledged as security for loans)
34. That Greer State Checking ending 5188 with a balance, at 09/30/16, of \$97,012.77.
35. That Greer State loan account ending 0212 in the principal amount of \$76,000.
36. That Greer State loan account ending 0580 in the principal amount of \$200,000.

Findings –

Sylvester Jackson Residence –

37. That a review of publically filed records indicate that Sylvester Jackson currently resides at 114 Bismark Dr. Pelzer, SC and has since about July 2000.

38. That in review various financial records of the Church we note that, on 08 April 2016, the Church opened a new account, # ending 5188, at Greer State Bank.
39. That the account was funded by a deposit of \$76,000.00, which represented the proceeds of a loan, in the same amount, from Greer State Bank to the Church on the same date.
40. That also of even date, a Bank Check was drawn on this account, in the amount of \$61,000.00, payable to Landreth Properties, LLC. Research indicates that Landreth Properties, LLC, and or its principals, held the mortgage on the property at 114 Bismark Dr. Pelzer, SC. In researching this property we found the following:
 41. That on 25 April 2008 William M. Landreth and Cordell Porter transferred title to this property to Stepping – Stones Ministries, Inc. for a consideration of \$110,000.00; Greenville County Book 2323 Page 559 – 561.
 42. That Of even dated Stepping – Stones Ministries, Inc. executed a mortgage, in the principal amount of \$107,000.00, in favor of William M. Landreth and Cordell Porter; Greenville County Book 4952 Page 240 – 244.
 42. That on 19 March 2013 Stepping – Stones Ministries, Inc. transferred title to this property back to William M. Landreth and Cordell Porter for a consideration of \$10.00 and cancellation of the above referenced mortgage; Greenville County Book 2421 Page 5587 – **5591. Note!**
 43. That this Deed was executed, on behalf of Stepping – Stones, by Rodney Butler, 127 Fleming St. Ware Shoals, SC 29692, as President, Director and Secretary.

44. That on 22 June 2015 William M. Landreth and Cordell Porter again transferred title to this property to Stepping – Stones Ministries, Inc. for a consideration of \$1.00; Greenville County Book 2467 Page 4422 – 4426.
45. **Note!** The Affidavit attached to this transfer indicated that the transfer was exempt from recording fees because it was transferred subject to a mortgage to the mortgagee.
46. That of even date Stepping – Stones Ministries, Inc. and Sylvester Jackson executed a mortgage, in the principal amount of \$92,984.92, in favor of William M. Landreth and Cordell Porter; Greenville County Book 5299 Page 4475 – 4479.
47. **Note!** Sylvester Jackson executed this mortgage both as Vice President of Stepping – Stones Ministries, Inc. and individually.
48. That on 14 April 2016 Stepping – Stones Ministries, Inc., by Sylvester Jackson, transferred title to Stepping – Stones Ministries, Inc. and Sylvester Jackson for a consideration of \$1.00;
49. That Greenville County Book 2486 Page 4542 – 4546.
50. **Note!** This document, executed six days after Church funds satisfied the mortgage, was the first time Sylvester Jackson was acknowledged as having an interest in the property.
51. That of even date William M. Landreth and Cordell Porter executed a satisfaction of the 05 May 2008 mortgage; Greenville County Book 0432 Page 3945 – 3946.
52. That based on the foregoing, and a review of related banking documents, we can state, with a reasonable degree of accounting certainty that;

- a) Church funds, in the amount of \$61,000.00, were used to satisfy a mortgage secured by a property that Sylvester Jackson had no interest in prior to the satisfaction. **Note!** The funds were actually paid to an entity that was not a party to the mortgage or the sale transaction; Landreth Properties, Inc.
 - b) The satisfaction, with Church funds, enriched Sylvester Jackson and Stepping – Stones Ministries, Inc. by a like amount
 - c) The Church received no consideration for the payment of \$61,000.00.
 - d) The Church received no security or ownership interest in the property.
 - e) Because the \$61,000.00 was paid from the proceeds of a loan from Greer State Bank, the Church is obligated, in the principal amount of \$78,000.00, to Greer State Bank. The monthly loan payment of \$490.04 was deducted from the Church account ending 5188 at Greer State Bank up until the Court Ordered freeze on the accounts. At this time it appears that the loan is in default.
53. That in addition to the satisfaction of the mortgage on the above referenced property; we have identified a number of payments made with Church funds that appear to have further enhanced Sylvester Jackson's ownership of this property.
54. That the Temporary Check – This check, in the amount of \$4,950.00, was dated 11 April 2016 and was payable to Sylvester Jackson. The check memo line indicates "Residence Repairs". This check appears to have been cashed at the Bank on the date of issues.
55. That the Temporary Check – This check, in the amount of \$1,050.00, was dated 19 April 2016 and was payable to Sylvester Jackson. The check memo line indicates "Home Repairs".

- 56. That the Check #1009 – This check, in the amount of \$4,300.00, was dated 19 April 2016 and was payable to Trim All Tree Service. Interviews with Church members indicate no recollection of tree work.
- 57. That the BB&T CC ending 71006 – The April 2016 card statement for this card owned by the Church, shows a payment, on 29 March 2016, in the amount of \$1,941.20 to Greenville County Tax. In reviewing Greenville Tax records we find a payment of \$1,941.20, on 29 March 2016, for payment of taxed on the residence.

Personal Legal Fees –

- 58. That our review of the subpoenaed bank statements and checks indicates that, subsequent to the filing of the action against Sylvester Jackson personally, 2016 CP 206929, two checks, drawn on the Church account ending 5188, were tendered to attorneys who were representing him in that matter as follows;

DATE	CK#	PAYEE	AMOUNT
10/03/16	1013	Maurice McNab	\$3,500.00
12/21/16	1045	Maurice McNab	\$5,000.00
Total			\$8,500.00

Church Credit Card –

- 59. That the Defendant, Sylvester Jackson, has a VISA card issued in the name of Enoree Fork Baptist Church and Sylvester Jackson.
- 60. This card, ending 4333, was issued by BB&T in January 2016.

61. That we have reviewed the card statements from January 2016 to September 2016 and have found a large number of charges that appear to be of a personal nature and not involving Church business.
62. That the charges include dental and medical bills, food and clothing, gas and utilities including many charges outside the Greenville area.
63. That in all there are \$12,586.90 in suspect charges.
64. That during the same period we identified a total of \$12,041.23 in payments. Of this amount, \$11,314.74 were made by Church checks.
65. That this leaves the possibility that Sylvester Jackson may have reimbursed \$726.49 of the total amount of questionable charges leaving a balance of \$11,560.41.

IRS Payment –

66. That in reviewing the subpoenaed documents we identified a temporary check, drawn on the newly opened account ending 5188, dated 26 April 2016 in the amount of \$1,604.00.
67. That this check was made payable to the US Treasury.
68. That the memo line indicates 2014 taxes and appears to also have Sylvester Jackson's social security number in the memo.

The following chart recaps the total of all payments of the church funds for the benefit of Sylvester Jackson;

Payoff of Personal Mortgage	\$61,000.00
Residence Repairs & Maintenance	\$10,300.00
Personal Legal fees	\$8,500.00

Charge Card Personal Charges	\$11,860.41
Payment of IRS Obligation for 2014	\$1,604.00
	\$93,264.41

Overview of Bank Transactions –

69. That as indicated elsewhere in this Complaint, the Church, in January 2016, appeared to be in good financial condition with approximately \$208,000 in ready cash in financial accounts and operating accounts with sufficient balances to carry on the ordinary business of the Church.
70. That in reviewing various subpoenaed documents we identified a Greer State Bank form titled "Resolution of Lodge, Association or Other Similar Organization".
71. That the Bank acknowledged receipt of the completed form on 02 April 2015. This resolution indicated that there were four authorized persons listed by the Church.
72. That this resolution indicates that any three of the four individuals were required to sign any document relating to the financial accounts of the Church including checks, loans, account openings and leases.
73. That the four names were Cynthia Louise Robinson, Brenda Gail Brockman Davis, Jimmy Davis and Charles Benny Smith. A review of copies of checks prior to April 2016 indicates that all checks contained three of the four authorized signatures.

74. That on 08 April 2016 another resolution was executed indicating that any two of Defendants, Sylvester Jackson, Donald E. Cox and Ernest Murray, may act on behalf of the Church.
75. That on the same date the CresCom Bank opened an account, ending 3105188, in the name of the Church listing these three individuals as signers.
76. That the account was funded by the proceeds of a loan from the Bank, also executed by these three individuals.
77. That the Loan Number C-16-04-08-000212 – This loan, in the principal amount of \$76,000, originated on 08 April 2016.
78. That this is a 60 month loan secured by a CD, #16629, standing in the name of the Church at Greer State Bank.
79. That the monthly payment is \$490.04 and is auto drafted out of the Church account ending 9860. A review of the Loan Summary and Approval record provided by Greer State Bank indicates that the proceeds would be used to "Pay off parsonage and some general maintenance and restriping of the parking lot".
80. That the primary source of repayment funds was listed as "Church funds received from church offerings". The loan and security documents were executed by Sylvester Jackson, Donald E. Cox and Ernest Murray.
81. That by the end of April, \$68,604.00 of the \$76,000 loan proceeds were used to satisfy the mortgage and make repairs to Sylvester Jacksons' residence and pay his IRS obligation.
82. That on 03 August 2016 the CD and Savings accounts at BB&T were closed and the proceeds, \$129,309.85, were deposited into the new checking account.

83. That the Loan Number C-09-15-000580 – This loan, in the principal amount of \$200,000, originated on 20 September 2016.
84. That this is an 84 month loan secured by CD, #16629, standing in the name of the Church at Greer State Bank, a 2017 Allstar van owned by the Church and savings account #308154 standing in the name of the Church at Greer State Bank.
85. That the monthly payment on this loan is \$2,833.31.
86. That the loan and security documents were executed by Sylvester Jackson, Donald E. Cox, and Ernest Murray.

Conclusion –

87. That based on the foregoing we can state, with a reasonable degree of accounting certainty, that Sylvester Jackson used Church funds, in the total approximate amount of \$92,264.41, to benefit himself.
88. That the Defendant, Sylvester Jackson, Donald E. Cox, and Ernest Murray executed documents obligating the Church to loans totaling \$276,000 and carrying monthly costs totaling \$3,323.35.
89. That the net result being, the Church is obligated to repay \$276,000 to CresCom Bank and, because of security interests, and it does not have access to more than \$100,000 in cash standing in its name at CresCom Bank.
90. That because this matter is ongoing we reserve the right to supplement and or revise this report as new information becomes available or existing information is revisited as required.
91. That the Defendant, Sylvester Jackson, had a fiduciary responsibility to the Plaintiff.

92. That because of the Defendant, Sylvester Jackson's, self-dealing the Plaintiff has suffered financial loss.
93. That as a direct and proximate result of the Church's losses and self-dealing of the Defendant Sylvester Jackson, the Defendant breached his fiduciary duty to the Church and or Plaintiff.

CIVIL CONSPIRACY

94. That the Plaintiff realleges each and every paragraph of Allegations 1-93 as allegations of this Count of the Complaint.
95. That Defendants Sylvester Jackson, Stepping Stones Ministries, Inc. William M. Landreth, and Cordell Porter, Donald Cox, engaged in a course of conduct, and conspiracy designed to injury the finances of the Plaintiff and to illegally transfer real property and back funds to the benefit of the Defendants and without benefit to the Plaintiff.
96. That the conspiracy consisted of one or more of the Defendants joining for the purpose of taking the Church's property without the Church's consent.
97. That as a direct and proximate cause of this conspiracy, the Church suffered damage and a loss of its money and property.

BREACH OF CONTRACT ACCOMPANIED BY A FRAUDULENT ACT

98. That the Plaintiff realleges each and every paragraph of Allegations 1-97 as allegations of this Count of the Complaint.
99. That the Defendant, Sylvester Jackson, was hired as the pastor of Plaintiff as an at will employee.

100. That Sylvester Jackson did not have the authority to use Church resources to pay off the mortgage of his home nor most of the financial actions expressed in the prior allegations of this complaint.
101. That the Defendant, Sylvester Jackson, made misrepresentations to the Church body and to the Bank.
102. That the Defendant Sylvester Jackson's actions were dishonest, in fact, unfair dealing and unlawful appropriation of the Plaintiff's property.
103. That as a direct and proximate result of the Defendant Sylvester Jackson's breach of contract accompanied by a fraudulent act, the Plaintiff sustained damages.

FRAUD AND FRAUDULENT CONCEALMENT

104. That the Plaintiff realleges each and every paragraph of Allegations 1-103 as allegations of this Count of the Complaint
105. That the Defendant, Sylvester Jackson made false or misleading statements by the unlawful appropriation of the Plaintiff's property.
106. That the Defendants representations were false.
107. That the Defendant's representations were material.
108. That the Defendant knew that his representations to the Plaintiff and the bank and others were false.
109. That the Defendant intended that the misrepresentations be acted upon by others.
110. That others were unaware of the falsity of the misrepresentations.
111. That others relied upon the falsity as truth.
112. That hearers and others had a right to rely.

113. That the Plaintiff and others suffered damage as a direct and proximate result of the fraud.

NEGLIGENT MISMANAGEMENT OF ASSETS

114. That the Plaintiff realleges each and every paragraph of Allegations 1-113 as allegations of this Count of the Complaint.

115. That the Plaintiff is the beneficiary of charitable contributions and owns property as a charitable organization;

116. That the Defendants were to manage the finances and affairs of the Plaintiff by exercising such care and skill as persons of ordinary care and prudence would exercise in dealing with their own property or the property of another.

117. That the Defendants breached that duty either intentionally or negligently by improperly discharging their obligations to the Plaintiff beneficiary of charitable contributions and property by abusing their discretion or lack thereof in exercising their obligations to the Plaintiff and by carelessly and negligently handling Plaintiff's assets in the particulars as set forth in the prior counts and allegations as listed in this complaint and its attached exhibit(s).

118. As a direct and proximate result of the Defendants' conduct, the Plaintiff suffered losses as set forth in paragraphs 1-117 of this complaint and its exhibit(s).

INJUNCTION

119. The Plaintiffs reallege paragraphs 1-118 as allegations of this Count.

120. That the Defendants be enjoined from using the name of Enoree Fork Baptist Church as their own and to continue to collect money in said name.

Wherefore, Plaintiff prays that the Court:

1. Direct the Defendants to restore the Plaintiff back to the position the Plaintiff would have been but for the fraudulent acts of the Defendants.
2. That the Court rescinds any mortgages that tie up or prevent the Church from using its own assets without a lien.
3. For compensatory and punitive damages;
4. Attorneys fees and the cost of this action
5. Injunction to prohibit the Defendants or anyone from the continued use of the Enoree Fork Baptist Church name.
6. For such other and further relief the Court deems just and proper.

Respectfully submitted,

s/Fletcher N. Smith, Jr.

S.C. Bar No. 005165
Attorney for Plaintiff
112 Wakefield Street (29601)
Post Office Box 10496, F.S.,
Greenville, South Carolina 29603
864-232-6541
fnsmith@bellsouth.net

Greenville, South Carolina
Dated: October 4, 2017

EXHIBIT

N

**Enoree Fork Baptist Church's Motion for Notice of Appearance and Limited
Representation for Non-Party Church Entity Under Rule 240, SCACR**

August 14, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal From Greenville County
In The Court Of Common Pleas

Patrick C. Fant III Circuit Court Judge

RECEIVED

AUG 29 2025

SC Court of Appeals

Docket No.: 202110318 CASE ID. NUMBER 3049442

Appellate Case No. 2025-001623

ENOREE FORK BAPTIST CHURCH

Plaintiff,

vs.

Sylvester Jackson, Stepping-Stone Ministries, Inc., William M. Landreth, Landreth Properties, LLC, Cordell Porter, Donald Cox, Ernest Murray, Crescom Bank/Formerly Greer State Bank, and Rodney Butler

Defendants.

AND

SYLVESTER JACKSON, KAREN ROBINSON, MICHAEL ROBINSON, DOROTHY WILLIAMS, JOHN WOODFOLK, ERNEST "TERRY" MURRAY, DONALD COX, TIMOTHY MCBEE, DERRICK COX, REGINALD JACKSON, WILLIE FOSTER, CYNTHIA ROBINSON, ZELMA BROWN, TELEK COBB, SARAH THOMASON, and THURSHIA JAMISON-JACKSON,

Respondents,

v.

CHARLES "BENNIE" SMITH, ROBIN SMITH, LARRY DAWKINS, MABLE DAWKINS, JIMMY DAVIS, BRENDA DAVIS, DOROTHY THOMASON, L.C. THOMASON, and JAMES SIMS,

Appellants.

MOTION FOR NOTICE OF APPEARANCE AND LIMITED REPRESENTATION FOR
NON-PARTY CHURCH ENTITY PURSUANT TO RULE 240 OF THE SOUTH
CAROLINA RULES OF APPELLATE PROCEDURE

TO THE HONORABLE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW, Enorec Fork Baptist Church, a religious nonprofit corporation organized and existing under the laws of the State of South Carolina ("the Church"), by and through undersigned counsel, and respectfully enters this LIMITED APPEARANCE before this Honorable Court and moves pursuant to Rule 240 of the South Carolina Rules of Appellate Procedure for the relief set forth herein.

NATURE AND SCOPE OF LIMITED APPEARANCE

This appearance is made pursuant to Rule 240 of the South Carolina Rules of Appellate Procedure and Rules 12(b)(1) and 12(b)(5) of the South Carolina Rules of Civil Procedure, as well as the inherent supervisory jurisdiction of this Court. This is expressly a **LIMITED APPEARANCE** and does not constitute:

1. A general appearance or submission to the jurisdiction of any court over the Church as an entity;
2. A waiver of any constitutional, statutory, or procedural rights;
3. Consent to any orders, judgments, or proceedings purporting to bind the Church;
4. Waiver of any objection to subject matter jurisdiction, personal jurisdiction, venue, or service of process;
5. Submission to any form of judicial supervision or control over the Church's internal governance.

CONSTITUTIONAL AND STATUTORY RIGHTS PRESERVED

The Church expressly preserves and asserts all rights guaranteed by:

- First Amendment to the United States Constitution (Establishment and Free Exercise Clauses)
- Fourteenth Amendment to the United States Constitution (Due Process and Equal Protection)
- Article I, Section 2 of the South Carolina Constitution (religious freedom provisions)
- South Carolina Religious Freedom Act, S.C. Code Ann. § 1-32-10 et seq.

- All applicable federal and state constitutional and statutory protections of religious autonomy

NATURE OF MOTION AND GROUNDS FOR RULE 240 RELIEF

This Motion combines a Notice of Limited Appearance with a request for extraordinary relief pursuant to Rule 240, SCACR. The Church seeks both recognition of its limited appearance status and relief from orders of the circuit court that were entered without jurisdiction and in violation of fundamental constitutional protections. Rule 240 provides this Court with the authority to grant such extraordinary relief when circumstances warrant.

GROUNDS FOR RELIEF UNDER RULE 240

I. LACK OF JURISDICTION OVER NON-PARTY ENTITY

The circuit court fundamentally lacked subject matter jurisdiction to enter orders binding or directing the Church because:

1. **No Party Status:** The Church was never named as a party in any of the underlying consolidated actions;
2. **No Proper Service:** The Church was never properly served with process in any proceeding;
3. **No Acquisition of Jurisdiction:** No court has properly acquired jurisdiction over the Church as a corporate or ecclesiastical entity;
4. **Void Orders:** The circuit court's July 31, 2025 Order and subsequent orders purporting to bind the Church are void ab initio for lack of jurisdiction.

II. CONSTITUTIONAL VIOLATIONS REQUIRING EXTRAORDINARY RELIEF

A. First Amendment Establishment Clause Violations

The circuit court's orders create constitutionally impermissible entanglement between government and religion by:

- Mandating judicial supervision of church meetings and governance procedures;
- Requiring court-approved ecclesiastical procedures that exceed constitutional limits;
- Creating ongoing governmental entanglement in religious affairs.

B. First Amendment Free Exercise Violations

The orders unconstitutionally interfere with the Church's religious autonomy by:

- Mandating specific church meetings and governance procedures;
- Violating the Church's constitutionally protected right to internal self-governance;
- Infringing upon fundamental free exercise rights without compelling justification.

C. Procedural Due Process Violations

The Church was denied fundamental procedural due process rights by:

- Being denied notice and opportunity to be heard before orders affecting its governance were entered;
- Being bound by orders without proper joinder and service of process;
- Being subjected to judicial control without constitutional protections.

III. RELIGIOUS AUTONOMY DOCTRINE VIOLATIONS

A. Ecclesiastical Abstention

The circuit court exceeded its constitutional authority by:

- Attempting to resolve internal church governance matters beyond judicial competence;
- Exceeding the limits of the "neutral principles" doctrine;
- Violating the ecclesiastical abstention doctrine established in federal and state precedent.

B. Church-State Separation

The ongoing judicial supervision violates fundamental separation principles by:

- Creating improper governmental control over religious organization;
- Establishing courts as ecclesiastical supervisors;
- Undermining the Church's independence from governmental control.

EXTRAORDINARY CIRCUMSTANCES JUSTIFYING RULE 240 RELIEF

Rule 240 relief is warranted due to the following extraordinary circumstances:

1. **Jurisdictional Void:** Orders affecting the Church are void ab initio due to lack of jurisdiction;
2. **Constitutional Emergency:** Ongoing violation of First Amendment rights requires immediate intervention;

3. **Irreparable Harm:** Continued enforcement causes ongoing constitutional injury that cannot be remedied through ordinary processes;
4. **Fundamental Rights:** Protection of religious autonomy and due process rights requires extraordinary relief;
5. **Judicial Efficiency:** Resolution of these threshold jurisdictional and constitutional issues serves judicial economy.

RELIEF REQUESTED

WHEREFORE, the Church respectfully requests that this Honorable Court grant this Motion under Rule 240, SCACR, and:

1. JURISDICTIONAL RELIEF

- **DECLARE** that no court has acquired jurisdiction over Enoree Fork Baptist Church as an entity;
- **VACATE** all orders of the circuit court purporting to bind, direct, or supervise the Church;
- **DISMISS** any claims, remedies, or relief asserted against the Church for lack of jurisdiction;
- **ORDER** recognition and respect for the Church's non-party status.

2. CONSTITUTIONAL RELIEF

- **ENJOIN** enforcement of any orders violating the Church's First Amendment rights;
- **PROHIBIT** any future judicial supervision or control over the Church's internal governance;
- **PROTECT** the Church's religious autonomy and ecclesiastical independence;
- **PREVENT** further constitutional violations through improper judicial entanglement.

3. PROCEDURAL RELIEF

- **CLARIFY** that the Church cannot be bound by orders entered without proper jurisdiction;
- **ESTABLISH** that individual defendants cannot serve as surrogates for the Church entity;
- **CONFIRM** that due process protections apply to religious organizations;
- **ENSURE** proper procedural safeguards in any future proceedings.

4. EMERGENCY RELIEF

- **STAY** all enforcement of orders affecting the Church pending resolution of this Motion;
- **PROHIBIT** any receiver, restraining order, or judicial control over Church property or governance;
- **PREVENT** any interference with the Church's constitutionally protected religious activities;
- **SAFEGUARD** the Church's rights pending final resolution.

5. GENERAL RELIEF

- **GRANT** such other and further relief as this Court deems just and proper to protect the Church's constitutional and legal rights.

SUPPORTING AUTHORITY

This Motion is supported by established South Carolina and federal precedent, including:

- **Knotts v. Williams**, 319 S.C. 473 (1995) (courts cannot direct church procedures without proper party status);
- **Ira Banks v. St. Matthew Baptist Church**, 406 S.C. 156 (2013) (religious autonomy doctrine);
- **Presbyterian Church v. Hull Church**, 393 U.S. 440 (1969) (constitutional limits on judicial authority);
- **Hosanna-Tabor Evangelical Lutheran Church v. EEOC**, 565 U.S. 171 (2012) (ministerial exception and church autonomy);
- **Watson v. Jones**, 80 U.S. 679 (1872) (ecclesiastical abstention doctrine).

CONCLUSION

The extraordinary circumstances presented—including void orders entered without jurisdiction and ongoing constitutional violations—warrant the grant of this Motion under Rule 240, SCACR. The Church respectfully requests that this Court grant the relief requested herein to

Respectfully submitted,

s/ Fletcher N. Smith, Jr.

FLETCHER N. SMITH, JR., ESQ.

South Carolina Bar No. 5165

Attorney for Enoree Fork Baptist Church

112 Wakefield Street

P.O. Box 10496

Greenville, SC 29603

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Email: fsmith@bellsouth.net

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**Appeal From Greenville County
In The Court Of Common Pleas**

Patrick C. Fant III Circuit Court Judge

Docket No.: 202110318 CASE ID. NUMBER 3049442

Appellate Case No. 2025-001623

RECEIVED

AUG 29 2025

SC Court of Appeals

ENOREE FORK BAPTIST CHURCH

Plaintiff,

vs.

Sylvester Jackson, Stepping-Stone Ministries, Inc., William M. Landreth, Landreth Properties, LLC, Cordell Porter, Donald Cox, Ernest Murray, Crescom Bank/Formerly Greer State Bank, and Rodney Butler

Defendants.

AND

SYLVESTER JACKSON, KAREN ROBINSON, MICHAEL ROBINSON, DOROTHY WILLIAMS, JOHN WOODFOLK, ERNEST "TERRY" MURRAY, DONALD COX, TIMOTHY MCBEE, DERRICK COX, REGINALD JACKSON, WILLIE FOSTER, CYNTHIA ROBINSON, ZELMA BROWN, TELEK COBB, SARAH THOMASON, and THURSHIA JAMISON-JACKSON,

Respondents,

v.

CHARLES "BENNIE" SMITH, ROBIN SMITH, LARRY DAWKINS, MABLE DAWKINS, JIMMY DAVIS, BRENDA DAVIS, DOROTHY THOMASON, L.C. THOMASON, and JAMES SIMS,

Appellants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION FOR NOTICE OF APPEARANCE AND LIMITED REPRESENTATION FOR NON-PARTY CHURCH**

ENTITY PURSUANT TO RULE 240 OF THE SOUTH CAROLINA RULES OF APPELLATE PROCEDURE

has been served upon all parties of record by the method indicated below email and U.S. Mail on the 19th day of August 2025 to the following:

PARTY SERVED:

Counsel for Respondents:
Rustin B. Duncan, Esq.
King Law Offices
1320 West Poinsett Street
Greer, South Carolina 29650
rduncan@kinglawoffices.com

Greenville County Clerk of Court
301 University Ridge
Greenville, SC 29601

By: s/Fletcher N. Smith, Jr.
S.C. Bar No.: 5165
FLETCHER N. SMITH, JR., ESQ.
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(864) 232-6541
ATTORNEYS FOR THE Appellants

Greenville, South Carolina
Dated: August 18, 2025

FLETCHER N. SMITH, LLC
ATTORNEY AT LAW



P.O. BOX 10496, P.S. GREENVILLE, SOUTH CAROLINA 29603
112 WAKEFIELD STREET GREENVILLE, SOUTH CAROLINA 29601
(864) 232-6541 FAX (864) 232-6756

August 20, 2025

Catherine Harrision, Chief Deputy Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia SC 29211

RECEIVED

AUG 29 2025

SC Court of Appeals

RE: Sylvester Jackson v Charles "Bennie" Smith
Appellate Case No. 2025-001623

Dear Ms. Harrison:

Please find enclosed the following documents in the above-mentioned matter pursuant to the correspondence from the SC Court of Appeals dated August 15, 2025 addressing said deficiencies:

1. Certificate of Service for the Orders Appealed Form Including Primary Order of Judge Fant and Order Denying the Appellant's Rule 59 Motion.
2. Certificate of Service for the Petition for Writ of Supersedeas.
3. Certificate of Service for the Memorandum in Support of Petition for Writ of Supersedeas and Affidavit of Clarissa Robinson
4. Notice Of Intent to Appeal.
5. Certificate of Service of the Notice of Appeal.
6. Certificate of Service of the Notice of Intent to Appeal.
7. Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity Pursuant to Rule 240 of the South Carolina Rules of Appellate Procedure.
8. Certificate of Service of the Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity Pursuant to Rule 240 of the South Carolina Rules of Appellate Procedure.

Also enclosed is check #6579 in the amount of twenty-five dollars (25.00) for the fee associated with filing the Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity Pursuant to Rule 240 of the South Carolina Rules of Appellate Procedure.

Thanking the Court in advance for your assistance in this matter.

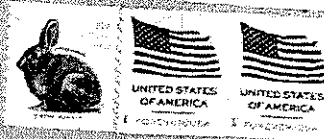
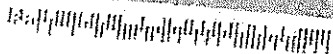
Kind regards,


Fletcher N. Smith, Jr.

FNS/lm

Cc: Rustin B. Duncan, Esq. **(via electronic mail only)**
King Law Offices
rduncan@kinglawoffices.com
Counsel for Respondent(s)

Honorable Jay Gresham **(via electronic mail only)**
Greenville County Clerk of Court
jgresham@greenvillecounty.org



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Attorney at Law
PO Box 10496
Greenville, SC 29603

Catherine Harrision, Chief Deputy Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia SC 29211

EXHIBIT O

**Petitioners' Supplemental Memorandum in Support of Rule 59(e) Motion (First
Amendment Preservation)**

August 8, 2025

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA,)
)
COUNTY OF GREENVILLE)
)
SYLVESTER JACKSON, KAREN)
ROBINSON, MICHAEL ROBINSON,)
DOROTHY WILLIAMS, JOHN)
WOODFOLK, ERNEST "TERRY")
MURRAY,)
DONALD COX, TIMOTHY MCBEE,)
DERRICK COX, REGINALD JACKSON,)
WILLIE FOSTER, CYNTHIA ROBINSON,)
ZELMA BROWN, TELEK COBB,)
SARAH THOMASON, and THURSHIA)
JAMISON-JACKSON,)

IN THE COURT OF COMMON PLEASIN
THE COURT OF COMMON PLEAS
CASE NO.: 2019-CP-23-06363;

CASE NO.: 2019-CP-23-06363
CIVIL ACTION NO: 2017-CP-23-06127
(consolidated)

SUPPLEMENTAL MOTION OF (RULE 59)
SOUTH CAROLINA RULES OF CIVIL
PROCEDURE

Plaintiffs,

v.

CHARLES "BENNIE" SMITH, ROBIN
SMITH, LARRY DAWKINS,
MABLE DAWKINS, JIMMY DAVIS,
BRENDA DAVIS,
DOROTHY THOMASON, L.C.
THOMASON, and JAMES SIMS,

Defendants,

AND,

ENOREE FORK BAPTIST CHURCH,
Plaintiff,

V

SYLVESTER JACKSON, STEPPING-
STONES MINISTRIES, INC.,
WILLIAM M. LANDRETH, CORDELL
PORTER, DONALD COX,
CRESCOM BANK/FORMLY GREER
STATE BANK, RODNEY BUTLER, and
ERNEST MURRAY,

Defendants.

1. TO: The Honorable Judge assigned this matter, and to all counsel of record:
 - a. COMES NOW, Enoree Fork Baptist Church, a religious nonprofit corporation, by and through undersigned counsel, Fletcher N. Smith, Jr. (SC Bar No. 5165), and appears for the limited purpose of contesting this Court's jurisdiction over it and objecting to all orders and proceedings purporting to bind the Church as a corporate entity. This appearance is made pursuant to Rules 12(b)(1) and 12(b)(5) of the South Carolina Rules of Civil Procedure and does not constitute a general appearance or waiver of any constitutional or statutory rights, including those guaranteed by the First and Fourteenth Amendments to the United States Constitution.
2. This Notice and Limited Appearance is entered to:
3. Move to vacate all orders directed at or binding Enoree Fork Baptist Church as a non-party;
4. Seek dismissal of any claims, remedies, or relief asserted against the Church for lack of subject matter jurisdiction and improper service;
5. Assert and preserve the Church's rights to religious autonomy and protection from judicial entanglement in ecclesiastical governance;
6. Request an order clarifying the jurisdictional status of the Church and terminating all purported writs, directions, or receivership over its internal affairs.
7. WHEREFORE, Enoree Fork Baptist Church respectfully requests:
8. That this Honorable Court issue a ruling on the jurisdictional status of the Church as a non-party;
9. That any and all orders directed at the Church be vacated for lack of subject matter jurisdiction and improper service;
10. That all claims purporting to bind the Church be dismissed;
11. That no receiver, restraining order, or other judicial remedies be enforced against

the Church unless and until proper jurisdiction and service are established;

12. That the Court grant such other and further relief as may be just and proper.

Respectfully submitted,

s/ Fletcher N. Smith, Jr.
Fletcher N. Smith, Jr.,
ATTORNEY AT LAW
S.C. Bar No.: 5165
112 Wakefield Street (29601)
P.O. Box 10496
Greenville, South Carolina 29603
Tel: (864) 232-6541
Email: fsmith@bellsouth.net

EXHIBIT P

Petitioners' Memorandum in Support of Rule 59(e) Motion

August 2025

Sylvester Jackson v. Charles "Bennie" Smith
S.C. Supreme Court – Appellate Case No. 2025-001623
Petition for Writ of Certiorari – Filed May 21, 2026

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
SYLVESTER JACKSON, KAREN)
ROBINSON, MICHAEL ROBINSON,)
DOROTHY WILLIAMS, JOHN)
WOODFOLK, ERNEST "TERRY")
MURRAY, DONALD COX, TIMOTHY)
MCBEE, DERRICK COX, REGINALD)
JACKSON, WILLIE FOSTER, CYNTHIA)
ROBINSON, ZELMA BROWN, TELEK)
COBB, SARAH THOMASON, AND)
THURSHIA JAMISON-JACKSON,)

Plaintiff,

v.

CHARLES "BENNIE" SMITH, ROBIN
SMITH, LARRY DAWKINS, MABLE
DAWKINS, JIMMY DAVIS, BRENDA
DAVIS, DOROTHY THOMASON, L.C.
THOMASON, AND JAMES SIMS,

Defendant.

IN THE COURT OF COMMON PLEAS
CASE NO.: 2019CP2306363
CASE NO.: 2019CP2306363
Civil Action No.: 2017-CP-23-06127
(consolidated)
NOTICE OF MOTION OF HEARING
AND DEFENDANTS' MOTION TO
ALTER OR AMEND JUDGMENT, FOR
REHEARING, OR VACATUR
(RULE 59, SOUTH CAROLINA RULES OF
CIVIL PROCEDURE

TO THE HONORABLE COURT:

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the above-entitled Motion will be heard before
the Honorable Court at the Greenville County Courthouse, 305 e. North Street,
Greenville, South Carolina 29601, on the ____ day of _____, 2025, at ____
o'clock ____ .m., or as soon thereafter as counsel may be heard.

Defendants Charles "Bennie" Smith, Robin Smith, Larry Dawkins, Mable Dawkins, Jimmy Davis, Brenda Davis, Dorothy Thomason, L.C. Thomason, and James Sims, by and through undersigned counsel, hereby move this Honorable Court pursuant to Rule 59 of the South Carolina Rules of Civil Procedure to alter or amend the judgment, grant a rehearing, or vacate the Order entered on July 31, 2025.

GROUNDS FOR MOTION

This Motion is made on the following grounds:

1. LACK OF SUBJECT MATTER JURISDICTION

The Court lacks subject matter jurisdiction to enter orders binding Enoree Fork Baptist Church ("EFBC") as an entity when said entity was never named as a party to this action, never served with process, and never appeared before this Court. The individual defendants cannot serve as surrogates for the church entity, and no legal authority exists for binding a non-party religious organization through individual members.

2. FAILURE TO JOIN INDISPENSABLE PARTY

EFBC is an indispensable party under Rule 19, SCRPC, whose absence prevents the Court from granting complete relief and creates the risk of inconsistent obligations. The church entity cannot now be joined due to the expiration of applicable statutes of limitation, requiring dismissal of the action under Rule 19(b), SCRPC.

3. CONSTITUTIONAL VIOLATIONS

The Order violates the First Amendment to the United States Constitution and Article I, Section 2 of the South Carolina Constitution by impermissibly entangling the Court in ecclesiastical matters, directing internal church governance, and mandating specific religious procedures without constitutional authority.

4. ERRORS OF LAW

The Court committed reversible errors of law by:

- a. Relying on Judge Gravely's interlocutory denial of summary judgment as a final adjudication on party joinder issues;
- b. Purporting to restore church membership and leadership without ecclesiastical authority;
- c. Mandating ongoing judicial supervision of religious affairs;
- d. Exceeding the scope of relief available in a declaratory judgment action.

5. ERRORS OF FACT

The Court's factual findings regarding church membership, leadership authority, and the alleged "status quo" are clearly erroneous and not supported by competent evidence in the record.

6. MANIFEST INJUSTICE

The Order creates manifest injustice by binding a non-party entity to judicial determinations made without due process, proper notice, or constitutional authority.

RELIEF REQUESTED

WHEREFORE, Defendants respectfully request that this Honorable Court:

1. **VACATE** the Order entered July 31, 2025, in its entirety;
2. **DISMISS** this action for failure to join an indispensable party that cannot be joined due to statute of limitations;
3. In the alternative, **ALTER or AMEND** the Order to:
 - o a. Strike all provisions purporting to bind EFBC as an entity;

- o b. Strike all provisions requiring church-wide meetings or governance actions;
 - o c. Strike all provisions mandating ongoing judicial supervision;
 - o d. Limit relief to declarations regarding the individual parties only;
4. **GRANT A REHEARING** on the issues of subject matter jurisdiction, necessary party joinder, and constitutional limitations on judicial authority over religious organizations;
5. **AWARD** Defendants their costs and attorney's fees incurred in bringing this Motion;
6. **GRANT** such other and further relief as this Court deems just and proper.

SUPPORTING MEMORANDUM

This Motion is supported by Defendants' contemporaneously filed Memorandum in Support, which is incorporated herein by reference.

TIME FOR FILING

This Motion is timely filed within thirty (30) days of the entry of the July 31, 2025 Order, in accordance with Rule 59(b), SCRPC.

Respectfully submitted,
s/Fletcher N. Smith, Jr.
FLETCHER N. SMITH, JR., ESQ.
Attorney at Law
P.O. Box 10496, F.S.
112 WAKEFIELD STREET
Greenville, SC 29603
(864) 232-6541

GREENVILLE, South Carolina
Dated: August 2, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion has been served upon all parties or their counsel of record by the method indicated below:

- Hand delivery**
- U.S. Mail, postage prepaid**
- Electronic filing and service via South Carolina Electronic Filing System**
- Facsimile transmission**
- Email**

Counsel for Plaintiffs:

Rusty Duncan, Esquire

This _____ day of August, 2025.

Respectfully submitted,
s/ Fletcher N. Smith, Jr.
FLETCHER N. SMITH, JR., ESQ.
South Carolina Bar No. [Number]
Attorney for Defendants
112 Wakefield Street
P.O. Box 10496
Greenville, SC 29603
Telephone: (864) 232-6541
Email: [email address]

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
SYLVESTER JACKSON, KAREN)
ROBINSON, MICHAEL ROBINSON,)
DOROTHY WILLIAMS, JOHN)
WOODFOLK, ERNEST "TERRY")
MURRAY, DONALD COX, TIMOTHY)
MCBEE, DERRICK COX, REGINALD)
JACKSON, WILLIE FOSTER, CYNTHIA)
ROBINSON, ZELMA BROWN, TELEK)
COBB, SARAH THOMASON, AND)
THURSHIA JAMISON-JACKSON,)

IN THE COURT OF COMMON PLEAS
CASE NO.: 2019CP2306363

Civil Action No.: 2017-CP-23-06127
(consolidated)

**DEFENDANTS' MEMORANDUM IN
SUPPORT OF RULE 59 MOTION
(MOTION TO ALTER OR AMEND
JUDGMENT, FOR REHEARING, OR
VACATUR)**

Plaintiff,

v.

CHARLES "BENNIE" SMITH, ROBIN
SMITH, LARRY DAWKINS, MABLE
DAWKINS, JIMMY DAVIS, BRENDA
DAVIS, DOROTHY THOMASON, L.C.
THOMASON, AND JAMES SIMS,

Defendant.

I. INTRODUCTION

Defendants respectfully submit this Memorandum in support of their Motion pursuant to Rule 59 of the South Carolina Rules of Civil Procedure, seeking to alter, amend, or vacate the Order entered July 31, 2025. The Order fundamentally exceeds the bounds of judicial authority by purporting to bind and direct actions of Enoree Fork Baptist Church ("EFBC"), an entity that was never named as a party to this litigation. This fatal jurisdictional defect, compounded by constitutional violations and errors of law, requires immediate correction. The in other words, the order is way outside the bonds of mainstream South Carolina Religious jurisprudence and United States Supreme

Court Precedent that a reversal of course is warranted. I do not make these comments lightly. But the mere fact that the Court hangs its legal "hat" on prior interlocutory orders is reversible on its face. Interlocutory orders have no claim or issue preclusion affect on trial proceeds and cannot be considered the law of the case at trial. Additionally, Jurisdiction can be asserted at anytime, even before the appellate courts of this state.

These issues have been briefed in the body of this brief.

II. STATEMENT OF FACTS

This case arose from a declaratory judgment action filed by a former pastor and faction of former church officers against individual congregation members, seeking reinstatement and resolution of church governance disputes. Critically, EFBC as an entity was never named as a party defendant. Despite this fundamental procedural defect, the trial court's July 31, 2025 Order purports to:

1. Restore the "status quo" of EFBC to April 3, 2017
2. Reinstate certain individuals to church membership and leadership
3. Mandate that "the church" conduct a court-supervised congregational meeting
4. Direct specific voting procedures and membership determinations

The statute of limitations for naming EFBC as a party has expired, making joinder impossible at this late stage.

III. LEGAL ARGUMENT

A. The Court Lacks Fundamental Jurisdiction to Bind a Non-Party Church

Entity

1. Basic Principles of In Personam Jurisdiction

Under South Carolina law, a court's authority extends only to parties properly before it. A fundamental principle of due process prohibits courts from entering binding orders against non-parties. *Ballington v. Paxton*, 327 S.C. 372 (Ct. App. 1997). The Order here violates this basic tenet by directing "the church" to take specific actions when EFBC was never named, served, or brought before this Court.

2. Specific Application to Church Entities

South Carolina precedent is unequivocal that courts cannot dictate procedures or governance to church entities absent their proper joinder as parties. In *Knotts v. Williams*, 319 S.C. 473 (1995), the Supreme Court vacated a trial court's order because "neither the congregation nor the church entity was named as a party to the lawsuit." The Court emphasized that judicial jurisdiction is "limited to reviewing actions taken by the governing authority of a church" and cannot extend to imposing procedures on non-party entities.

3. Individual Defendants Cannot Bind the Church Entity

Neither the individual defendants nor any faction before this Court possesses legal capacity to bind EFBC as a whole. The record demonstrates that only competing factions of individuals were parties to this litigation. No evidence establishes that any individual defendant has authority to act for or bind EFBC as a corporate, unincorporated, or ecclesiastical entity.

B. Judge Gravely's Prior Summary Judgment Ruling Does Not Cure This

Jurisdictional Defect

The trial court's reliance on Judge Gravely's February 3, 2020 denial of summary judgment regarding the failure to join EFBC is legally insufficient to establish jurisdiction over the church entity.

1. Summary Judgment Denials Are Not Final Adjudications on the Merits

Under South Carolina law, the denial of summary judgment is interlocutory and "does not constitute a final adjudication on the merits." *Ballenger v. Bowen*, 313 S.C. 476 (1994). Such denials "merely determine that the case should proceed to trial" and do not resolve substantive issues. *Coastal Fed. Credit Union v. Brown*, 417 S.C. 544 (Ct. App. 2016).

2. Jurisdictional Questions Can Be Raised at Any Time

Subject matter jurisdiction and necessary party joinder are fundamental issues that "cannot be waived or conferred by consent" and may "be raised at any stage of the litigation, even for the first time on appeal." *Black v. Springfield*, 217 S.C. 413 (1950); *Wheeler v. Hylar*, 228 S.C. 584 (1956). Judge Gravely's interlocutory ruling cannot immunize this jurisdictional defect.

3. The Party Joinder Issue Remains Unresolved

Once a case proceeds to trial, prior summary judgment denials become moot, and the substantive issues must be addressed anew. *Holloman v. McAllister*, 289 S.C. 183 (1986). The fundamental question of whether EFBC is an indispensable party under Rule 19, SCRPC, was never finally adjudicated and remains ripe for determination.

C. The Statute of Limitations Bars Joinder, Making Relief Against the Church Entity Impossible

The church governance disputes arose in 2017, and this action was filed in 2019. The applicable statute of limitations has expired, making it impossible to now join EFBC as a party. Under these circumstances, the Court faces a stark choice under Rule 19: either dismiss the action because an indispensable party cannot be joined, or limit relief to what can be granted among existing parties without binding the absent church entity.

1. EFBC Is an Indispensable Party Under Rule 19

EFBC qualifies as an indispensable party because:

Complete relief cannot be accorded among existing parties without the church's participation

The church's interests will be impaired by orders directing its internal governance

Existing parties face the risk of inconsistent obligations if the church later disputes the court-mandated procedures

2. The Court Must Dismiss Rather Than Proceed Against a Non-Party

When an indispensable party cannot be joined due to statute of limitations, South Carolina law requires dismissal rather than proceeding with inadequate parties. *Rule 19, SCRPC*. The Court cannot circumvent this requirement by simply ordering individual defendants to act as if they were the church entity.

D. The Order Violates Constitutional Prohibitions Against Judicial Interference in Church Governance

1. First Amendment Church Autonomy Doctrine

The First Amendment's Establishment and Free Exercise Clauses prohibit courts from interfering in matters of church governance, faith, and doctrine. *Ira Banks v. St. Matthew Baptist Church*, 406 S.C. 156 (2013). By ordering the church to conduct meetings, follow specific procedures, and make membership determinations, the Order violates these constitutional protections.

2. Neutral Principles Cannot Save Ecclesiastical Orders

While South Carolina follows the "neutral principles" approach to church disputes, this doctrine permits only resolution of property, corporate, or contractual disputes without delving into ecclesiastical matters. The Order here goes far beyond neutral principles by dictating internal church governance procedures and membership determinations—classic ecclesiastical functions protected from judicial interference.

E. The Order Contains Material Errors of Law and Fact

1. Erroneous Factual Findings

The Court's finding that Pastor Jackson's faction never "disassociated" from EFBC contradicts substantial record evidence and improperly resolves disputed ecclesiastical questions that courts cannot adjudicate.

2. Improper Reliance on Disputed Evidence

The Court's reinstatement of memberships based solely on Plaintiff's Exhibit 8, without ecclesiastical validation or civil authority, exceeds judicial authority and substitutes judicial determination for church governance.

3. Ongoing Judicial Supervision Violates Separation Principles

The Order's retention of jurisdiction over church affairs until completion of court-mandated procedures transforms the Court into an ongoing overseer of religious governance, flatly prohibited by established precedent.

IV. CONCLUSION

The July 31, 2025 Order suffers from fundamental jurisdictional defects that render it void or, at minimum, clearly erroneous. The Court lacks authority to bind or direct actions of EFBC, an entity never brought before this Court and now immune from joinder due to statute of limitations. The Order's constitutional violations and legal errors compound these defects.

Defendants respectfully request that this Court:

1. **Vacate the Order** in its entirety as void for lack of jurisdiction over the church entity;
2. **Dismiss the action** for failure to join an indispensable party that cannot now be joined due to statute of limitations;
3. In the alternative, **amend the Order** to eliminate all provisions purporting to bind the church entity or requiring entity-wide action;
4. **Grant a rehearing** to address these fundamental jurisdictional and constitutional issues; and
5. **Award such other relief** as justice requires.

The integrity of our judicial system demands recognition that courts cannot exercise authority over entities never brought before them, regardless of the perceived equities.

This fundamental principle, rooted in due process and constitutional limitations on judicial power, compels vacation of the challenged Order.

Respectfully submitted,
s/Fletcher N. Smith, Jr.
State Bar No.: 5165
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(864) 232-6541

GREENVILLE, South Carolina
Dated: July 31, 2025

EXHIBIT Q

Petitioners' Motion to Reinstate Appeal

March 27, 2026

Sylvester Jackson v. Charles "Bennie" Smith

S.C. Supreme Court – Appellate Case No. 2025-001623

Petition for Writ of Certiorari – Filed May 21, 2026

RECEIVED

Mar 27 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

APPEAL FROM GREENVILLE COUNTY

In The Court Of Common Pleas

Patrick C. Fant III Circuit Court Judge

Appellate Case No. 2025-001623

ENOREE FORK BAPTIST CHURCH

Plaintiff,

vs.

Sylvester Jackson, Stepping-Stone Ministries, Inc., William M. Landreth, Landreth Properties, LLC, Cordell Porter, Donald Cox, Ernest Murray, Crescom Bank/Formerly Greer State Bank, and Rodney Butler

Defendants.

AND

SYLVESTER JACKSON, KAREN ROBINSON, MICHAEL ROBINSON, DOROTHY WILLIAMS, JOHN WOODFOLK, ERNEST "TERRY" MURRAY, DONALD COX, TIMOTHY MCBEE, DERRICK COX, REGINALD JACKSON, WILLIE FOSTER, CYNTHIA ROBINSON, ZELMA BROWN, TELEK COBB, SARAH THOMASON, and THURSHIA JAMISON-JACKSON,

Respondents,

v.

CHARLES "BENNIE" SMITH, ROBIN SMITH, LARRY DAWKINS, MABLE DAWKINS, JIMMY DAVIS, BRENDA DAVIS, DOROTHY THOMASON, L.C. THOMASON, and JAMES SIMS,

Appellants.

MOTION TO REINSTATE APPEAL

Appellants Charles "Bennie" Smith, Robin Smith, Larry Dawkins, Mable Dawkins, Jimmy Davis, Brenda Davis, Dorothy Thomason, L.C. Thomason, and James Sims, by and through undersigned counsel, respectfully move this Honorable Court pursuant to Rule 225(d), SCACR, and the inherent authority of this Court to reinstate the above-captioned appeal, which was dismissed by Order of this Court filed March 19, 2026. In support of this Motion, Appellants would show the Court as follows:

PROCEDURAL BACKGROUND

On or about August 15, 2025, Appellants timely filed a Notice of Intent to Appeal from six orders entered by the Honorable Patrick C. Fant III, Circuit Court Judge, including the Primary Order entered July 31, 2025, and five additional orders entered August 12, 2025. On August 18, 2025, Appellants filed the Notice of Appeal, Petition for Writ of Supersedeas, Memorandum in Support of Petition for Writ of Supersedeas and Affidavit of Clarissa Robinson, and the Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity Pursuant to Rule 240, SCACR. The appeal was docketed as Appellate Case No. 2025-001623.

On December 16, 2025, the Clerk of this Court, by and through Deputy Clerk Jasmine D. Smith, issued a letter to undersigned counsel advising that the transcript in this matter should have been delivered, that no extension had been granted to the court reporter, that counsel had not notified the Court of any failure to receive the transcript, and that no initial brief had been received. The letter directed counsel to advise the Court of the status of the transcript within ten days or the

appeal would be dismissed. The letter was copied to Rustin Bryce Duncan, Esquire, Garrett Miller Simpson, Esquire, and Patrick Ian Toomey, Esquire:

On March 19, 2026, this Court entered an Order dismissing this appeal on the ground that Appellants had failed to provide a status update regarding delivery of the transcript and to file Appellants' initial brief as required by Rules 207 and 208, SCACR, and this Court's letter dated December 16, 2025. The Order further stated that no further action would be taken on the Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity filed August 19, 2025, due to the dismissal. The Order directed that the remittitur be sent as provided by Rule 221(b), SCACR.

GROUND FOR REINSTATEMENT: GOOD CAUSE SHOWN

A. Counsel Did Not Receive the December 16, 2025 Letter or Prior Electronic Communications from the Clerk's Office.

Undersigned counsel did not receive the December 16, 2025 letter from the Clerk's Office, whether by electronic mail or otherwise. Counsel likewise did not receive any prior electronic communications from the Clerk's Office regarding the status of this appeal, scheduling orders, or deadlines for the filing of the transcript or initial brief. Counsel maintained a valid and functioning email address on file with this Court at all times relevant to this appeal, and the failure of delivery was not the result of any negligence, inattention, or deliberate disregard on the part of counsel.

Because counsel did not receive the December 16, 2025 letter, counsel had no knowledge that the Court had directed a response within ten days or that the appeal was in jeopardy of dismissal. The first notice counsel received of the dismissal was the Order of this Court filed March 19, 2026. The non-receipt of the Clerk's communications deprived Appellants and their counsel of

any meaningful opportunity to respond to the Court's inquiry, to advise the Court of the status of the transcript, or to take any corrective action prior to dismissal.

B. *The Transcript Was Not Received Until January 5, 2026.*

The transcript in this matter was not received by Appellants' counsel until January 5, 2026, when it was transmitted by email from Velvet Mills, Transcript Manager at Legal Eagle, Inc., 107 LeGrand Boulevard, Greenville, South Carolina 29607. The transmittal email from Ms. Mills stated that the transcript and invoice for the above-referenced matter were attached and invited counsel to contact Legal Eagle with any concerns after review. Significantly, the transcript was not delivered until January 5, 2026, which was after the expiration of the ten-day period established by the Court's December 16, 2025 letter. Thus, even had counsel received the December 16 letter, counsel could not have filed the initial brief within the time contemplated by the Court because the transcript had not yet been prepared and delivered. The delay in the preparation and delivery of the transcript was entirely beyond the control of Appellants and their counsel. Had counsel received the December 16, 2025 letter, counsel would have promptly notified this Court that the transcript had not yet been received and would have taken all steps required by Rule 207, SCACR, including contacting the South Carolina Office of Court Administration. The transcript has now been in counsel's possession since January 5, 2026, and counsel is prepared to proceed immediately with the preparation and filing of the Record on Appeal and the Initial Brief upon reinstatement of this appeal.

C. *The Appeal Raises Substantial and Meritorious Issues.*

The issues presented in this appeal are substantial, meritorious, and of significant constitutional importance. The appeal challenges six orders of the circuit court that purport to bind Enoree Fork Baptist Church as an entity despite the Church never having been named as a party

in any of the underlying consolidated actions. The Primary Order entered July 31, 2025, orders the Church to conduct a court-supervised congregational meeting, reinstates individuals to church membership and leadership positions, and retains ongoing judicial supervision over church governance. These orders raise fundamental questions of subject matter jurisdiction over a non-party entity, First Amendment protections under the Establishment and Free Exercise Clauses of the United States Constitution, procedural due process under the Fourteenth Amendment, religious freedom protections under Article I, Section 2 of the South Carolina Constitution and the South Carolina Religious Freedom Act, and the ecclesiastical abstention doctrine as established in *Watson v. Jones*, 80 U.S. 679 (1872), *Presbyterian Church v. Hull Church*, 393 U.S. 440 (1969), *Hosanna-Tabor Evangelical Lutheran Church v. EEOC*, 565 U.S. 171 (2012), and their South Carolina progeny including *Knotts v. Williams*, 319 S.C. 473 (1995), and *Ira Banks v. St. Matthew Baptist Church*, 406 S.C. 156 (2013).

The Appellants and the non-party Church entity would be irreparably prejudiced if this appeal were not reinstated and these critical constitutional issues were not reviewed by this Court. Dismissal on procedural grounds occasioned by circumstances entirely beyond the control of counsel would effectively insulate from appellate review circuit court orders that impose ongoing governmental entanglement with the internal affairs of a religious organization.

D. *No Prejudice to Respondents.*

No prejudice will result to the Respondents from the reinstatement of this appeal. The Respondents will have full opportunity to respond to Appellants' brief and to present their arguments to this Court. The interests of justice are best served by a determination of this appeal on the merits rather than by a procedural dismissal occasioned by the non-receipt of the Clerk's

communications and the delayed delivery of the transcript, neither of which was within the control of Appellants or their counsel.

CONCLUSION

For the foregoing reasons, and for good cause shown, Appellants respectfully request that this Honorable Court reinstate Appellate Case No. 2025-001623, vacate the Order of Dismissal filed March 19, 2026, and grant Appellants a reasonable period of time within which to file the Record on Appeal and Appellants' Initial Brief. Appellants further request that this Court reinstate the pending Motion for Notice of Appearance and Limited Representation for Non-Party Church Entity Pursuant to Rule 240, SCACR, which was mooted by the dismissal. Appellants further request such other and further relief as this Court deems just and proper.

Respectfully Submitted,

s/Fletcher N. Smith, Jr.

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Greenville, South Carolina

Dated: March 27, 2026