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May 21 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

ON PETITION FOR WRIT OF CERTIORARI TO THE

SOUTH CAROLINA COURT OF APPEALS

Appellate Case No. 2025-001623

Trial Court Case No. 2019-CP-23-06363

Consolidated with Trial Court Case No. 2017-CP-23-06127

Enoree Fork Baptist Church, ... Plaintiff,

v.

Sylvester Jackson, Stepping-Stones 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, ... Petitioners.

APPENDIX TO PETITION FOR WRIT OF CERTIORARI

Respectfully submitted,

s/Fletcher N. Smith, Jr.

FLETCHER N. SMITH, JR., ESQ.

S.C. Bar No.: 005165

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ATTORNEY FOR PETITIONERS

Dated: May 21, 2026

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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. Seaton 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

FILED
Aug 29 2025

cc:

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

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

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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 D. 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,

Jannine 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), SCRCP.

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), SCRCP. 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, SCRCR

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 Gravely'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, Daijahnique
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

PLAINTIFF'S
EXHIBIT

8 2019-103103

- 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, Roddney (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, Mac - (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, Jannette
- 37. Thomason, Dorothy M.
- 38. Thomason, Kim
- 39. Thomason, Laura Pearl

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 _____

ELECTRONICALLY FILED - 2017 Sep 11 1:02 PM - GREENVILLE - COMMON PLEAS - CASE#2017CP2305851

ELECTRONICALLY FILED - 2025 Jul 31 3:10 PM - GREENVILLE - COMMON PLEAS - CASE#2019CP2306363



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

FORM 4

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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCP; ☐ 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

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

FORM 4

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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (CHECK REASON): ☐ Rule 40(j), SCRCP; ☐ 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

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

FORM 4

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), SCRCPP; ☐ Rule 41(a), SCRCPP (Vol. Nonsuit); ☐ Rule 43(k), SCRCPP (Settled);
☐ Other
- ☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCPP; ☐ 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

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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 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: ☐ Plaintiff ☐ Defendant
☐ 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), SCRCPP.

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

FORM 4

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.
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☐ 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

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For Clerk of Court Office Use Only

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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 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) SCRCP. 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.

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

FORM 4

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)

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☐ Other

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

See Page 2.

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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

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, 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 SUMMONS

TO THE DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your answer to the said Complaint on the subscriber at his office at 112 Wakefield Street, P.O. Box 10496, Greenville, South Carolina 29601 within thirty days (30) after the service hereof, exclusive of the day of such service; and, if you fail to appear and defend by filing an answer to the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

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

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, Roddney 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 taxes 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
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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**

RECEIVED

AUG 29 2025

Patrick C. Fant III Circuit Court Judge

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

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**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.
P.O. Box 10496, F.S.
112 WAKEFIELD STREET
Greenville, SC 29603
(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:

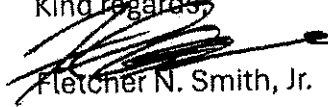
Please find enclosed the following documents in the above-mentioned matter pursuant to the correspondence from the SC Court of Appeals dated August 15, 2025 addressing said deficiencies:

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



Fletcher N. Smith, Jr., LLC
Attorney at Law
PO Box 10496
Greenville, SC 29603

Catherine Harrison, 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,

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.

) 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
)

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: fnsmith@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.

GROUND 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;

- b. Strike all provisions requiring church-wide meetings or governance actions;
 - c. Strike all provisions mandating ongoing judicial supervision;
 - 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), SCRCP.

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,

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

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)**

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. Hyler*, 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, SCRCP, 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
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: 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 Simis, 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. Pant 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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ATTORNEYS FOR THE Appellants

Greenville, South Carolina

Dated: March 27, 2026

EXHIBIT R

**Trial Transcript, Declaratory Judgment Hearing Before the Honorable Patrick C.
Fant, III**

June 20, 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

DECLARATORY JUDGMENT HEARING

1 it was during the month of April. But I knew he was gone
2 because that's when my mother died. Yes.

3 Q Okay. So, did y'all have a -- okay, in April of 2017.
4 Did y'all go back inside the church?

5 A Yes.

6 Q Okay.

7 A Yes.

8 Q And, did y'all have meetings inside the church when
9 y'all went back in the church? Did y'all go -- let me ask
10 it this way because I'm being confusing. Prior to the
11 meeting that y'all had with Judge Gravely --

12 A Mm-hmm.

13 Q -- I mean, that he ordered --

14 A Yeah.

15 Q -- did y'all -- were y'all in the church body -- in
16 the church facility at that point?

17 A Yes.

18 Q So, while y'all were in that church body, y'all had to
19 meet and not do petitions at that point; is that correct?

20 A Right.

21 Q Did y'all ever have any votes to terminate him while
22 y'all were meeting as a church body?

23 A Yes. Yes, there was a meeting.

24 Q All right. So, when y'all had that meeting, how was
25 it noticed and how did you operate -- which constitution

DECLARATORY JUDGMENT HEARING

1 y'all's authorization to do it?

2 A Well, the deacons didn't come to me, but yes.

3 Q I mean, not come to you, but did y'all have a meeting?

4 A Yes, there was a meeting, but I was not at that
5 meeting.

6 Q Okay.

7 A I wasn't at that meeting.

8 Q Did you ever sign any documents at any point to
9 terminate him?

10 A I signed that petition that was -- the members did.

11 Q Okay.

12 A I was here to do that.

13 Q Why were y'all forced to sign petitions rather than
14 just meet as a church body to do it?

15 A Well, my understanding, like it's been said, they
16 wasn't given a meeting, but of course, we would like to
17 have had a meeting with the whole church. But once we was
18 able to at least get a meeting at the Enoree River Center,
19 that was --

20 Q Okay. So let's -- let's --

21 A -- that's what got us started there.

22 Q -- yes, ma'am. I apologize for cutting in. All
23 right. So, as I understand it, he left in January 2017;
24 is that correct?

25 A I'm thinking -- well, I just remembered that for sure

DECLARATORY JUDGMENT HEARING

1 it was during the month of April. But I knew he was gone
2 because that's when my mother died. Yes.

3 Q Okay. So, did y'all have a -- okay, in April of 2017.
4 Did y'all go back inside the church?

5 A Yes.

6 Q Okay.

7 A Yes.

8 Q And, did y'all have meetings inside the church when
9 y'all went back in the church? Did y'all go -- let me ask
10 it this way because I'm being confusing. Prior to the
11 meeting that y'all had with Judge Gravely --

12 A Mm-hmm.

13 Q -- I mean, that he ordered --

14 A Yeah.

15 Q -- did y'all -- were y'all in the church body -- in
16 the church facility at that point?

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18 Q So, while y'all were in that church body, y'all had to
19 meet and not do petitions at that point; is that correct?

20 A Right.

21 Q Did y'all ever have any votes to terminate him while
22 y'all were meeting as a church body?

23 A Yes. Yes, there was a meeting.

24 Q All right. So, when y'all had that meeting, how was
25 it noticed and how did you operate -- which constitution

DECLARATORY JUDGMENT HEARING

1 did you operate under?

2 A From my understanding, the 1996 Constitution, because
3 there wasn't anybody giving the one that he prepared.

4 Q Okay. So y'all have been under the 1996 constitution
5 since April of 2017?

6 A Yes.

7 Q And not the constitution that he's operating at a
8 separate --

9 A Right.

10 Q -- location?

11 A It wasn't his constitution. That was his
12 Constitution.

13 Q Okay. And his faction's constitution?

14 A Yes.

15 Q So, there's a split, to your knowledge, in the church
16 as to which constitution is actually the valid
17 constitution?

18 A Well, it's not really a split, because the members at
19 the real Enoree Fork know what the constitution was we
20 were operating at that time.

21 Q All right. And you're -- okay.

22 MR. SMITH: Your witness.

23 THE COURT: Cross-examination?

24 //

25 //

DECLARATORY JUDGMENT HEARING

1 CROSS-EXAMINATION

2 BY MR. DUNCAN:

3 Q We're talking about the bylaws. There was a committee
4 formed that came up with the 2016 constitution and bylaws,
5 weren't there?

6 A Not that I'm aware of.

7 Q And that's because you were living out of state a lot?

8 A Well, true, but I doubt he had a committee. It was
9 just his typing and his putting together, because I don't
10 know -- I haven't heard of anybody -- I don't know of
11 anyone that was on that committee.

12 Q Okay. So, you don't know if there was a committee, is
13 what you're saying?

14 A Right.

15 Q Okay. And you -- you testified that you had a house
16 is in -- is it New York where you were at?

17 A Yes.

18 Q All right. And you were gone a good bit, weren't you?

19 A Some. I mean, I was coming home quite often. My
20 husband was working until he retired.

21 Q Right. And he was -- he was working out of town too
22 around the time of these incidents, though, wasn't he?

23 A Yes, mm-hmm.

24 Q All right. And so, there was a chance both of y'all
25 were -- were away from Greenville for a --

DECLARATORY JUDGMENT HEARING

1 A Some, but I was always connected with my church.

2 Q -- okay.

3 MR. DUNCAN: That's all I've got, Your Honor.

4 MR. SMITH: No further questions, Your Honor.

5 THE COURT: You may step down, ma'am.

6 THE WITNESS: Thank you.

7 MR. SMITH: Ms. Dorothy Thomason.

8 (The witness was sworn in.)

9 THE CLERK: Have a seat here, and state your
10 name for the record when you get seated.

11 THE WITNESS: Dorothy -- Dorothy Thomason.

12 DOROTHY THOMASON

13 was called as a witness, and having been first duly sworn,
14 testified as follows:

15 DIRECT EXAMINATION

16 BY MR. SMITH:

17 Q Ms. Thomason, where do you live?

18 A I live in Greenville, South Carolina.

19 Q Okay. You're younger than me, so I'm not going to ask
20 your age. Okay?

21 A I don't know about that.

22 Q Did you have grandchildren?

23 A No.

24 Q No? Okay. Are you any kin to the Thomasons that's
25 seated out there?

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1 A We all cousins.

2 Q All cousins? So, there's a lot of family in that
3 church, isn't there?

4 A It is.

5 Q All right. It's a pretty church. Do y'all have a
6 cemetery in the front of it?

7 A We do.

8 Q And it looks relatively new. Did y'all move from
9 somewhere?

10 A No.

11 Q Okay. It's always been there and no remodeling?

12 A It's a 150-some years.

13 Q All right. And so, did you vote for him to be pastor
14 of the church?

15 A I did.

16 Q Okay. Did there come a time where you wanted to see
17 him not be pastor of the church?

18 A It did.

19 Q What reasons did you have for not wanting him to be
20 pastor of the church?

21 A He changed.

22 Q How did he change?

23 A Because he came in being so nice and friendly, and all
24 the things he wanted to do for the church, and we bought
25 into it. But after a period of time, we got to see the

DECLARATORY JUDGMENT HEARING

1 real person.

2 Q Okay. And, did you attend any meetings in order to
3 terminate him?

4 A I did.

5 Q Which meetings were that?

6 A It was several meetings we had. We had some at the
7 church and we had them at the association building.

8 Q Y'all even had meetings in 2019, too, to terminate him
9 too, right, if you recall?

10 A I don't recall that.

11 MR. SMITH: Your witness.

12 THE COURT: Cross?

13 CROSS-EXAMINATION

14 BY MR. DUNCAN:

15 Q All right. Can you tell me who Jay and Omarion are?

16 A Jay and Omarion?

17 Q Yes, ma'am.

18 A They are my nephews.

19 Q Are they your great nephews?

20 A Great nephews.

21 Q And they're 22 years old now, aren't they?

22 A I can't tell you their exact age.

23 Q Okay. And your niece was reported to DSS regarding
24 abuse and neglect of Jay and Omarion, weren't they?

25 A And that case was dismissed?

DECLARATORY JUDGMENT HEARING

1 MR. SMITH: Objection. I don't know how this is
2 relevant to this.

3 MR. DUNCAN: This going towards bias, Your
4 Honor, if I can pursue this.

5 THE COURT: Hold on.

6 MR. SMITH: Oh, bias?

7 MR. DUNCAN: All right.

8 BY MR. DUNCAN:

9 Q And Pastor Jackson is the one that reported her to
10 DSS; correct?

11 A That's correct.

12 Q And DSS actually placed custody of Jay and Omarion
13 with Pastor Jackson for about four years, didn't they?

14 A No.

15 Q But they were placed in his care; right?

16 A Not technically.

17 Q Okay. All right. But you were --

18 A They were placed in my care.

19 Q -- okay. But you were mad at Pastor Jackson for
20 reporting it to DSS, weren't you?

21 A I didn't have anything to do with that. My niece, who
22 were their guardian at the time, was dealing with
23 Mr. Jackson, not I.

24 Q Sure. That may be true, but you weren't happy about
25 that, were you?

DECLARATORY JUDGMENT HEARING

1 A No. I didn't think they belonged there. They should
2 have been with family.

3 Q Okay. And you even said -- this is a quote -- "I'm
4 going to get your black ass," referring to Pastor Jackson,
5 didn't you?

6 A I absolutely did not say that. I do not talk like
7 that. I don't use that language.

8 Q But you've been mad at Pastor Jackson since that time?

9 A I'm not mad at anyone.

10 MR. DUNCAN: No further questions, Your Honor.

11 THE COURT: All right. Anything else?

12 REDIRECT EXAMINATION

13 BY MR. SMITH:

14 Q You're not mad at even him, are you?

15 A No, I'm not mad at him. I'm a God-fearing woman. I
16 do not -- okay.

17 MR. SMITH: No further questions, Your Honor.

18 THE WITNESS: All right.

19 THE COURT: Anything in recross?

20 MR. DUNCAN: No, Your Honor.

21 THE COURT: Ma'am, you may step down.

22 (The witness was sworn in.)

23 THE CLERK: If you have a seat and state your
24 name for the record when you're seated.

25 THE WITNESS: Mable Dawkins.

DECLARATORY JUDGMENT HEARING

1 MABLE DAWKINS

2 was called as a witness, and having been first duly sworn,
3 testified as follows:

4 DIRECT EXAMINATION

5 BY MR. SMITH:

6 Q Ms. Dawkins are you married to Reverend Larry Dawkins?

7 A Yes.

8 Q And y'all have one child?

9 A Now.

10 Q Right. And one child was murdered and this -- the
11 killer is being prosecuted?

12 A Mm-hmm.

13 Q Right. Let me ask you that question. All right. So,
14 the -- the -- how long have you been a member of Enoree
15 Fork Baptist Church?

16 A About 40-some years.

17 Q And during that 40-something years, have you held
18 various positions, or are you just a member?

19 A No, I do superintendent of Sunday school now.

20 Q Superintendent? And you do that right now?

21 A Yes.

22 Q All right. Do you want to lose that position, or do
23 you want to stay in that position?

24 A I could stay.

25 Q All right. But if somebody wanted to come into the

DECLARATORY JUDGMENT HEARING

1 church and help you with the position, you wouldn't have a
2 problem with that, would you?

3 A No.

4 Q Now, did you vote for Reverend Jackson to be pastor of
5 that church?

6 A Yes.

7 Q And do you -- do you know whether or not -- and you
8 know your friend back there, Ms. Cynthia Robinson?

9 A Yes.

10 Q And Zelma Brown?

11 A Yes.

12 Q Have you seen them come back to your church from time
13 to time?

14 A Zelma done been there seven times.

15 Q All right. And she comes to funerals and stuff too,
16 doesn't she?

17 A Yeah, yeah. Yes, she been there.

18 Q Have you tried to prevent them two from coming?

19 A No.

20 Q You've never signed a trespass notice against either
21 one of them, have you?

22 A No.

23 Q Okay. So, did there come a time that you decided that
24 you wanted to part company with Reverend Jackson?

25 A Yes, because of what he was doing to the funding.

DECLARATORY JUDGMENT HEARING

1 Q Okay. And y'all had done a preliminary investigation
2 and it had gone to the sheriff's department and all that;
3 is that correct?

4 A Yes.

5 Q And then, y'all had a meeting at the Enoree place
6 because he wouldn't call the meeting?

7 A Right.

8 Q All right.

9 A And then a judge had ordered us to pass out things to
10 have a meeting, and he wouldn't let us have a meeting. He
11 took and pushed the door closed in our face.

12 Q Okay. So, when y'all went back to the church to try
13 to pass out the court order to notify the church members
14 about the meeting on April the 15th 2017, he pushed y'all
15 out of the church?

16 A Yeah.

17 Q Tell me how that happened. Tell me what happened.

18 A He was standing in the back with the -- I was the
19 usher then and we was standing in back. And me and
20 another usher were passing out the things, and he told us
21 not to pass them out, and then he just pushed the door in
22 our face and closed us out.

23 Q And then what happened? What happened after that?

24 A I guess he was talking inside the church. He wouldn't
25 let us have no meeting.

DECLARATORY JUDGMENT HEARING

1 Q Okay.

2 A He told us not to pass out the papers.

3 Q Okay. But people got word of the meeting anyway and
4 showed up?

5 A Yeah, yeah.

6 Q And, at that meeting, did -- was his fate discussed at
7 any point?

8 A His what?

9 Q His future with -- did y'all try to place him back --
10 did anybody try to vote him back at Enoree Fork Baptist
11 Church.

12 A Definitely not.

13 Q The one at 100 Greer[sic] Road?

14 A No, definitely not.

15 Q Okay.

16 THE COURT: Do you mean 100 Enoree in Greer.

17 MR. SMITH: Yeah, Enoree Road.

18 THE WITNESS: Yeah, 100 Enoree Road.

19 MR. SMITH: It's getting late. I've been up.

20 THE COURT: And every time you said that, you
21 meant 100 Enoree Road?

22 MR. SMITH: Enoree, yes, sir.

23 THE COURT: All right. We will reflect that in
24 the record.

25 MR. SMITH: Oh, boy. I'm going senile now.

DECLARATORY JUDGMENT HEARING

1 THE COURT: No, you're not going senile. I
2 just --

3 MR. SMITH: I appreciate it.

4 THE COURT: -- you had me confused until I
5 started verifying it.

6 MR. SMITH: Yes, sir, I appreciate y'all for
7 helping me on that.

8 BY MR. SMITH:

9 Q Okay. So, once he was -- you signed some petitions
10 like that they've already talked to the other ones about?

11 A Yeah.

12 Q And which constitution were you operating under?

13 A '96.

14 Q All right. And, is that the constitution you're
15 operating under at that church right now?

16 A Yes.

17 Q Is that the constitution y'all were operating under
18 when y'all decided to terminate him?

19 A Yes.

20 Q Okay.

21 MR. SMITH: Your witness.

22 THE COURT: Cross-examination?

23 CROSS-EXAMINATION

24 BY MR. DUNCAN:

25 Q Talking about the constitution and bylaws, there --

DECLARATORY JUDGMENT HEARING

1 there was a committee formed to draft and form the 2016
2 bylaws; correct?

3 A I don't -- I don't remember --

4 Q Okay.

5 A -- nothing about that.

6 Q But you don't know for sure there wasn't, then; right?

7 A Huh?

8 Q You don't know for sure there --

9 A I heard it spoke of, but we never discussed it or
10 passed any papers or anything. That's all I can tell you.

11 Q -- all right. And you mentioned that Pastor Jackson
12 shut the door in your face.

13 A Yes, he did.

14 Q Was that on March 27th, 2017?

15 A Yes, whenever the judge -- yes, he definitely did it.

16 Q Is that the date?

17 A I can't remember the date, but I know he did it.

18 Q So, you don't know the dates you went to the -- the
19 police department and tried to --

20 A I don't have it on record. I mean, yeah.

21 Q -- but you went to the police department --

22 A Yes, we did.

23 Q -- and you told the police that Pastor Jackson pushed
24 you.

25 A Pushed me and another lady out --

DECLARATORY JUDGMENT HEARING

1 Q Right.

2 A -- and closed the door in our face.

3 Q Right. Was he arrested for that?

4 A I don't know. You ask him was he arrested.

5 Q But do you -- do you know if he was arrested?

6 A I don't know.

7 Q And -- and the -- there was surveillance footage in
8 the -- in the front of the church, wasn't there?

9 A I don't know.

10 Q Well, if there -- okay. And that surveillance footage
11 showed that he did not touch you?

12 A I didn't say he touch me. I said he pushed the door
13 shut.

14 Q But you told the police he pushed you. You just said
15 that.

16 A Yeah, he pushed with the door.

17 Q Okay. All right. But you thought it was severe
18 enough you had report it to the police?

19 A Yes, because that was very ugly him when the judge had
20 gave us permission to pass out the --

21 Q Did you ever go to court to testify against him in a
22 criminal case?

23 A No.

24 Q Okay. No further questions.

25 THE COURT: Any redirect?

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1 MR. SMITH: No redirect, Your Honor.

2 THE COURT: You may step down.

3 THE WITNESS: Thank you.

4 MR. SMITH: We rest, Your Honor.

5 THE COURT: All righty.

6 MR. DUNCAN: I mean, Your Honor, I would move,
7 you know, I guess for a directed verdict on -- my issues
8 at this point. I have -- I have no -- well, I guess --
9 I'm sorry -- I don't have anybody to call again, if that's
10 what you're looking for.

11 THE COURT: That's what I was looking for.

12 MR. DUNCAN: All right.

13 THE COURT: But then I do -- I am going to
14 follow that up with motions. And you can go ahead and go,
15 but I was looking --

16 MR. DUNCAN: Okay.

17 THE COURT: -- as far as whether there was any
18 reply, and no.

19 MR. DUNCAN: Yes, I'm sorry. I was jumping the
20 gun.

21 THE COURT: No, no, do not apologize. I just --
22 okay. So, as far as testimony, we are done?

23 MR. DUNCAN: Yes.

24 THE COURT: Do you have any motions on behalf of
25 the plaintiff?

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1 MR. DUNCAN: Yes, Your Honor. I would move for
2 a directed verdict in favor of my clients, Your Honor.
3 There was -- there's been no hard evidence that a meeting
4 ever occurred to terminate Pastor Jackson. They -- they
5 talked about it, but I haven't seen one record, I haven't
6 seen any meeting minutes, I haven't seen any -- any
7 documents that has any proof that -- that a meeting
8 happened. Everything that my client has testified to
9 there was records backing that up, that testimony. They
10 were signed, they were kept in the regular course of the
11 church.

12 There was -- there's nothing that the Defense has put
13 up that would indicate that there was ever a quorum
14 present for a meeting, that a meeting was ever properly
15 noticed or meeting was actually even held. Even if they
16 did come to meet, we don't have any proof of what happened
17 or if it -- if enough people were there to follow the
18 constitution or the bylaws. Regardless of which one,
19 there's been no evidence that either the bylaws were
20 followed for a vote to terminate the pastor.

21 There's been no evidence presented that -- that
22 contradicted the -- who the proper trustees were, who the
23 deacons were, who the ministers were, who the officers of
24 the church were that were presented, which is why we're
25 here to declare who those people were. Nobody said

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1 anything about those people being terminated or voted out
2 or anything of the like, and there's been nothing -- no
3 testimony stating that there is new people in those
4 positions. There's actually been no -- I heard no
5 evidence that my clients are still acting under a
6 constitution as the proper and legal Enoree Fork Baptist
7 Church.

8 So, I mean, again, I think there's been nothing --
9 nothing to contradict the evidence that was presented to
10 the Court on the -- on the declaratory judgment issues,
11 and I would submit to the Court that there was sufficient
12 evidence presented on the plaintiff's case to prove those
13 -- to prove the elements that were needed to get a
14 declaratory judgment on those issues. And one other
15 thing, there was no -- nothing at all about who's an
16 active or inactive member under either constitution.
17 There was nothing contradicted on that either, so I would
18 move for a directed verdict in our favor.

19 THE COURT: Okay. Response?

20 MR. SMITH: Yes, sir, Your Honor. We've -- and
21 my brother knows he's in a difficult position in his case.
22 But as I state, in South Carolina, parties who have
23 disassociated from the original church and established a
24 new church generally lack standing to claim assets of the
25 original congregational church. This principle is

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1 supported by multiple cases. In Bramlett versus Young,
2 the South Carolina Supreme Court held that when members of
3 a church secede and disassociate themselves from the
4 original church, they are no longer considered members of
5 the original church corporation. As such, they lose any
6 rights to the property or assets of the original church.
7 The Court emphasized that the determination of which
8 faction is entitled to church property depends on which
9 faction represents the church as it existed prior to the
10 division or schism typically determined by adherence to
11 governing body of the denomination. Bramlett versus Young
12 229 South Carolina 519.

13 Similarly, in Harden versus Porger, 252 South
14 Carolina 298, the Court ruled that representatives of a
15 seceding congregation which is no longer part of the
16 original church have no legal standing to claim the
17 property of the original church. The Court noted that
18 even if some members of the seceding group were heirs of
19 the original grantors they did not assert rights in the
20 capacity and, thus, like standing. In Brock versus
21 Bennett, 313 South Carolina 513, the Court reiterated that
22 only the members of the original congregation have
23 standing to bring actions concerning church property.
24 Individuals who have left the church or disassociated
25 themselves from it lose their standing to claim rights

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1 over the church's assets.

2 Finally, in Fire Baptized Holiness Church of God
3 versus Greater Fuller Tabernacle Fire Baptist Holiness
4 Church, the Court clarified that when a church split,
5 property rights are determined in favor of the faction
6 maintaining the church organization as it previously
7 existed. if the entire congregation withdraws, the title
8 to the property remains with the original church.

9 Now, he wants to come back to the original church.
10 That's what he wants you to order. But his faction has
11 already created and disassociated from the original
12 church, so they have no property interests over there in
13 Greer at 100 Enoree Road. How is the firing of a pastor
14 more of a church matter that the civil courts may not
15 adjudicate? The firing of a preacher is considered more
16 of a church matter than other employment disputes that
17 civil courts can adjudicate using neutral principles of
18 law because it inherently involves ecclesiastical matters,
19 such as church doctrine, discipline,, and governance.
20 Civil courts in South Carolina have established that they
21 will not enter into the consideration of church doctrine
22 or church discipline, nor will they inquire into
23 irregularity of the proceedings of the church
24 judicatories, having cognizance of such matter. This
25 principle is rooted in the need to avoid entanglement in

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1 religious matters which would be inconsistent with
2 complete religious liberty and the separation of church
3 and state.

4 THE COURT: What about the Brightharp case?

5 MR. SMITH: The Brightharp, as I stated earlier,
6 is a case where the actual church was involved in the
7 lawsuit. You don't have the case in this case where the
8 actual church is involved in the lawsuit. So, even if you
9 order declaratory relief, Enoree Fork as an entity doesn't
10 have to follow the order because it's not going to be
11 subjected to the order. And that's why the case law in
12 South Carolina is the way it is. And so, if -- if -- if
13 -- say if I left BMW and I was, in some kind of way -- and
14 BMW had done nothing -- no, the best -- the best analogy
15 is with regard to a police officer.

16 If a police officer is sued within the scope of his
17 employment under the South Carolina Tort Act -- and that's
18 why the charitable immunity act follows it -- and you sue
19 that officer, the Court can dismiss that officer out of
20 the case because -- and you can't get a judgment against
21 that officer. That's the way of the South Carolina Tort
22 Claims Act. That's the way the charitable immunity act
23 operates for charitable nonprofit organizations in this
24 state. The charitable nonprofit organization was not sued
25 in this state. These folks shouldn't even be a part of

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1 the lawsuit, based on the charitable immunity doctrine in
2 this state. Therefore, he has no standing.

3 Our position is it should have been dismissed a long
4 time ago under 12(b)(6) like Judge Jocelyn Newman did in a
5 similar case where the church was not sued as an entity.
6 So, there's going to be a conflict. If the Court decides
7 to rule for them, there will be a conflict in the circuits
8 that, of course, the courts will have to resolve somewhere
9 down the road. But we're saying the Court doesn't have to
10 get to that point because there is case law that is
11 specific that these folks should not have been sued in the
12 first place. If he had a -- if he wanted to be where he
13 wanted to be, he needed to sue Enoree Fork Baptist Church
14 as an entity.

15 As a matter fact, by him saying that he's got an
16 Enoree Fork is moot. And one of the cases actually uses
17 the term "moot." I think Justice Toal actually says it in
18 one of the cases. So, he's not entitled to a directed
19 verdict. We are the ones who are entitled to the directed
20 verdict because this case should never have been brought
21 against people who, under -- is it Rule 19 of the Rules of
22 Civil Procedure? These are improper party. The party --
23 the main party in interest was never sued under -- under
24 our law. So therefore, if the indispensable party wasn't
25 sued, you can't actually hold these folks accountable and

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1 think that they can follow a court order that doesn't bind
2 the church itself.

3 So, there's no -- there's no way that you can, in my
4 opinion -- this is just my opinion -- there's no way you
5 can bind a corporation for the actions -- an eleemosynary
6 corporation for the actions of people who he has not
7 proved were acting outside the scope of their duties as
8 officers or as individuals who are members of the church,
9 and I think we're on solid case law on that, Your Honor.

10 THE COURT: Any response to that? And then I
11 will come back.

12 MR. DUNCAN: I'll go back to what I said at the
13 close of the plaintiff's evidence, that it's the same
14 arguments, Judge. This is a novel issue. None of the
15 case law is directly on-point with what's happened here
16 with two different factions trying to say they're Enoree
17 Fork. What you've seen here has proven today, I think,
18 with the evidence of the plaintiff is that they're the
19 ones still acting as Enoree Fork. They followed the
20 bylaws. We've seen no evidence from the other side about
21 how they're -- how they're following any bylaws and how
22 they're acting as the church. Just because they're still
23 in 100 Enoree Road in Greer, South Carolina doesn't mean
24 they are Enoree Fork Baptist Church, the legal entity.
25 That's -- that's the -- that's the whole crux of this case

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1 of why it was brought to make a determination of who the
2 officers were, who the pastor was, who the members were at
3 the time it was filed. And that's been proven without any
4 contravention, in my opinion, from the evidence that we've
5 heard today.

6 And, going back to the McCain versus Brightharp case,
7 that's the only case that's anywhere close to been
8 on-point because it looked at whether a vote actually
9 occurred to terminate the pastor. And again, I don't
10 think there's been any evidence presented to -- to show
11 that there was a proper vote held or a vote even held to
12 terminate him. So, if any case applies, then it's -- it's
13 that one and, you know, of course in that one the judge
14 restated the status quo. And you know, what a judge --
15 what a judge did in Columbia or wherever that was, a
16 circuit court judge is not binding on this Court. That's
17 not any kind of precedential value, and I'm not sure the
18 facts of that case and what happened in that case anyway.
19 So that's not binding on this Court in any way, shape, or
20 form.

21 But again, the -- to their standing issue, my client
22 sued the people that were trying to oust him from the
23 church and the people that are named, not just Pastor
24 Jackson, but everyone that's named trying to oust them
25 improperly under the church constitution and bylaws. no

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1 matter which one the Court decides is the proper one,
2 neither one were followed in any manner. No proper vote
3 was ever held. So, I think that gets us to you have the
4 authority to make a decision on the declaratory judgment
5 issues and make a ruling.

6 THE COURT: Okay. All right. Do I have a
7 motion from the defendants?

8 MR. SMITH: Yes, sir, a motion to dismiss.

9 THE COURT: I know some of it. I've already
10 heard.

11 MR. SMITH: Yes, sir. Oh, oh, I see what you're
12 saying.

13 THE COURT: No, no, no. But I know mean I -- go
14 ahead.

15 MR. SMITH: Yes, sir, our motion to dismiss this
16 action based on the fact that this is primarily an
17 ecclesiastical matter. The Court should exercise the
18 abstention doctrine. We move for a directed verdict as
19 well on that issue. The issue of 12(b)(6) covers the issue
20 of the eleemosynary corporation in this state. And the
21 proper parties in an eleemosynary -- eleemosynary -- in --
22 in a lawsuit involving the individual members of a church
23 cannot stand because this church is an eleemosynary
24 corporation organized and existing under the laws of the
25 State of South Carolina as a nonprofit. It is deemed a

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1 nonprofit. It has to be named in the lawsuit personally.
2 It should have been Sylvester Jackson versus Enoree Fork
3 Baptist Church. That should have been the caption. That
4 is not the caption. It's not even -- it's not even -- the
5 caption is not even, like in Brightharp, Sylvester Jackson
6 as pastor of Enoree Fork Baptist Church against these
7 folks, or as a former pastor. There's none of that in
8 there.

9 So, he can't -- he can't -- he can't jump-start his
10 lawsuit by suing the wrong people, basically. He's got to
11 sue the entity, because if the Court orders -- so if the
12 Court says, okay, all of you folks have got to recognize
13 him as pastor of Enoree Baptist Church, we'll he's already
14 recognized. That's what he said. He's -- he's -- he's
15 got his faction somewhere. And I don't think the Court is
16 going to say, okay, I'm going to order you to go back into
17 the building at 100 Enoree Road in Greer, South Carolina.
18 I don't think that -- and then, you know -- so -- so
19 basically on that, where's the relief coming? If he is
20 sued in tort or if he is sued in some other -- I mean,
21 he's an equity court, right? If he is sued in tort, then
22 like in some of those cases where you have defamation or
23 something like that, then you can use neutral principles
24 in a tort action like -- like -- like judge -- Justice
25 Kittredge said in one of those cases. Yeah, you might get

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1 there with that, you know, wrongful termination, a law
2 action. He didn't file a wrongful termination law action.
3 He's saying he wasn't even terminated. That's what he's
4 saying. He's saying he's still on the job. Well, I don't
5 -- really, I don't understand the lawsuit, really. They
6 told you, Judge, this is not a reinstatement. He's not
7 asking to be reinstated. If he was asking to be
8 reinstated, then maybe Brightharp could colorably be
9 looked at, but not against these folks. It would still
10 have to be against Enoree Fork Baptist Church itself.
11 Thank you, Your Honor.

12 THE COURT: Thank you.

13 MR. DUNCAN: Again, Your Honor, just by
14 saying -- if you want me to go through it again, I will.

15 THE COURT: No. You can just say it would be my
16 same argument I've already made.

17 MR. SMITH: Yeah.

18 MR. DUNCAN: It would be my same arguments I've
19 already made.

20 THE COURT: All right. It's noted on the
21 record. I just want to make sure that you feel like you
22 had an adequate -- all right. Anything else?

23 MR. SMITH: That's it, Your Honor.

24 MR. DUNCAN: That's it, Your Honor.

25 THE COURT: Thank y'all, and I will be taking

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1 the South Carolina Court Tort Claims Act, they have to --
2 they have to sue the charitable organization itself.
3 That's why the defendant -- that's why the plaintiff is in
4 a dilemma.

5 He keeps considering himself the preacher of Enoree
6 Fork Baptist Church, so he couldn't bring it against the
7 proper party, but I don't understand why he brought the
8 lawsuit in the first place if he's still the preacher.
9 It's a contradiction on its face. So, we believe under
10 33-56-180 it should be dismissed on that basis. As I also
11 said, if he's not -- if he hasn't sued the proper party,
12 then he lacks standing with regard to the other
13 individuals that got sued in this matter, because they
14 disassociated themselves from the main Enoree Fork Baptist
15 Church in Greer. At the South Carolina Supreme Court
16 precedent states, quite specifically, if you disassociate
17 yourself from the main body of the church, all the assets
18 and everything that pertains stays with the original
19 church itself.

20 He decided to open up an online church with his
21 faction. He had, I guess, a First Amendment right to do
22 that. He's taken money, which demonstrates he
23 disassociated. They don't send the e-mails to 100 Greer
24 [sic]. They don't send any information over there
25 whatsoever. They don't send any money, they don't send

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1 any tithes, they don't send any offerings. They are a
2 completely independent organization. And he stated that
3 he didn't reincorporate. All he did was decided that he
4 was going to have what you call a registered agent. And
5 that registered agent, I guess, if she got a lawsuit, she
6 would report back it back to the one over there at 100 --
7 100 Greer [sic] Road where the original incorporation was
8 in the first place.

9 So, he is running an unincorporated church, but
10 trying to piggyback off that and say that he is still the
11 pastor -- I mean, he's already made his judicial decision
12 himself -- that he's still the pastor of Enoree Fork
13 Baptist Church. He's not trying to be reinstated, as I
14 understand it, and that's what I thought the basis of his
15 lawsuit was. He didn't sue -- he didn't sue for any
16 relief. And, okay.

17 So we have lack of standing, we have disassociation.
18 And then, we come to that case I passed out earlier -- I
19 think it was the Knotts case -- and, in that case, which
20 is similar to this one, they had a situation where the
21 constitution had bylaws that said you had to have
22 two-thirds. And the Court said when they had a majority
23 vote in there, if I'm reading it right, well, look, we're
24 not going to tell the congregation, which is the right way
25 to run their business inside the church. Now, if you've

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1 got two factions and you've got one split away, of course
2 he said he left in January of 2017. Well, they had a
3 right to run that church under different bylaws and under
4 a different constitution from then on. So he can't say --
5 he can't hold that church hostage. He can't hold that
6 faction hostage just because he left it.

7 And the Court said in these cases it is the -- and
8 you know this better than I do, Judge, because you're the
9 judge. All you have to -- all we have to prove is that
10 there was a meeting, that they weren't given notice of the
11 meeting. And when was that meeting? It was on April 15,
12 2017, pursuant to court order. And that's what's similar
13 to some of these cases too, because the Court notes in one
14 of them that it could undo what a judge had already
15 ordered because the parties had already changed position.
16 So, he got notice of a meeting, he went to the meeting,
17 but he never made any kind of attempt to remain as Enoree
18 Fork Baptist Church's pastor at 100 Enoree Road in Greer,
19 South Carolina.

20 What he did was, according to his testimony, they
21 decided they wasn't going to come back. They said
22 something about a cop. Well, a cop ain't the judge. A
23 cop couldn't keep people out of the church once the judge
24 said who are the active members. They didn't go back in
25 front of Judge Gravely and say, you know, they're trying

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1 to keep us out of the church, Judge, or they're trying to
2 fire me, Judge. They never did that. That case went on
3 for a good while, and then it was dismissed by our side.

4 THE COURT: At that -- at that meeting, didn't
5 y'all like refuse to do a receiver?

6 MR. SMITH: I think --

7 THE COURT: Are you talking about the Perry
8 Gravely requested meeting?

9 MR. SMITH: -- at first, we were trying to get a
10 receiver. And we were for the receiver, but I think they
11 were against the receiver. Because we -- our side wanted
12 a receiver, as I recall it, because I was handling the
13 lawsuit back in, and we wanted a freeze on the assets, and
14 we got the freeze on the assets. And then Judge Gravely
15 kind of like relaxed the freeze over time so that they
16 could handle the business. And so -- so, I don't want to
17 get into the other case, but that's what we're going to
18 show in the other case. So, but we raised -- we raised
19 the statutory defense in the -- in our -- in our summary
20 judgment saying that, you know, these people are the wrong
21 parties to be sued.

22 And I think the case of Beecham versus Casey stands
23 for that proposition. That's a Richland County case. And
24 then you've got Honorable Jocelyn Newman. And then you've
25 got Knotts, the Knotts case. And then you've got Morris

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1 Street Baptist Church versus Dart. In all those cases --
2 and the Court knows this better than I do, and I won't try
3 to presume I know the laws better than you, Your Honor --
4 but the key component is that we all kind of like got a
5 thin line into trying to decide who ought to be an
6 officer, who shouldn't be an officer. That's getting into
7 ecclesiastical matters.

8 Now, if he is sued in tort for wrongful discharge,
9 that may be a colorable claim under neutral principles.
10 But he said he's still the pastor by his own admission.
11 So, I was thinking they were trying to say they wanted to
12 be reinstated. He said, no, he don't want to be
13 reinstated, he's still the pastor, which doesn't make much
14 sense to me, so why are we here for this lawsuit?
15 But anyway, you know, a lot of stuff don't make sense to
16 me. But that's because I'm limited. But so here we go,
17 and I'm going to -- I'm going to -- I don't want to
18 prolong this.

19 The ecclesiastical abstention doctrine is involved
20 here, and we make a motion to dismiss on that basis. We
21 make a motion to dismiss on the basis that they don't have
22 standing to sue individual members of the church. The
23 dispute over reinstatement, according to the Court, Roman
24 Catholic Archdiocese of New York versus Sebelius 987 --
25 I'll get all of these to the Court and submit them, if the

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1 Court so desires -- seems to think that trying to put
2 people back in their positions and decide on who's this
3 and who's that in that position gets into ecclesiastical
4 matters. And so, there's an abstention principal there.
5 So we believe that, based upon the fact -- looking at the
6 evidence in the light -- or lack of evidence in the light
7 most favorable to the nonmoving party, and that would be
8 Mr. Jackson and all the rest of the people or the ones
9 that didn't show up and stuff who don't -- who are not
10 actually prosecuting because they ain't here. It's not a
11 class-action. Looking at the light, if they don't have
12 standing and it's an ecclesiastical matter, then we
13 request that the Court dismiss the case at this stage.

14 THE COURT: All right. Thank you. Any
15 response?

16 MR. DUNCAN: Yes. May it please the Court, Your
17 Honor. I'll start with what Mr. Smith said. This is a
18 directed verdict motion. Everything has to be viewed in
19 the light most favorable to the nonmoving party, which is
20 Sylvester Jackson and the parties named as plaintiffs in
21 this -- this case we're here today. In regard to the not
22 proper parties and saying have to sue the church, this is
23 the whole issue. There's an issue of who is actually able
24 to act on behalf of the church. This is a unique
25 situation. I'm not sure of any case law that has this set

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1 of facts that's been on appeal. I could be wrong, but I
2 haven't seen it.

3 THE COURT: Yeah, I think you're pretty close on
4 that.

5 MR. DUNCAN: Right. So, Pastor Jackson and Ms.
6 Brown and Ms. Robinson have been very clear that the
7 church has continued under the 2016 bylaws, that Pastor
8 Jackson has continued to act as the pastor, and they've
9 continued to follow those bylaws. So -- but he can't sue
10 saying he can't sue the church if he -- he is claiming he
11 is the church. And the folks he named are people that
12 signed letters purporting to oust him. And you've heard
13 about how those -- how those things went. They didn't
14 have authority under those bylaws. So, I believe -- and I
15 wasn't the attorney back then, so I wasn't privy to what
16 went on and why Attorney Phillips decided to do that, to
17 file it the way he did, but that's the way it was done.
18 And I think there's some reasoning behind that, again,
19 because these are the people that were acting to oust
20 Pastor Jackson and remove him from -- try to remove him
21 from the church.

22 So, I'm not sure that the 33-56-180 applies in this
23 particular case. He -- as far as the disassociation,
24 again, the testimony was consistent that they acted under
25 the constitution and bylaws and continued to act as Enoree

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1 Fork Baptist Church. They left the church building where
2 they were meeting, but they didn't stop being Enoree Fork
3 Baptist Church. They didn't disassociate from the church
4 itself. They left that building. No matter what the
5 police officer said or what authority they had, to avoid
6 conflict, they -- they left that building. They operated
7 on their own. They didn't form a new church. They --
8 with the Secretary of State, they changed the secretary --
9 the -- the registered agent in a further evidence that
10 they were acting as the proper church under the
11 constitution and bylaws.

12 As far as the ecclesiastical matter goes, I don't
13 believe the cases that were -- were cited by Mr. Smith
14 apply here. The -- you look at McCain versus Brightharp.
15 The court in that situation determined -- had to determine
16 whether a vote was actually taken. There's been a lot of
17 evidence -- or testimony here. All we've heard today is
18 that there wasn't a vote to oust Pastor Jackson or these
19 other officers. There's been no evidence presented that
20 there was a vote. And, in that case, the Court -- if I'm
21 recalling correctly -- reinstated all the members and the
22 officers to the date before the lawsuit started and -- and
23 left from there.

24 So that the Court does have authority to do that and
25 make that determination whether a vote was actually taken.

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1 And I would submit, especially if you view it in a light
2 most favorable to my clients, no vote was -- was taken or
3 had. And as far as the contentions about being
4 reinstated, the lawsuit is clear, they just want to- a
5 declaratory judgment action saying who it is under the
6 law, not reinstated. They -- again, they've acted under
7 the constitution and bylaws, and continue to act to this
8 day under those things. They just want the Court to make
9 the determination that that is, in fact, accurate.
10 They're not alleging they were ever ousted from those
11 positions.

12 THE COURT: What about that meeting and the
13 receiver?

14 MR. DUNCAN: That meeting was -- and I think the
15 Court can take judicial notice of that court file what
16 happened there -- that meeting, my understanding was that
17 there was a vote to approve a receivership. And then, for
18 whatever reason, that never actually came to fruition and
19 the lawsuit was dismissed, and I believe Form 4 order says
20 all orders in that case have been dismissed. So I don't
21 think the case is relevant --

22 THE COURT: Well, they were -- all orders
23 were -- this is Judge Gravely on March 15, 2018, "The
24 Court orders that this case be dismissed without
25 prejudice' -- I'm not sure which case -- 'and all prior

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1 orders in this matter will be voided."

2 MR. DUNCAN: Right.

3 THE COURT: This was Plaintiff Smith's emergency
4 motion to lift the freeze on the accounts, and there was a
5 hearing on March 15th. And the plaintiff -- and I guess
6 in that particular instance, the plaintiff was Mr. Smith's
7 client --

8 MR. SMITH: Yes, sir, Charles.

9 THE COURT: -- is that right?

10 MR. SMITH: Yes, sir, Your Honor.

11 THE COURT: There's been a lot of -- a lot of
12 cases.

13 MR. SMITH: Yes, sir.

14 THE COURT: There's still a lot of cases.

15 MR. SMITH: Yes, sir.

16 THE COURT: But that was on March 15th.

17 MR. DUNCAN: Right. And so, my position would
18 be that no matter what happened at that meeting, that
19 wasn't for -- he didn't have to raise the issue of whether
20 he was still the pastor or not. He was still acting as
21 the pastor. He didn't have to do that there. And, even
22 if he did, that's irrelevant. That order -- that case was
23 dismissed and anything that happened in that case is now
24 -- now gone. And then, new lawsuits were filed in 2017,
25 and that's why we're -- we're here today. So I don't

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1 think that's -- any of that would be any -- of any
2 relevance to -- to -- to my client's position in it.

3 THE COURT: So say the 2016 constitution and
4 bylaws was not properly -- just for purposes of argument,
5 and you go back to 1996. Same position?

6 MR. DUNCAN: That's the same position. He still
7 acted as the leader of the church. He hasn't wavered in
8 that.

9 THE COURT: Vote?

10 MR. DUNCAN: Right. There's no vote -- no
11 evidence of any vote happening at all under either
12 constitution.

13 THE COURT: Okay. And then, no vote. And then,
14 your position under Brightharp would be, if no vote, then
15 it's returned to the status quo?

16 MR. DUNCAN: Correct.

17 THE COURT: Okay. Anything else, sir?

18 MR. SMITH: Yes, sir, Your Honor.

19 THE COURT: Well, yeah, from him.

20 MR. SMITH: Okay.

21 THE COURT: I promise, Mr. Smith, I'm going to
22 hear from you.

23 MR. DUNCAN: No, Your Honor. That would be my
24 argument.

25 THE COURT: Okay.

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1 MR. SMITH: Okay.

2 THE COURT: Mr. Smith, do you have anything in
3 response?

4 MR. SMITH: Yes, sir. First of all, the Court
5 can't come back at the status quo.

6 THE COURT: And why not?

7 MR. SMITH: Because if you order them, it can't
8 be enforced, based on case law. If you issue an order
9 against these individuals, it's not enforceable against
10 Enoree Fork Baptist Church itself. That's the whole
11 point. That's why -- that's what the case law says. It's
12 not something I'm making up. Under South Carolina law, "A
13 declaratory action requires a justiciable controversy
14 defined as a real and substantial dispute appropriate for
15 judicial determination." This dispute does not meet that
16 standard, according to Sunset Cay versus City of Folly
17 Beach. "The civil courts may resolve disputes involving
18 civil, contract or property rights, but cannot adjudicate
19 ecclesiastical matters. The courts must defer to the
20 decisions of the highest religious judicatories on issues
21 of religious law, doctrine or governance."

22 That Knotts case is directly on-point here. And when
23 a church -- and the key is, when he left in January, they
24 had a right to govern themselves under whatever
25 constitution they want, and he doesn't know whether or not

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1 they complied with the constitution or not because he
2 wasn't present. He doesn't have personal knowledge of
3 that. He's just making an argument. And the property
4 rights, "When a church splits, courts determine property
5 rights in favor of the faction, maintaining the church
6 organization as it previously existed." And that's
7 Dillard versus Jackson, 304 South Carolina 79, and Fire
8 Baptist Holiness Church of God versus Greater Fuller
9 Tabernacle Fire, 323 South Carolina 418, "Title to the
10 church property does not follow a withdrawing faction."

11 Now, lack of standing, the pastor's faction lacks
12 standing to bring a declaratory judgment action because
13 there is no justiciable controversy, as I said. The
14 faction abandoned its own financial responsibilities and
15 split from the original church, undermining any claims to
16 the rights or status within the church. And the fact that
17 they did not -- they violated their own constitution by
18 not sending any money to the original church. So if they
19 -- their -- their constitution says if you're not
20 financial with so many months, well if you're inactive,
21 they're going to consider you inactive.

22 So, every one of the folks that went into that
23 faction became inactive on their own under their own
24 steam, because they had a right to come back to that
25 church after that meeting that Judge Gravely had ordered

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1 on 4/15/2017. And the claims for reinstatement as
2 officers involve ecclesiastical questions of church
3 governance and discipline, which are beyond the
4 jurisdiction of civil courts. The courts must defer to
5 the original church's internal governance and decisions,
6 as required by ecclesiastical abstention.

7 So, if the Court wants -- see, the courts -- I think
8 what the Supreme Court of the United States and your court
9 and my court and everybody else's court doesn't want us
10 sitting inside a congregation making a decision as to who
11 ought to be the officers and who ought to be the pastor.
12 And he ain't asking for no money. He ain't sued the
13 church. These folks can't come in and put him back in.
14 Even if the Court orders it, they can't. If they decided
15 to leave the church and go to another church, that order
16 cannot be enforced because the proper party in this case
17 is Enoree Fork Baptist Church itself.

18 THE COURT: What about the Brightharp case?

19 MR. SMITH: The Brightharp case is
20 distinguishable because, in that case -- isn't it in that
21 case the church was actually sued? Aren't they the proper
22 party? I don't have it in front of me. Here it is.
23 Let's see who the -- let's see.

24 THE COURT: It was McCain versus --

25 MR. SMITH: Yeah.

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1 THE COURT: -- Brightharp.

2 MR. SMITH: Right. And it says that -- okay.
3 And if you look, it's got up there McCain, Joseph Curry,
4 individually as trustees of Mount Canaan Baptist Church.
5 That church is named in there. The church is named right
6 up there. I brought a copy of it. So if the church is
7 named, I think, well, you know, Brightharp is
8 distinguishable, and it's distinguishable because the
9 proper party was named. In this case, it's totally
10 different. Ain't no proper party here. And I -- I --
11 I -- I -- I researched this thing because I was, like, how
12 do you enforce it? How can you -- and that's
13 (unintelligible) there. How can you enforce it? You
14 know, would be like if I sued -- if I sued under the tort
15 claims act. If I sued a police officer under the tort
16 claims act and I didn't sue, say, the city, that can't be
17 enforced because the Court is going to dismiss that
18 because, under the tort claims act, you've got to actually
19 name the police agency. And that's why, in the charitable
20 organization law, you've got to name the charitable
21 organization if you're going to sue them. You can't name
22 the people who are members of it. He already said they
23 ain't officers. He didn't sue them. He sued them because
24 they were members. So, that don't make logical sense
25 either.

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1 So, okay. Now, once I get to that point, once I get
2 to it and I show a lack of standing, and once I show the
3 fact that it was ecclesiastical matters and he's gone --
4 he don't know how they're operating when he's gone -- and
5 he wanted to go. So (unintelligible) the things after he
6 left. The Court can't come back and second-guess the
7 people now because he voluntarily left, and the people who
8 was with him voluntarily left. They already testified to
9 that. So, here we are in a dilemma, and we're making a
10 motion to dismiss at this stage. Thank you, Your Honor.

11 THE COURT: Okay. Anything in response?

12 MR. DUNCAN: Yes, Your Honor. I mean, Mr. Smith
13 is conflating acting as the church with being in the
14 physical church building that was 100 Enoree Road. Those
15 are completely distinguishable. Just because, you know, a
16 faction left that building does not mean they don't still
17 operate as the proper and true Enoree Fork Baptist Church,
18 which is the whole purpose of this lawsuit. And actually,
19 you know, on the McCain versus Brightharp issue as far as
20 naming the actual -- the church, again, there's no case
21 law on-point in this particular situation where a faction
22 tries to oust another part of the church. Again, that's a
23 novel issue, as far as I know.

24 And you heard Pastor Jackson testify that this was
25 brought on behalf -- you know, they're named individually,

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1 but he said they brought it on behalf of the officers and
2 the ministers and those things, and I believe the
3 allegations in the complaint would -- would bear that out.
4 So I think that -- that points to -- I think McCain versus
5 Brightharp is exactly the closest thing we have on-point
6 to the facts in this case and should still be, you know,
7 the precedent this Court should follow.

8 THE COURT: Okay. Anything else, Counsel?

9 MR. SMITH: Nothing further.

10 THE COURT: Okay. I'm going to deny your
11 directed verdict motion, and then we will move on to your
12 case.

13 MR. SMITH: Thank you, Your Honor. At this
14 time, we call --

15 THE COURT: You are definitely protected on the
16 record.

17 MR. SMITH: -- I appreciate it, Judge. I got my
18 thumbs up. Come on up, Reverend, and let's call you
19 first, Associate Pastor Larry Dawkins.

20 (The witness was sworn in.)

21 THE CLERK: Have a seat here, and state your
22 name for the record once you get seated.

23 THE COURT: Mr. Preston, would you get this kind
24 man some water?

25 THE BAILIFF: I will.

DECLARATORY JUDGMENT HEARING

1 THE COURT: You're all right?

2 THE WITNESS: Yes, sir.

3 THE COURT: Okay. I just want to take care of
4 my witnesses.

5 THE WITNESS: Larry Dawkins.

6 LARRY DAWKINS

7 was called as a witness, and having been first duly sworn,
8 testified as follows:

9 DIRECT EXAMINATION

10 BY MR. SMITH:

11 Q And, where do you live?

12 A Simpsonville.

13 Q Are you married?

14 A Yes, sir.

15 Q Who you married to?

16 A Mable Sullivan Dawkins.

17 Q And she's in the courtroom right here?

18 A Yes, sir.

19 Q How many children you got?

20 A One now.

21 Q Yes, sir, I understand. And how are you related to
22 Enoree Fork Baptist Church?

23 A Well, my parents is buried out there. My grandparents
24 is buried out there. I don't know how further back it go.

25 Q All right. And what position do you hold with Enoree

DECLARATORY JUDGMENT HEARING

1 Fork Baptist Church?

2 A I am now the associate minister. Well, actually, I'm
3 the active pastor until we get Reverend --

4 Q Another pastor?

5 A -- yeah, yeah.

6 Q All right. Have y'all had several pastors since
7 Reverend Jackson left?

8 A We have.

9 Q Okay. Do you recall their names? If you can't,
10 that's fine?

11 A Yeah, I won't even try to go through it.

12 Q So now -- so how many years you think you've been a
13 member of Enoree Fore Baptist Church?

14 A All my life.

15 Q All your life? Now, on or about August of 2015, y'all
16 all agreed to hire Reverend Jackson as your pastor?

17 A We did.

18 Q Okay. What did y'all see in him at the time?

19 A Well, there had to be a reason. I don't know.

20 Q Okay. Did you vote for him?

21 A Because it's personal.

22 Q Yeah, you voted for him?

23 A I did.

24 Q All right. And, in August '15, there came a time
25 where you wanted to part company with him?

DECLARATORY JUDGMENT HEARING

1 A Well -- well, I based my decision on hearsay. I
2 believed what I heard.

3 Q Okay. So anyway, let me just see how we can -- did
4 you vote on any occasion to terminate his contract?

5 A I did.

6 Q Okay. What constitution were you operating on --
7 under at the time you terminated his contract?

8 A The '96 constitution, '96.

9 Q Okay. Was there a time when -- when they passed out a
10 2016 contract in January of -- or so?

11 A Not to my knowledge.

12 Q Were you ever given a copy?

13 A No, sir.

14 Q Were you able to discuss the terms and condition of
15 that constitution?

16 A No, sir.

17 Q Okay. To your knowledge, was Reverend Jackson an
18 at-will employee?

19 A What you mean?

20 Q You could fire him anytime you want to for reason or
21 no reason?

22 A I really wasn't sure.

23 Q Okay. That would be a legal question?

24 A More than likely.

25 Q All right. Now, let me ask you this. But y'all

DECLARATORY JUDGMENT HEARING

1 didn't have any written contracts for pastors; right?

2 A Not to my knowledge.

3 Q Right. So, let me ask you this. And there was a
4 lawsuit filed by Charles Sims; correct?

5 A Charles Sims? Charles Smith.

6 Q Charles Smith. I get it all twisted. All right. So
7 Charles Smith filed a lawsuit, and y'all had a -- y'all
8 asked the Court for a receiver and for a freezing of the
9 funds, is that correct, at that church?

10 A Yes, sir.

11 Q All right. And then, Judge Gravely ordered that a
12 meeting be held on the 15th of --

13 MR. DUNCAN: Objection, Your Honor. I mean,
14 this is --

15 MR. SMITH: Well, it's --

16 MR. DUNCAN: -- I mean, this is going into the
17 previous case that --

18 MR. SMITH: -- no, I was just asking about the
19 meeting -- excuse me.

20 MR. DUNCAN: -- I mean, I guess if he's got
21 knowledge, I guess he could do that. But it's -- you
22 know.

23 THE COURT: As long as it's not leading.

24 MR. DUNCAN: Thank you, Your Honor.

25 BY MR. SMITH:

DECLARATORY JUDGMENT HEARING

1 Q Okay. So, was there a meeting? Did Judge Gravely
2 order a meeting, to your knowledge?

3 A Yes.

4 Q And was the meeting held?

5 A At the Enoree Center.

6 Q When, what date? The Court can take judicial notice
7 of it.

8 A I'm not sure.

9 Q Okay.

10 A But anyway, we had a meeting at the Enoree
11 Association.

12 Q All right. Okay. I'm going to show you what has been
13 marked as Plaintiffs' Exhibit No. 9. It has been offered
14 into evidence. Is that your signature down here?

15 A Yes, sir.

16 Q What does that letter say?

17 A Do you want me to read the whole thing?

18 Q You can read the pertinent parts about --

19 A Okay. "The purpose of this letter is to notify you
20 that your tenure as pastor at Enoree Fork Baptist Church
21 has been terminated, effective immediately, due to your
22 total disregard of church constitution and bylaws, the
23 fact that you have improperly terminated members from the
24 church, placed no-trespass orders against several members
25 as well, and the fact that you are in default with the

DECLARATORY JUDGMENT HEARING

1 current lawsuit against you for misappropriation of church
2 funds."

3 Q All right. So, at the time that you wrote the letter,
4 it was your position along -- it was your position with
5 the people who actually signed the letter that he was in
6 violation of the constitution himself; is that correct?

7 A Well, since he left and all that --

8 Q Just answer that question.

9 A -- yes, sir.

10 Q All right. Now, explain.

11 A Well, since he left and all the other associates left
12 with him, I was about the only minister left in the
13 church, so I guess they put me in that position to do
14 that.

15 Q Okay. How did he violate the terms and conditions of
16 the constitution?

17 A Well, he -- to be honest, we never had a meeting. He
18 wouldn't allow us to have a meeting, so we didn't discuss
19 nothing.

20 Q Okay. So let's parse that out.

21 A Okay.

22 Q Who is "he" wouldn't allow a meeting?

23 A Reverend Jackson.

24 Q Okay. He wouldn't allow you to have a meeting?

25 A No, sir.

DECLARATORY JUDGMENT HEARING

1 Q And what was his reasons for preventing you from
2 having a meeting?

3 A I'm not -- well, I'll let somebody else get into that
4 because it would be hearsay coming from me.

5 Q Okay. So you don't know of your own personal
6 knowledge?

7 A Not personal.

8 Q All right. But you state in here the church has not
9 had an official church meeting to remove any church leader
10 from their post since you were hired as pastor; is that
11 correct?

12 A That's correct.

13 Q Then you signed a no-trespass notice. Is that your
14 signature on that document?

15 A Yes, it is.

16 Q Against Reverend Jackson; is that correct?

17 A Yes, sir.

18 Q Did you sign one against a Ms. Robinson or Ms. Zelma
19 Brown?

20 A We only had one, and that's this one.

21 Q Okay. Why did you deem it necessary to put a trespass
22 notice on Reverend Jackson?

23 A Well, if -- do I need to go into it?

24 Q Well, I'm just asking a question.

25 A Well, misappropriation of funds.

DECLARATORY JUDGMENT HEARING

1 Q Okay. That's a different lawsuit, okay, but thank
2 you.

3 A Okay.

4 Q But that was one of the reasons?

5 A It was.

6 Q Why was the doors on the church locked? Did he ever
7 lock the doors on y'all?

8 A I think he was on his way to lock the door, but we
9 beat him to it.

10 Q Okay. And then what happened? Y'all didn't -- y'all
11 didn't tell -- did y'all -- let me -- did y'all tell any
12 of the members who left with him that they couldn't come
13 back to Enoree Fork Baptist Church?

14 A The doors were locked before all of that happened.
15 The doors were not locked when before that happened. They
16 was welcome back at any time.

17 Q Okay.

18 A Everybody except Reverend Jackson.

19 Q I'm going to show you what has been marked as
20 Plaintiffs' Exhibit No. 11. What is No. 11?

21 A You want me to read it?

22 Q Yeah.

23 A "This letter is to notify you that the --

24 Q What date is it? What's the date on the letter?

25 A The date?

DECLARATORY JUDGMENT HEARING

1 Q Yes, sir.

2 A April the 10th, 2017.

3 Q Okay.

4 A "This letter is to notify you that the chairperson of
5 Enoree Fork Baptist church deacon board held a special
6 meeting Sunday, April 9th, to inform you the church body
7 of their decision to terminate you as pastor, effective
8 April the 3rd, 2017. Please note that in this special
9 meeting of the church body, the Enoree Fork Baptist Church
10 family unanimously voted to approve and confirm the deacon
11 board chairperson's decision to terminate you as pastor of
12 Enoree Fork Baptist Church."

13 Q Okay.

14 A And it was all based on misappropriation of funds.

15 Q Now, did -- can you tell us whether or not y'all gave
16 Reverend Jackson or Ms. Robinson the authority to change
17 the -- the -- the person on the -- the registered agent on
18 the articles of incorporation?

19 A No, sir. I don't think they did. I'm not sure,
20 though.

21 Q Did you ever have a vote over it at Enoree Fork 100?

22 A No, we never did.

23 Q Have they ever provided y'all with any funds of
24 whatever nature?

25 A Not to my knowledge.

DECLARATORY JUDGMENT HEARING

1 Q Have they ever paid off the bills and mortgages of
2 Enoree Fork 100 where y'all are located?

3 A We did that. No, sir, they didn't.

4 Q When you say "we," you're talking about your --

5 A Those of us that was left.

6 Q -- and all y'all about debt free now?

7 A I'm not sure where we stand.

8 Q Okay. That's not -- that's above your pay grade?

9 A Yes, sir. I let them handle the money.

10 Q So, to your knowledge, did Judge Gravely make
11 everybody a member of the church at some point?

12 A Well, according to him, everybody was.

13 Q Okay. And y'all had the meeting because of that; is
14 that correct?

15 A Yes.

16 Q Was it -- Reverend, to your knowledge -- Reverend
17 Jackson, to your knowledge, now -- do you -- nevermind.
18 We already asked him that. Answer any questions of that
19 guy.

20 THE COURT: Cross-examination?

21 MR. DUNCAN: Yes, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. DUNCAN:

24 Q And, Mr. Dawkins, I'm going to ask you about the --
25 the letter dated April the 10th. I believe that's number

DECLARATORY JUDGMENT HEARING

1 -- Plaintiffs' Exhibit 11. Do you have that in front of
2 you?

3 A I don't.

4 Q Do you have the April 10th, 2017, letter now?

5 A April 10th? I do.

6 Q Okay. All right. All right. And it says in -- in
7 here that -- that -- that the church -- somebody voted to
8 have -- to accept the decision of the board of deacons to
9 terminate Pastor Jackson; is that right?

10 A That's right.

11 Q All right. But you didn't give Pastor Jackson notice
12 of any meeting that you had; right?

13 A I didn't.

14 Q All right. And, to your knowledge, nobody gave Pastor
15 Jackson any notice of that meeting?

16 A I have no idea to that.

17 Q All right. And nobody gave Zelma Brown notice of that
18 meeting, did they?

19 A I don't know.

20 Q All right. And nobody gave Cynthia Robinson notice of
21 that meeting?

22 A I have no idea.

23 Q All right. And you don't know how many people were
24 there that day, do you?

25 A At the meeting?

DECLARATORY JUDGMENT HEARING

1 Q Yes.

2 A Which meeting are we talking about?

3 Q The meeting that you're referencing in your April 10th
4 letter that you signed.

5 A I don't know how many people was there.

6 Q Okay. All right. And you don't -- y'all didn't
7 follow either the '96 or the 2016 constitution and bylaws
8 related to the termination of Pastor Jackson, did you?

9 A I don't know if I need to answer that because it
10 probably -- you probably won't want to hear my answer.

11 Q I asked you the question and --

12 A Okay.

13 Q -- it's a yes or no, you did or you didn't?

14 A Because of what Reverend Jackson had done to the
15 church, we should have put him out of there long before
16 that.

17 Q That may very well be true, but I'm not arguing that
18 point. We're not -- that's not what we're here about
19 today. We're here about whether you followed the -- the
20 church bylaws and constitution in purporting to terminate
21 Pastor Jackson. And my question to you is, y'all did not
22 follow either the 2016 or the '96 bylaws in that action;
23 correct?

24 A I'm not sure.

25 Q All right.

DECLARATORY JUDGMENT HEARING

1 A Because I don't know if it's in the bylaws.

2 Q All right. And you testified that the only person
3 that -- that the church -- whoever's purporting to be the
4 church ousted was Pastor Jackson; right?

5 A As far as I know.

6 Q All right. All right. So, but you -- isn't it true
7 that you signed the trespass notice preventing Cynthia
8 Robinson from coming back to the church, to the church
9 location?

10 A I don't remember signing that.

11 Q All right. If I showed you a document that's
12 titled --

13 A I would like to see it.

14 Q -- all right.

15 THE COURT: Is this an exhibit, or are you
16 getting ready to make it one?

17 MR. DUNCAN: It's an exhibit, yes.

18 THE COURT: Okay.

19 MR. DUNCAN: I don't know what number we're up
20 to now for plaintiffs.

21 THE COURT: I think we're probably on No. 12 for
22 plaintiffs.

23 MR. DUNCAN: And I only have one copy, Your
24 Honor. I'm sorry.

25 //

DECLARATORY JUDGMENT HEARING

1 BY MR. DUNCAN:

2 Q All right. Mr. Dawkins, I'm showing you what's been
3 marked as Plaintiffs' Exhibit 12. Can you tell the Court
4 what that is?

5 A "This letter is to notify you that you are hereby
6 placed on trespass notice at any and all properties which
7 are owned located at Enoree Fork Baptist Church."

8 Q All right. And is that dated 4/3/17? It would be
9 somewhere near the top.

10 A Is this where he -- I'm thinking this is the letter
11 where he gave me a no-trespass notice against the church.

12 Q Does it say Cynthia Robinson is trespassed from coming
13 to 100 Enoree Road?

14 A "Name of person on notice of no trespass."

15 Q And it says Cynthia Robinson; correct?

16 A It do.

17 Q And it's dated 4/3/2017; correct?

18 A It is.

19 Q And you signed it at the bottom, the first signature;
20 correct?

21 A No, I signed it second.

22 Q Okay. But you signed it?

23 A I did.

24 MR. DUNCAN: I'll move to introduce Plaintiffs'

25 Exhibit 12.

DECLARATORY JUDGMENT HEARING

1 (Plaintiffs' Exhibit 12 was moved
2 for admission into evidence.)

3 MR. SMITH: No objection.

4 THE COURT: Without objection, No. 12 comes into
5 evidence.

6 (Plaintiffs' Exhibit 12 was
7 admitted into evidence.)

8 THE WITNESS: This is the same day we...

9 MR. DUNCAN: Just one second, Your Honor.
10 That's all the questions I have, Your Honor.

11 THE COURT: Okay. Any redirect?

12 MR. SMITH: Nothing, Your Honor.

13 THE COURT: Okay. Pastor, you can step down.

14 THE WITNESS: Thank you, sir.

15 MR. SMITH: We call Mr. Jimmy Davis at this
16 point.

17 (The witness was sworn in.)

18 THE CLERK: If you'll have a seat, and just
19 state your name for the record once you get seated.

20 THE WITNESS: My name is Jimmy Davis.

21 THE COURT: Do you want some water, or are you
22 okay?

23 THE WITNESS: I'm okay.

24 THE COURT: All right.

25 THE WITNESS: May I correct one statement?

DECLARATORY JUDGMENT HEARING

1 MR. SMITH: No, you can't.

2 THE COURT: No, you may not, sir.

3 JIMMY DAVIS

4 was called as a witness, and having been first duly sworn,
5 testified as follows:

6 DIRECT EXAMINATION

7 BY MR. SMITH:

8 Q All right. Would you state your name?

9 A Jimmy Davis.

10 Q Where do you live, Mr. Davis?

11 A 103 Hammetts Glen Way in Greer, South Carolina.

12 Q Are you married?

13 A Yes.

14 Q How long have you been married?

15 A About 13 years.

16 Q What's your wife's name?

17 A Verna Brockman Davis.

18 Q What did you do as a profession?

19 A I was a fire marshal. I retired at 35 years, then I
20 went to with the city police department as a compliance
21 specialist for the City of Greenville.

22 Q All right. And, are you a member of Enoree Fork
23 Baptist Church?

24 A Yes.

25 Q How long have you been a member?

DECLARATORY JUDGMENT HEARING

1 A Since 2009.

2 Q All right. And, since 2009. So that means you were
3 there when Reverend Jackson was hired as a pastor?

4 A That's correct.

5 Q And so, the -- that was -- do you know exactly when
6 that happened, what year?

7 A I think it was 2015.

8 Q All right. In 2015, and when was he finally
9 terminated?

10 A I would say it was about -- it been maybe
11 (unintelligible). I can't think back, it's been so long.
12 I know he was terminated.

13 Q Okay. Excuse me. Okay. Sorry you couldn't hear me.
14 So, let me ask this question. Through the years, have
15 y'all had several votes to terminate Reverend Jackson?

16 A That's correct.

17 Q In order to reaffirm the -- what y'all did in -- in
18 2016?

19 A That's correct.

20 Q And, did you follow the constitution that y'all
21 decided to do and terms and conditions in 2019 when y'all
22 reconfirmed the firing of him?

23 A That's correct.

24 Q Was Reverend Jackson present?

25 A He wasn't.

DECLARATORY JUDGMENT HEARING

1 Q All right. Were any of the others in his faction
2 present?

3 A No, they wasn't.

4 Q So when -- the way the Baptist Church -- how does it
5 operate in giving notice to people about church meetings?

6 A It's two weeks ahead of time.

7 Q All right. And, do you do it from the pulpit, or do
8 you send out e-mails, or do you send out written notices?

9 A We do it in the congregation of the church, the body
10 of the church.

11 Q Okay. And how -- when you do in the body of the
12 church, how does that operate?

13 A We ask for a meeting. And we did ask for the meeting,
14 and the pastor denied us to have a meeting.

15 Q Okay. You're talking about Reverend Jackson. I'm not
16 talking about that now. I'm asking you generally about
17 how it operates that you notify people about the meetings.

18 A Oh. We notify people about the meetings by calling a
19 meeting of the body of the church.

20 Q Okay. Is that done by telephone, cell phone? Is it
21 done by e-mail, is it somebody stands in front of the
22 pulpit and say we're going to have this meeting?

23 A It's done in the church in the front of the pulpit.

24 Q Okay. Is it done during service or after service?

25 A During service.

DECLARATORY JUDGMENT HEARING

1 Q Okay. And the people who actually attend the service
2 are the ones who actually get the notice?

3 A That's correct.

4 Q All right. And that's how y'all give notice, and if
5 you're not there, you don't get notice?

6 A That's correct.

7 Q Now, when Reverend Jackson disassociated himself from
8 Enoree Fork Baptist Church where y'all placed him on
9 trespass notice, he wouldn't have gotten a notice at that
10 point; is that correct?

11 A That's correct.

12 Q But he got the notice from Judge Gravely, didn't he?

13 A That's correct.

14 MR. SMITH: Excuse me, Your Honor. Okay.

15 BY MR. SMITH:

16 Q Okay. So, when y'all went to the meeting on April 15,
17 2017, what transpired at that meeting? Let me ask this.

18 Who was present at that meeting, if you can recall?

19 A Which meeting is that?

20 Q The one that Judge Gravely ordered.

21 A I think, if I'm not mistaken, everybody was there.

22 Q Okay. When you say "everybody," are you talking about
23 all the members?

24 A All the members.

25 Q Reverend Jackson was there?

DECLARATORY JUDGMENT HEARING

1 A Yes.

2 Q All right. And, was there a moderator there?

3 A Yes.

4 Q Okay. Was anything decided with regard to Reverend
5 Jackson's fate at that meeting?

6 A Well, I can't recall. All I was told -- I was there,
7 and they said that we all go back to the original church
8 where it all started. And we all did go back ourself for
9 his side.

10 Q I understand. That's not my question. My question
11 was, was there any motions to reinstate him as pastor at
12 Enoree Fork Baptist Church?

13 A No.

14 Q Did anybody from his side of the faction make a
15 motion?

16 A No.

17 Q Okay. Did his -- okay. No further questions. Answer
18 any questions --

19 THE COURT: All right. Cross-examination,
20 Counsel.

21 CROSS-EXAMINATION

22 BY MR. DUNCAN:

23 Q All right. Mr. Davis, isn't it true you resigned from
24 the trustee board while Pastor Jackson was still there;
25 correct?

DECLARATORY JUDGMENT HEARING

1 A No, I didn't resign.

2 Q And, isn't it true that you also -- you threatened a
3 trustee, Ernest Murray, with physical violence, didn't
4 you?

5 A No, I didn't.

6 Q All right. And you talked about Pastor Jackson not
7 allowing a meeting to happen. But that's because your
8 attorney sent a letter to Mr. Jackson saying that there
9 shouldn't be any meetings until -- until the lawsuit was
10 resolved; isn't that correct?

11 A I don't think that that's what happened. I think what
12 happened is Jackson said that there would not be a meeting
13 in this church because he knows the condition that he was
14 in, and he was trying to hold everything in the process to
15 protect himself.

16 Q But you still testified that you had a meeting,
17 though; right?

18 A Yeah, we had a meeting. He -- he -- let me tell you
19 this. He wouldn't allow us to have a meeting, so we went
20 to the moderator and we had -- he -- we had a meeting
21 there.

22 Q Okay.

23 A Then we were told to go back and have a whole-body
24 church meeting, and his people did not show at that time.
25 We did have the meeting too.

DECLARATORY JUDGMENT HEARING

1 Q That's because you didn't give proper notice; right?

2 A If you don't show, how are you supposed to give -- I
3 don't have peoples' phone number.

4 Q And you don't know how many people were at this
5 purported meeting, do you?

6 A I say it was around 42 or 43. I counted them.

7 Q You counted them?

8 A And they were mostly our people.

9 Q Okay. What meeting are you talking about, just so
10 we're on the --

11 A Let me say this. We had -- we had a meeting. There
12 was no one on Jackson's side present at any meeting. I
13 was told by one of his people that he told them do not
14 show up.

15 MR. DUNCAN: Objection, Your Honor.

16 THE WITNESS: That's the truth.

17 THE COURT: Answer the question.

18 MR. DUNCAN: It was hearsay, is what I was -- he
19 testified to something that he heard somebody say
20 something, so I'm objecting on hearsay grounds.

21 THE COURT: Okay. I will strike that. It's is
22 the hearsay statement.

23 MR. DUNCAN: Thank you.

24 BY MR. DUNCAN:

25 Q But even if you purported to have a meeting, you

DECLARATORY JUDGMENT HEARING

1 didn't follow the church bylaws, did you?

2 A I always follow the church bylaws.

3 Q Okay. So tell me how you followed the bylaws for this
4 -- this meeting that you purported you had to terminate
5 Pastor Jackson?

6 A The bylaws say the -- the trustee and the deacon got
7 together, and we made a decision, and we brought it to the
8 body of the church for a vote, and they'll agreed upon it.

9 Q Right. But you didn't -- you don't know how many
10 people were there that day for that meeting, do you?

11 A I think it -- I mean, we probably had around 25 or 30,
12 because that was the only one we had. Our church doesn't
13 but about 30 (unintelligible) as a split.

14 Q Right. And you don't know for sure who were active or
15 inactive members there that day, do you?

16 A We were all active.

17 MR. DUNCAN: That's all I have, Your Honor.

18 THE COURT: Counsel?

19 MR. SMITH: No redirect, Your Honor.

20 THE COURT: You may step down.

21 THE WITNESS: Thank you.

22 MR. SMITH: We'll call L.C. Thomason.

23 (The witness was sworn in.)

24 THE WITNESS: L.C. Thomason.

25 //

DECLARATORY JUDGMENT HEARING

1 L. C. THOMASON

2 was called as a witness, and having been first duly sworn,
3 testified as follows:

4 DIRECT EXAMINATION

5 Q All right. Mr. Thomason, are you married?

6 A Yes.

7 Q Who are you married to?

8 A Cynthia Thomason.

9 Q Where do you live?

10 A Mauldin.

11 Q Mauldin?

12 A Yes.

13 Q And, how old are you now?

14 A 73.

15 Q 73? And you're a member of Enoree Fork Baptist
16 Church?

17 A Yes.

18 Q How long have you been a member?

19 A All my life.

20 Q All your life?

21 A Yes.

22 Q And what kind of job did you do? Are you retired?

23 A I still work some.

24 Q What you do in terms of a profession?

25 A Mechanic work, diesel mechanic.

DECLARATORY JUDGMENT HEARING

1 Q Diesel mechanic?

2 A Yes, sir.

3 Q And so, you were one of the persons -- you were one of
4 the persons to vote to hire Reverend Jackson; is that
5 correct?

6 A Yeah.

7 Q And that was somewhere around August 2015?

8 A Yeah, whenever that date was. Yes.

9 Q Do you recall whether or not there any meetings to
10 formulate a new constitution?

11 A To formulate a new -- I remember he brought in
12 somebody to change the constitution.

13 Q He brought and he said he was going to change the
14 constitution?

15 A Right.

16 Q Well, what happened?

17 A Well, we don't keep up on the same the constitution.
18 We didn't change it.

19 Q You didn't change it?

20 A No.

21 Q Okay. And, how do you know that?

22 A Well, I just knew about it.

23 Q All right.

24 A It didn't happen.

25 Q Were you given a copy of a proposed new constitution?

DECLARATORY JUDGMENT HEARING

1 A Yeah, I seen a copy of it.

2 Q You saw a copy of it? Did you ever discuss it?

3 A I think --

4 Q She can't pick up a nod. You've got to speak into it.

5 They can't pick up a nod.

6 A All right.

7 Q Did you ever discuss it in a business meeting?

8 A I can't remember --

9 Q All right.

10 A -- discussing it.

11 Q And, who's your sister?

12 A Clarissa --

13 Q Okay.

14 A -- Thomason --

15 Q And what role --

16 A -- or Robinson.

17 Q And what role does she play in the church?

18 A She's a secretary now, I believe, treasurer-secretary.

19 Q All right. Did there come a time when you decided
20 that you were going to cut ties with Reverend Jackson?

21 A Yes.

22 Q And what were your reasons for wanting to cut ties
23 with him?

24 A Because he stole the funds from the church.

25 Q And then, did y'all to try to have a meeting as a

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1 result of y'all's interest in that?

2 A Yes.

3 Q And did y'all present that to Reverend Jackson?

4 A Yes, he knew about it. Yes.

5 Q Okay. Did you ever ask him to -- to -- to -- to meet
6 on the issue?

7 A I'm sure he was told, yeah.

8 Q Okay. I'm not -- I am not asking for speculation.
9 I'm asking, do you know of your own knowledge whether or
10 not a meeting was requested of Reverend Jackson prior to
11 any lawsuits?

12 A There was a meeting. Was he told there was going to
13 be a meeting, is that what you're asking me? Ask me the
14 question again.

15 Q Okay. All right. Did y'all want to discuss with
16 Reverend Jackson whatever concerns y'all had about the
17 finances of the church at any point?

18 A I'm going to say yes to that.

19 Q Okay. Did y'all ever ask Reverend Jackson to -- to
20 call a meeting so y'all could discuss the matter with him?

21 A He wouldn't call the meeting.

22 Q I understand. But my question is, did you ever give
23 him the opportunity?

24 A I'm sure, yeah, he had the opportunity.

25 Q Well, okay. Did you -- yeah, did you ever --

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1 (Unintelligible cross-talk.)

2 BY MR. SMITH:

3 Q -- yourself?

4 A Personally, I didn't. No.

5 Q Okay. Did you have discussions with any of the
6 deacons about the matter who is part of this lawsuit?

7 A Did I have a meeting with the deacons?

8 Q No. Did you have any discussions with members who had
9 been sued in this case about asking for a meeting with the
10 pastor?

11 A Yes.

12 Q All right. And what -- and, let me ask -- let me see
13 -- see -- okay. You signed a letter to Reverend Jackson
14 on April the 3rd, 2017. Do you remember that?

15 A Yes.

16 Q Why did you sign that letter?

17 A Because of the funds that he took from the church --

18 Q All right.

19 A -- in order to get rid of him. Yes, that's why.

20 Q Okay. Now, at first, I think my brother over here, my
21 brother seated over there, he showed some of the witnesses
22 these petitions; is that correct? Do you know about these
23 petitions where people signed?

24 A I think I do.

25 Q Okay. If you can't remember --

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1 A I can't remember.

2 Q -- all right. I'll show you. Maybe this will refresh
3 your recollection. You've got to talk loud enough?

4 A Okay. All right. Okay. Yes.

5 Q What was --

6 A Yes.

7 Q -- what was the purpose of that petition?

8 A To get rid of Reverend Jackson.

9 Q What is this at the top?

10 A "Reasons to suspect the pastor. We, the members of
11 Enoree Fork Baptist Church, authorize the treasurer of the
12 institution to put the lawsuit together, the financial
13 records of Enoree Fork Baptist Church for purpose of the'
14 (unintelligible) 'denomination and investigation and the
15 individual organization that we authorize Attorney
16 Fletcher Smith to represent the church in this matter."
17 So, did this to get rid of Jackson.

18 Q And now, that was Plaintiffs' ExhibitNo. 6. In
19 Plaintiffs' ExhibitNo. 5, what does it say?

20 A "We, the members of Enoree Fork Baptist Church,
21 request Reverend Sylvester Jackson to be suspended from
22 the position of pastor of Enoree Fork without pay infinity
23 due to the pending lawsuit that has been filed against
24 him. The action is necessary to ensure that it is
25 confirmed that the interest while a full investigation is

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1 ongoing and complainant with the lawsuit."

2 Q All right. So, basically, y'all didn't outright fire
3 Reverend Jackson, is that correct, y'all suspended him?

4 A Suspended him.

5 Q All right. Because y'all had concerns about finances
6 of the church; is that correct?

7 A Correct.

8 Q So, what position did you hold in the church at that
9 time?

10 A I was a trustee.

11 Q Okay. Are you a trustee now?

12 A Yes.

13 Q All right. How long have you been a trustee, if you
14 can recall?

15 A I was a trustee before Jackson came, and I'm still a
16 trustee.

17 Q All right. Did there come a time when he tried to
18 keep you from being a trustee?

19 A No, he didn't try to. No.

20 Q Which constitution did you operate under from the
21 time --

22 A Well, the one that we -- we had before he came.
23 That's the one we operated under.

24 Q -- okay. And was there anything in the -- in the
25 minutes that said y'all rescinded that constitution?

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1 A Which one?

2 Q The first constitution.

3 A No, we didn't. No.

4 Q So that constitution was never rescinded; is that
5 correct?

6 A Correct.

7 Q And there was nothing in the minutes that said y'all
8 were all going to rescind that constitution; is that
9 correct?

10 A Not that I know of. That's correct, yeah.

11 MR. SMITH: Your witness.

12 THE COURT: Cross-examination?

13 MR. DUNCAN: All right.

14 CROSS-EXAMINATION

15 BY MR. DUNCAN:

16 Q Mr. Thomason, isn't it true that you resigned as a
17 trustee before Pastor Jackson became a pastor?

18 A No, that's not true.

19 Q So, it's not true that you -- you resigned and told
20 Pastor Jackson you didn't want to serve anymore because
21 you were traveling a lot with your trucking business?

22 A That's not true. I don't travel with my trucking
23 business. No way.

24 Q That you were busy with your trucking business?

25 A That's not true.

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1 Q You didn't tell him that?

2 A No.

3 Q All right. And you testified about those petitions.
4 You saw those; right?

5 A Yes.

6 Q All right. There's nothing in either constitution
7 that allows any kind of action by the church by a
8 petition, is there?

9 A I don't understand what you're saying.

10 Q You know -- you said you're operating under the 1996
11 bylaws; right?

12 A Right.

13 Q Is there any provision in the 1996 bylaws that says
14 that you can suspend the pastor by a petition of the
15 church of the members?

16 A Well, there could be. I -- I -- I got to look at it
17 again now.

18 Q But you don't know there's anything in there; right?

19 A I would say there probably is.

20 Q Okay. Well, I'm showing you Plaintiffs' Exhibit 1.
21 This is the 1996 bylaws. Look through there and show me
22 where it says a petition can suspend the pastor.

23 A It (unintelligible) says probably not in here, but --
24 because I hadn't read all of this, and I can't remember.

25 Q Okay.

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1 A I'm not sure --

2 MR. DUNCAN: I have no further questions.

3 THE WITNESS: -- if it's in here or not.

4 THE COURT: You can take your time.

5 BY MR. DUNCAN:

6 Q Yeah, if you want to look through it, go ahead.

7 A Let me see.

8 Q Was it your testimony you don't think it's in there,
9 or you still wanting to look? I just want to clarify.

10 THE COURT: I believe it's at the top.

11 THE WITNESS: I would say it's in here, but I --
12 I don't -- I don't know. I really don't know.

13 MR. SMITH: All right. That's fine.

14 THE COURT: And I believe earlier you said
15 "probably not in there," if I remember correctly.

16 MR. SMITH: So, let me ask this.

17 THE COURT: Are you finished now?

18 MR. DUNCAN: If he's not going to testify any
19 further about my question, I am.

20 MR. SMITH: Oh, okay.

21 MR. DUNCAN: Now, I'm done.

22 REDIRECT EXAMINATION

23 BY MR. SMITH:

24 Q So, let me ask this. If it's in the -- if it's not in
25 the constitution, if -- if -- if a member sexually

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1 assaults -- or a pastor sexually assaults a child, y'all
2 can't suspend because him because of your constitution?

3 MR. DUNCAN: Objection.

4 THE WITNESS: We would suspend him.

5 MR. SMITH: All right, then.

6 MR. DUNCAN: No further questions, Your Honor.

7 THE COURT: Okay. You may step down.

8 MR. SMITH: Okay. Ms. Robin Smith.

9 (The witness was sworn in.)

10 THE CLERK: Thank you, ma'am. If you would have
11 a seat, and when you get seated, state your name for the
12 record.

13 THE BAILIFF: Would you like some water?

14 THE WITNESS: I'm. Okay, thank you. Robin Joan
15 Smith.

16 ROBIN JOAN SMITH
17 was called as a witness, and having been first duly sworn,
18 testified as follows:

19 DIRECT EXAMINATION

20 BY MS. SMITH:

21 Q Where do you live, Ms. Smith?

22 A 67 Farrell Lane, Greenville, South Carolina.

23 Q How long have you lived there?

24 A For 35 years.

25 Q Okay. Are you married?

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- 1 A Yes.
- 2 Q Who are you married to?
- 3 A Charles Bennie Smith.
- 4 Q All right. And, he's in the courtroom today?
- 5 A Yes, he is.
- 6 Q Does he have any health problems?
- 7 A Yes.
- 8 Q What kind of health problems does he have?
- 9 A Well, he has COPD and he's a diabetic.
- 10 Q And, did he serve in the military?
- 11 A Yes, he did. He was in Vietnam.
- 12 Q Does he suffer from PS --
- 13 A Yes. Yes, he does.
- 14 Q -- okay. Posttraumatic stress syndrome?
- 15 A That's correct.
- 16 Q All right. Now, how long have you been a member of
- 17 Enoree Fork Baptist Church?
- 18 A Since November of 1985.
- 19 Q Okay. And, are you an officer in the church?
- 20 A Yes. I serve several positions in the church.
- 21 Q Okay. Even right now?
- 22 A Yes.
- 23 Q All right. And, you were you present when Reverend
- 24 Jackson and did you vote for Reverend Jackson to be hired
- 25 as a pastor of that church?

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1 A Yes, I did.

2 Q All right. And when was that, do you recall?

3 A That was actually in 2015.

4 Q Around August?

5 A It was around August of 2015, yes.

6 Q Okay. From August until January, were you apprised of
7 any meetings about a constitution?

8 A There was. You know, because I traveled a lot with my
9 job, he actually passed it out to some of the members, but
10 because of my travel, I didn't get to vote on that.

11 Q Okay. So, let me ask this. How do you know he passed
12 it out some of the members?

13 A Because my husband showed me a copy of it.

14 Q Now, how far did you go in school?

15 A I graduated from Baptist College of Charleston with a
16 bachelors degree, and then I furthered my education a
17 little bit at Greenville Tech.

18 Q All right. And, what profession are you in?

19 A I semi-retired. I actually worked for the Department
20 of Labor years ago, and I was in research for over so many
21 years and I traveled throughout the United States. And
22 now, because I'm semi-retired, I do a little medical -- I
23 work for Acro Courier, so I do medical courier, picking up
24 labs and delivering labs.

25 Q Did you -- did there come a time when you decided to

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1 part company, church company, with Reverend Jackson?

2 A No.

3 Q Okay. So, you didn't want him fired?

4 A Well, when you say "part," I thought you meant to
5 leave, you know, my current church. But there was a time
6 that I no longer wanted Reverend Jackson to be our pastor.

7 Q And why is that?

8 A That's because of misappropriation of funds, and also
9 because of a lot of his actions that occurred within our
10 church family.

11 Q Okay. What kind of actions?

12 A Just like, for instance, when he was first hired,
13 maybe three months later, he gave us this list of items
14 that the church needed to purchase, which was over
15 \$16,000. It put a red flag in my mind at that time.

16 MR. DUNCAN: I'm going to object to the
17 relevance of this for this particular case.

18 THE COURT: I'm going to allow it.

19 MR. SMITH: Thank you.

20 THE WITNESS: And then, there was a time that he
21 mentioned that we needed another church van, and he kept
22 making comments about oh, it was going to help. And we
23 had a church meeting. I did not agree with that --

24 BY MR. SMITH:

25 Q Okay.

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1 A -- for the simple reason that we could not afford it.
2 And we didn't need a van, if we had a van that was sitting
3 out there. I felt that it was something for his
4 Steppingstone Company --

5 Q Okay.

6 A -- that he was a part of.

7 Q All right. So -- so -- but that was all church
8 governance?

9 A It was all church governance. And then he also talked
10 about actually having some type of plan to -- to upgrade
11 the church where we were to pay a certain amount of money
12 to buy a brick. And then, he had church members starting
13 to pay money on that.

14 Q Okay.

15 A I didn't --

16 Q You just didn't agree with that?

17 A -- I did not even start that, because I said you're
18 not going to take my money.

19 Q Right.

20 A Yeah, exactly.

21 Q Okay.

22 A So it's kind of like a precedent was set.

23 Q Okay. So, did you participate in any meetings to
24 terminate his contract -- suspend him first?

25 A Yes.

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1 Q And why did you want to suspend him?

2 A Well, because of his actions and, unfortunately, the
3 way things were going for our church family.

4 Q All right.

5 A Okay? Yes.

6 Q And so, at some point over certain matters -- we're
7 not going to go out into all of it but I want to just
8 touch on it a little bit -- the sheriff's department got
9 involved a little bit, and then they didn't get involved,
10 is that correct --

11 A That's correct.

12 Q -- with regard to it? And that's what y'all were
13 looking at, y'all wanted to find out what was going on
14 with the money?

15 A Exactly.

16 Q Okay. Y'all hadn't made any accusations against him
17 specifically at that time, had you?

18 A No.

19 Q All right. So then, the -- he was suspended based on
20 these documents up here; is that correct? You signed one
21 of them?

22 A Yes. When we had the meeting. But may I back up for
23 a moment?

24 Q Yes, ma'am.

25 A We tried to have a church meeting. We passed out a

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1 document. And this was in October of 2000 -- I know we
2 tried to have a meeting in October of 2016. He would not
3 allow us to have that church meeting.

4 Q And how would he prevent y'all from having a church
5 meeting if y'all wanted to have one?

6 A Well, we pass out the documents, and with him being
7 the pastor, you know, unfortunately, you know, it was what
8 it was at that time. So, it was like there's not going to
9 be a meeting, you know, that's what was said. I remember
10 being at church that Sunday, and it was like there's not
11 going to be a meeting.

12 Q So, in following the terms and conditions of the
13 constitution, y'all could have asked the pastor to set a
14 meeting?

15 A Yes.

16 Q And y'all were expecting -- you had the expectation he
17 would?

18 A Exactly.

19 Q But that never occurred?

20 A It never occurred.

21 Q And y'all wanted to discuss a personnel matter, is
22 that what it was?

23 A We wanted to discuss personnel matters, and also other
24 items that was happening within our church family.

25 Q So, what did y'all have to do when he wouldn't call

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1 the meeting?

2 A Well, what we had to reach out.

3 Q And, who did you reach out to?

4 A We reached out to Moderator Brantley asking him if he
5 could possibly have a meeting over at the Enoree
6 Association Center that's located on Dallas Road in
7 Greenville --

8 Q Okay.

9 A -- and he agreed to that.

10 Q And what was Reverend Jackson's response when y'all
11 decided to try to use other means to have a meeting?

12 A Well, unfortunately, I got kicked out of the church,
13 and there were others. So I feel that that was like a
14 rebuttal, but we still had the meeting, yeah.

15 Q Okay. So, you get kicked out of the church, and then
16 you -- you get kicked out, and then you become an active
17 member at that point?

18 A That's correct.

19 Q And, what happened to your husband?

20 A He got kicked out. I mean, he just started kicking
21 members out of the church. I remember being on traveling
22 and one of my church members called and said, Robin, he
23 had a meeting and he kicked you out --

24 Q Right.

25 A -- you know. So, unfortunately, it happened to quite

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1 a few of us.

2 Q So, how can you comply with the constitution when he
3 starts kicking you out of the church and you want to have
4 a meeting?

5 A I don't see how we were able to do it at the church,
6 that's why we went to the Enoree Association.

7 Q All right.

8 A And we also reached out to the moderator and even the
9 state --

10 Q Okay.

11 A -- in Columbia. That's where the main office is, in
12 Columbia.

13 Q And then, as a last resort, y'all come to me?

14 A Yes.

15 Q And your husband files a lawsuit?

16 A Yes, that's correct.

17 Q But all of that could have been avoided if there was
18 just a meeting?

19 A Just a meeting.

20 Q Okay. So, Judge Gravely issues an order and y'all get
21 to come to a meeting on April the 15th, 2017; is that
22 correct?

23 A Yes.

24 Q And, before that meeting, there were some officers of
25 the church decided to terminate or make a recommendation

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1 that Jackson be terminated?

2 A Yes.

3 Q Did they bring their recommendation of termination to
4 the body of the church to have it acted upon?

5 A They did when we had that meeting at the Enoree
6 Association Center on Dallas Road. We confirmed had voted
7 that he was to be no longer our pastor.

8 Q Okay. So that happened on April the 15th, 2017?

9 A Well, it happened -- we actually had our meeting prior
10 to that date --

11 Q Okay.

12 A -- okay, at the Enoree Association where we signed the
13 sheet confirming that we no longer wanted him to be our
14 pastor --

15 Q All right.

16 A -- okay?

17 Q And once that happened, y'all went to the meeting on
18 the 15th?

19 A Yes.

20 Q That was the day before he --

21 A And the judge ordered that meeting --

22 Q -- all right.

23 A -- about our constitution, and also for us to handle
24 that.

25 Q And if a majority vote had happened at that meeting

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1 and they wanted to have him back as pastor y'all would
2 have accepted that, wouldn't you?

3 A Yes, we would. We would have, you know, if we voted
4 to do that --

5 Q Right.

6 A -- yes.

7 Q But that never came up, did it?

8 A No, it did not.

9 Q And then, the meeting was disbanded?

10 A On -- on the -- on April the 15th, 2017, is when we
11 all were reinstated because, you know, we were all
12 reinstated in order for us to vote in order to confirm
13 that we were to go back to the previous constitution. So
14 we were reinstated, yes.

15 Q All right. So that meant the trespass notices and all
16 that stuff went out the window?

17 A That's correct.

18 Q And so, the people who had trespass notices could
19 actually come back to Enoree Ford at 100 Greer [sic] Road;
20 is that correct?

21 A Yes. They were welcome to come back.

22 Q Did they ever come back?

23 A No.

24 Q All right. Were you ever mean to Zelma Brown?

25 A No. She's an AKA and I'm a Delta but, other than

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1 that, you know, we go back and forth on that.

2 Q Right.

3 A We have a little fun. You know, you try to have some
4 fun.

5 Q Yeah. My wife's a Delta.

6 A Yeah.

7 Q And the -- what about Ms. Cynthia Robinson, she can
8 come back to the church anytime?

9 A Yes, she can come back. I've seen her over at
10 Reverend Williams' church in Anderson a few times. I've
11 gone over to that church --

12 Q Okay.

13 A -- and she attends at times.

14 Q All right.

15 A Yeah.

16 Q Did you to terminate him for any ill will?

17 A No.

18 Q All right. Do you want him to come back and be the
19 pastor at your church at 100 Greer [sic] Road?

20 A No, I do not.

21 Q You don't have a problem with him calling himself
22 Enoree Fork somewhere else, do you?

23 A That's a conflict of interest.

24 Q You think that's a conflict of interest?

25 A Yes, mm-hmm. Yes.

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1 Q All right. Thank you.

2 THE COURT: Finished?

3 MR. SMITH: Yes, sir, finished. I'm sorry.

4 Your witness, brother.

5 THE COURT: Cross-examination?

6 CROSS-EXAMINATION

7 BY MR. DUNCAN:

8 Q All right. Ms. Smith, you talked about going to a
9 moderator and going to the state convention, right, about
10 -- about the issues that the church was having; correct?

11 A We made contact with the main office in Columbia, and
12 then the moderator for the Enoree Association, and also
13 Reverend Simmons, which is over to Upstate.

14 Q Right. And no action was taken by any of those
15 boards, were they?

16 A Will you elaborate on that, please?

17 Q They didn't say Pastor Jackson has to go, did they?

18 A No, they did not, because our meeting was based on
19 what Judge Gravely had instructed us to do, which was to
20 have that meeting on April the 15th, and we scheduled it
21 over at the Enoree Association.

22 Q Okay. But you also talked about a different meeting
23 with Moderator Brantley. Is that --

24 A Yes, uh-huh, that's correct.

25 Q -- all right. And he didn't do anything, did he?

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- 1 A He allowed us to have that meeting, mm-hmm.
- 2 Q But he didn't say that you were right and Pastor
3 Jackson had to go, did he?
- 4 A We didn't ask him that question.
- 5 Q Okay. Didn't Moderator Brantley send you a letter
6 after that meeting?
- 7 A You know, he did send me a letter.
- 8 Q Okay.
- 9 A And that letter, because I was missionary president,
10 the letter said that I was no longer missionary president
11 because Reverend Jackson had kicked me out of the church.
12 The letter didn't specifically was worded that way, so
13 Reverend Brantley did give me a copy of that letter
14 because Sylvester Jackson made him aware that Robin Smith
15 is no longer a member of Enoree Fork Baptist Church, so
16 she's no longer the missionary president. However, the
17 letter was given to me, but I continued to be missionary
18 president within the association rules, not within
19 Reverend Sylvester Jackson's rules or thoughts.
- 20 Q But he also sent you a letter stating that the meeting
21 that you tried to have with -- with -- with Moderator
22 Brantley was improper, didn't he?
- 23 A Well, we all, as a church family. I wasn't an
24 individual person at that meeting.
- 25 Q But --

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1 A The church that signed -- all of the church members
2 that was present at that meeting. We had that meeting,
3 and Moderator Brantley did not say we could not, or else
4 we would not have been there.

5 Q -- right. But after the meeting, he said that was an
6 unofficial meeting and wasn't --

7 A I don't remember.

8 MR. DUNCAN: That's all I have, Your Honor.

9 MR. SMITH: Let me ask one question.

10 THE COURT: Any redirect?

11 MR. SMITH: Yes, sir.

12 REDIRECT EXAMINATION

13 BY MR. SMITH:

14 Q When -- when Judge Gravely gave that order you were
15 responding to, he follow the constitution. He didn't say
16 which constitution to follow, did he?

17 A No, he did not.

18 MR. DUNCAN: No questions, Your Honor.

19 THE COURT: All right. You may step down,
20 ma'am.

21 THE WITNESS: Thank you.

22 THE COURT: Mr. Smith?

23 MR. SMITH: Yes, sir. Yeah, I'm calling

24 Ms. Brenda Davis.

25 (The witness was sworn in.)

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1 THE CLERK: Thank you, ma'am. If you'll have a
2 seat. Once you get seated, just state your name for the
3 record.

4 THE WITNESS: My name is Brenda Brockman-Davis.

5 BRENDA BROCKMAN-DAVIS
6 was called as a witness, and having been first duly sworn,
7 testified as follows:

8 DIRECT EXAMINATION

9 BY MR. SMITH:

10 Q And, are you married to Jimmy Davis?

11 A Yes.

12 Q And, where do you live?

13 A At 103 Hammetts Glen Way in Greer, South Carolina
14 29650.

15 Q Okay. How far did you go in school?

16 A My voice just messes up all the time.

17 THE COURT: Would a little water help?

18 THE WITNESS: Not really --

19 THE COURT: Okay.

20 THE WITNESS: -- unless you've got mints or
21 something. Have you got some mints?

22 MR. SMITH: No, I don't have any mints.

23 THE WITNESS: I asked him.

24 MR. SMITH: Oh.

25 THE WITNESS: Do you got any peppermints?

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1 THE COURT: No.

2 THE WITNESS: Okay. That's okay, then.

3 MR. SMITH: Oh, she's got mints.

4 THE WITNESS: Oh, thanks.

5 THE COURT: I figured Ms. Kimberly might have
6 some.

7 THE WITNESS: That is real good. My daughter
8 told me to get these. Thanks.

9 BY MR. SMITH:

10 Q So, did there come a time when you got kicked out of
11 the church too?

12 A Yes.

13 Q All right. You had a close relationship with Reverend
14 Jackson for a good while, didn't you?

15 A Yes. I really did like him. I thought he was really
16 nice and everything.

17 Q Okay. And were you his secretary?

18 A I was the clerk. I believe I was the clerk.

19 Q And you worked closely with him while you were the
20 clerk?

21 A Yes.

22 Q Okay. What caused the two of y'all to have a
23 kerfuffle, or whatever they call that?

24 A Because he started lying about things, and he asked me
25 -- I'm sorry, Your Honor, I get real- I'm even about to

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1 cry when I think about the things he did because I really
2 did like him, and I thought he was a good person and
3 everything. And so, he had told me to go and get this CD
4 from --

5 Q Okay. And we may get to that point. Let's --

6 A Okay.

7 Q -- let's go somewhere else.

8 A Okay.

9 Q Let's transition to -- to you -- you voted to hire
10 him, didn't you?

11 A Yes.

12 Q Okay. Were there any meetings about the constitution
13 between the time he was hired to January 23rd, 2016?

14 A Not that I know of.

15 Q Were you provided a copy of the constitution?

16 A If I was, I do not remember getting it. But we never
17 wanted that because we didn't get to see it, to read it,
18 and to have a meeting about it. You can't vote on
19 something you don't know about.

20 Q Okay. So, the -- when were you actually kicked out of
21 the church?

22 A After he kicked Jimmy out, then he kicked me out.

23 Q Do you recall at what -- what time period? He put
24 y'all on trespass notice, didn't he?

25 A Yes.

DECLARATORY JUDGMENT HEARING

- 1 Q All right.
- 2 A So I put them put him on one as well.
- 3 Q Everybody's doing trespass?
- 4 A Yes.
- 5 Q I heard y'all split up?
- 6 A Yes.
- 7 Q Okay. But you weren't splitting because of Cynthia
- 8 Robinson, were you?
- 9 A Oh, no. Cynthia sang on the church -- the choir, and
- 10 we liked her. I still like her.
- 11 Q And you weren't splitting because of Zelma Brown; is
- 12 that correct?
- 13 A Oh, no, I like Zelma too. I even like Jackson too,
- 14 but it just hurt what happened.
- 15 Q Right. But -- so, you didn't try to kick Zelma Brown
- 16 -- let me put it this way -- Ms. Zelma Brown or
- 17 Ms. Cynthia Robinson out of the church?
- 18 A Oh, no. Mm-mm.
- 19 Q All right. So, what -- what -- did you attend any
- 20 meetings -- which constitution were you operating under?
- 21 A 1996.
- 22 Q Okay. And while you were operating under the 1996
- 23 constitution, did there come a time when you decided to
- 24 suspend Jackson for some reason?
- 25 A Yes, for the reason I was talking about beforehand.

DECLARATORY JUDGMENT HEARING

1 Q Okay. And part of the reason was on these petitions
2 that y'all signed?

3 A Yes.

4 Q Okay. And do you recall -- or do you know whether or
5 not a lawsuit was filed in order to get some of those
6 matters cleared up that were in the petitions?

7 A Yes.

8 Q And did you come to court with Reverend Jackson and
9 the rest and appear before Judge Gravely?

10 A Yes.

11 Q At a certain point, Judge Gravely froze the accounts
12 to make sure nothing could be spent one way or the other;
13 is that correct?

14 A Yes.

15 Q And then, he lifted the suspension of the accounts at
16 some point, didn't he?

17 A Yes.

18 Q Did he order a meeting to be held on -- because y'all
19 got control of the process at a certain point, didn't you,
20 y'all got control of it?

21 A Yes.

22 Q When y'all -- was there a meeting on -- did you attend
23 a meeting on April the 15th, 2017?

24 A Yes.

25 Q Okay. What transpired at that meeting?

DECLARATORY JUDGMENT HEARING

- 1 A They said --
- 2 Q Okay. Let me ask it this way --
- 3 A -- okay.
- 4 Q I'll speed this up.
- 5 A Okay.
- 6 Q Was there a moderator?
- 7 A Yes.
- 8 Q Were there everybody who Judge Gravely said could be
- 9 members are members, the active and inactive, prior
- 10 inactive and active are now all in the same building;
- 11 right?
- 12 A Yes.
- 13 Q Did anybody move to rehire Jackson after the letter
- 14 y'all sent?
- 15 A Oh, no.
- 16 Q Nobody from his side and nobody from y'all's side?
- 17 A No.
- 18 Q So, let me get this straight. And y'all read this
- 19 order. Judge -- Judge said follow the constitution;
- 20 right?
- 21 A Mm-hmm.
- 22 Q He didn't get involved in deciding which constitution
- 23 y'all were going to follow; is that correct?
- 24 A No.
- 25 Q All right. No further questions.

DECLARATORY JUDGMENT HEARING

1 THE COURT: Cross-examination?

2 CROSS-EXAMINATION

3 BY MR. TOOMEY:

4 Q Ms. Davis, you were actually the assistant clerk to
5 Pastor Jackson at the time; is that correct?

6 A Yes.

7 Q The actual clerk, that was Cynthia Robinson?

8 A Yes, mm-hmm.

9 Q And you said you weren't aware of any of the meetings
10 that were held -- purported to be held concerning the
11 constitution and adoption of the new bylaws? You just --
12 those meetings didn't happen, according to you; is that
13 correct?

14 A No. Now, we did have a meeting, but we could not vote
15 on it because no one knew anything about it. We didn't
16 have a chance to look over it, to read it, to study it.
17 You don't vote on anything in the blind. I mean, you
18 wouldn't have anybody to come to your house and just fix
19 your house and then want an amount of money and you didn't
20 know nothing about it. We couldn't vote on it.

21 Q Did you receive an advance copy of the bylaws or the
22 constitution?

23 A No. He talked to us about it when he came that
24 morning. He talked about the constitution and everything,
25 and he wanted us to vote on it, but we couldn't.

DECLARATORY JUDGMENT HEARING

1 Q As an assistant clerk, you sat in on a few meetings of
2 the leadership of the church; is that correct?

3 A Yes.

4 Q Any other officers receive that you saw an advance
5 copy of the constitution or bylaws?

6 A Now, that I don't know. But from just what I know any
7 of us saying that we couldn't vote on it, then no one had
8 -- must not have had a chance to go over it, to read it,
9 to understand it, or anything like that.

10 Q And your -- your notice of this, this was just sort of
11 an introduction that they were proposing to do, so it was
12 before they purported to adopt it; is that correct? So,
13 you became aware of the constitution and bylaws by an
14 announcement by Pastor Jackson?

15 A Yes.

16 Q Was that at a congregational meeting or a church
17 service?

18 A It was a meeting at the church.

19 Q When was that?

20 A I think it -- it had to be on a Saturday or something,
21 I would think. But I do remember him talking about the
22 constitution. I remember people saying that no, we can't
23 vote on it, we don't know all of this and everything. But
24 Jackson was telling us what was in it, but we didn't have
25 the paper right in front of us to read it and study it.

DECLARATORY JUDGMENT HEARING

1 Q Approximately what month was this? Was this was in
2 October, November in 2015 or --

3 A I don't know. You could probably ask Jackson. He'll
4 probably know.

5 Q Do you attend church every Sunday?

6 A I tried to until Jackson kicked me out. But, like I
7 told him, it's God's house. You're not supposed to kick
8 us out of God's house. You're there to save souls, not to
9 kick them out.

10 Q So, you did -- you have missed some prior to being
11 kicked out of the church, as you put it?

12 A Not really. I used to be there.

13 Q Every single Sunday? You didn't miss a single --

14 A I almost said every Sunday because mama made us go to
15 church, and you had to put your money in church, and you
16 had to go to church.

17 Q I love it, but I guess the question is, did you miss a
18 single church service ever?

19 A I mean, I probably could have. I'm not going to lie
20 and say I didn't because I don't know, but I know most of
21 the time I was at church. If you don't go to church, you
22 don't feel good during the week.

23 Q Is it possible you might have missed a church service
24 where they actually did introduce the bylaws and the
25 constitution?

DECLARATORY JUDGMENT HEARING

1 A Oh, no, because that would have been on a Saturday or
2 something when they did it during church service.

3 MR. DUNCAN: Nothing further.

4 THE WITNESS: Okey-doke. Bye.

5 MR. SMITH: Nothing from me, Your Honor.

6 THE COURT: You may step down, ma'am.

7 (The witness was sworn in.)

8 THE CLERK: If you could have a seat. Once you
9 get seated, just state your name for the record.

10 THE WITNESS: Larissa Thomason Robinson.

11 LARISSA THOMASON ROBINSON

12 was called as a witness, and having been first duly sworn,
13 testified as follows:

14 DIRECT EXAMINATION

15 BY MR. SMITH:

16 Q Ms. Robinson, have you ever been in court before, I
17 mean, testified?

18 A Well, unfortunately, yes.

19 Q Okay. So, are you married?

20 A I am.

21 Q How many children you got?

22 A I have two daughters. We have two daughters.

23 Q Have you got grandchildren?

24 A Grandchildren, I have four.

25 Q Four. Great-grandchildren?

DECLARATORY JUDGMENT HEARING

- 1 A No greats. They're too little. The oldest is 5.
- 2 Q I hear you. So anyway, is your brother L.C. Thomason?
- 3 A Yes.
- 4 Q All right. And how long have you been a member of
- 5 Enoree Fork Baptist Church?
- 6 A All my life. I mean, I've been going there -- I think
- 7 I joined the church when I was 10, 9 or 10.
- 8 Q And have you served in a number of positions in the
- 9 church?
- 10 A I have.
- 11 Q What --
- 12 A I remember my dad was a Sunday school superintendent.
- 13 I was a secretary of the Sunday school. I was assistant
- 14 treasurer. And now, personally, I am the treasurer of the
- 15 church.
- 16 Q All right. So, you -- you voted to hire Reverend
- 17 Jackson?
- 18 A I did not. I didn't vote for him, no.
- 19 Q Oh, okay.
- 20 A I was back and forth at that time when they were
- 21 searching for a pastor, and I was in New York. But I did
- 22 hear him twice, and I chose not to vote. I didn't want do
- 23 absentee because I just didn't feel like that with him
- 24 being my pastor.
- 25 Q Okay.

DECLARATORY JUDGMENT HEARING

1 A No, I did not vote for him.

2 Q Did there come a time when -- did -- did he do
3 anything that made you feel bad about him over time?

4 A No --

5 Q All right. So --

6 A -- not during the time I was going back and forth to
7 New York.

8 Q -- all right. Did you decide to join with other
9 members and terminate his -- terminate him from the
10 pulpit?

11 A Mm-hmm.

12 Q And, why is that?

13 A Because I saw what was happening. It was about that
14 time when I was moving back here. And, yes, I went to the
15 meeting that was held at the center. I was at that
16 meeting.

17 Q When you say the center --

18 A The Enoree River Association, the one on Dallas Drive.
19 Yes, I was at that meeting, and I was able to be here to
20 go to that. And once I found out about what he was doing
21 with funds of the church, yes, and I was in agreement to
22 go with that.

23 Q All right. And so, did you sign -- sign any -- did
24 the deacons to bring you a document that said they were
25 going to fire him -- make a proposal to fire him and get

DECLARATORY JUDGMENT HEARING

1 y'all's authorization to do it?

2 A Well, the deacons didn't come to me, but yes.

3 Q I mean, not come to you, but did y'all have a meeting?

4 A Yes, there was a meeting, but I was not at that
5 meeting.

6 Q Okay.

7 A I wasn't at that meeting.

8 Q Did you ever sign any documents at any point to
9 terminate him?

10 A I signed that petition that was -- the members did.

11 Q Okay.

12 A I was here to do that.

13 Q Why were y'all forced to sign petitions rather than
14 just meet as a church body to do it?

15 A Well, my understanding, like it's been said, they
16 wasn't given a meeting, but of course, we would like to
17 have had a meeting with the whole church. But once we was
18 able to at least get a meeting at the Enoree River Center,
19 that was --

20 Q Okay. So let's -- let's --

21 A -- that's what got us started there.

22 Q -- yes, ma'am. I apologize for cutting in. All
23 right. So, as I understand it, he left in January 2017;
24 is that correct?

25 A I'm thinking -- well, I just remembered that for sure

EXHIBIT S

Email Record (Transcript Request and December 16, 2025 Letter Correspondence)

September 2025 – February 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

Fletcher Smith

From: Velvet Mills <vmills@LegalEagleInc.com>
Sent: Monday, September 15, 2025 5:21 PM
To: Fletcher Smith
Subject: RE: Transcript Request: Jackson vs Smith

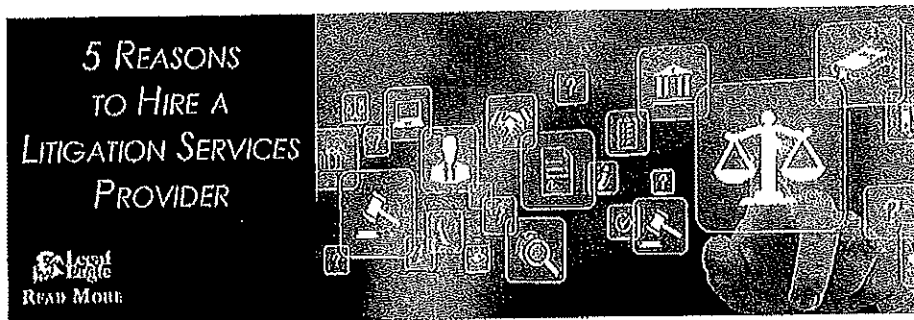
Sylvester Jackson vs Charles Bennie Smith



Velvet Mills
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From: Fletcher Smith <fsmith@piedmontlegal.com>
Sent: Monday, September 15, 2025 5:18 PM
To: Velvet Mills <vmills@LegalEagleInc.com>
Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; Info <info@LegalEagleInc.com>
Subject: Re: Transcript Request: Jackson vs Smith

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Fletcher
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On Sep 16, 2025, at 4:58 PM, Velvet Mills <vmills@legaleagleinc.com> wrote:

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From: Velvet Mills <vmills@LegalEagleInc.com>
Sent: Monday, September 15, 2025 4:58 PM
To: Fletcher Smith (fsmith@bellsouth.net)
Cc: Transcripts; info
Subject: Transcript Request: Jackson vs Smith

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Thank you,

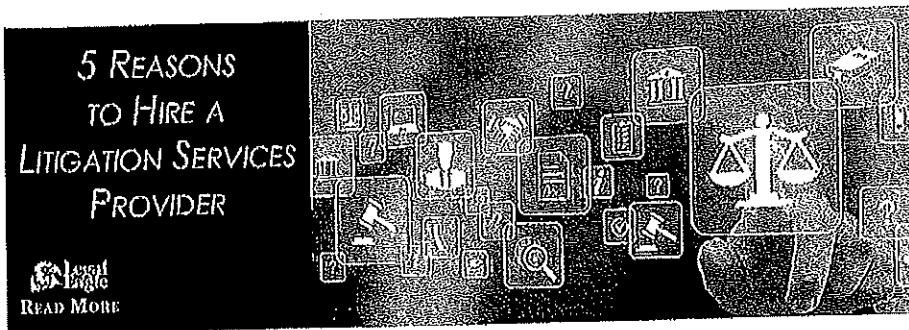


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From: Velvet Mills <vmills@LegalEagleInc.com>
Sent: Wednesday, December 17, 2025 3:50 PM
To: Loretta Maddox; Fletcher Smith
Cc: Fletcher Smith; Transcripts; info
Subject: RE: Transcript Request: Jackson vs Smith

Loretta,

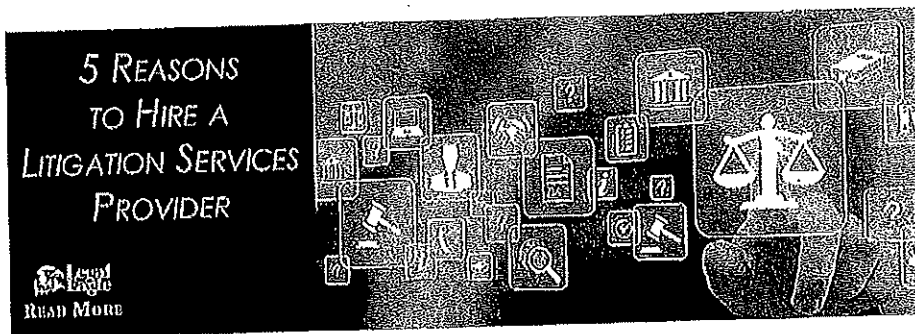
Thank you for your call earlier. I'm glad we were able to get to the bottom of it. I have put it into production.



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Sent: Wednesday, December 17, 2025 3:15 PM
To: Fletcher Smith <fsmith@piedmontlegal.com>; Velvet Mills <vmills@LegalEagleInc.com>
Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; Info <Info@LegalEagleInc.com>
Subject: Re: Transcript Request: Jackson vs Smith

Yes! Confirmed

Thank you,

Loretta Maddox

Legal Administrator to Fletcher N. Smith, Jr., Esq.

112 Wakefield St. (29601)

PO BOX 10496

Greenville, SC 29603

loretta@piedmontlegal.com

From: Fletcher Smith <fsmith@piedmontlegal.com>

Sent: Monday, September 15, 2025 5:18 PM

To: Velvet Mills <vmills@legaleagleinc.com>

Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; Info <info@legaleagleinc.com>

Subject: Re: Transcript Request: Jackson vs Smith

What case is this?

Fletcher

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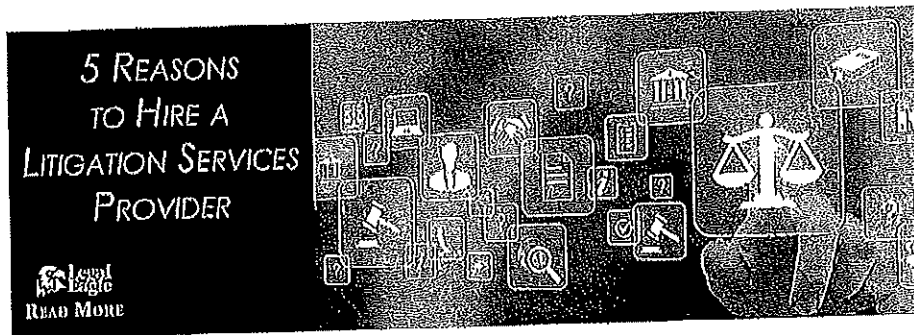
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 To: Loretta Maddox <Loretta@piedmontlegal.com>; Fletcher Smith <fsmith@piedmontlegal.com>
 Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; Info <info@LegalEagleInc.com>
 Subject: RE: Transcript Request: Jackson vs Smith

Loretta,

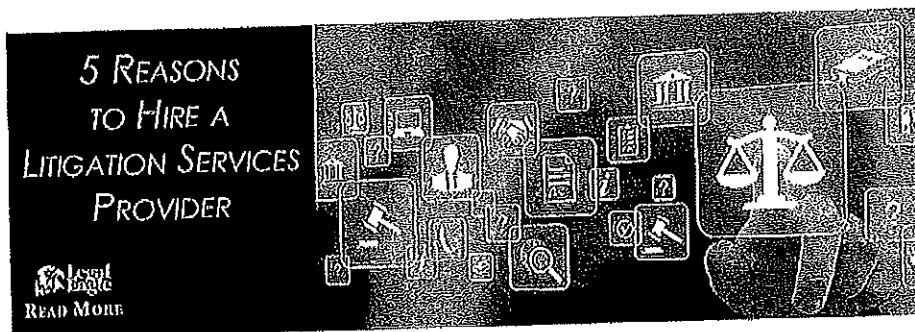
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sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

From: Loretta Maddox <Loretta@piedmontlegal.com>
Sent: Wednesday, December 17, 2025 3:15 PM
To: Fletcher Smith <fsmith@piedmontlegal.com>; Velvet Mills <vmills@LegalEagleInc.com>
Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; Info <info@LegalEagleInc.com>
Subject: Re: Transcript Request: Jackson vs Smith

Yes! Confirmed

Thank you,

Loretta Maddox
Legal Administrator to Fletcher N. Smith, Jr., Esq.
112 Wakefield St. (29601)
PO BOX 10496
Greenville, SC 29603
loretta@piedmontlegal.com

From: Fletcher Smith <fsmith@piedmontlegal.com>
Sent: Monday, September 15, 2025 5:18 PM
To: Velvet Mills <vmills@legaleagleinc.com>
Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; info <info@legaleagleinc.com>
Subject: Re: Transcript Request: Jackson vs Smith

What case is this?
Fletcher
Sent from my iPhone

On Sep 15, 2025, at 4:58 PM, Velvet Mills <vmills@legaleagleinc.com> wrote:

Fletcher,

Today, Legal Eagle was assigned your transcript request in the above referenced matter. Based upon our review of the records, it appears this transcript will be approximately 120 pages long. The following was indicated on the request from:

- Standard Delivery (60 Days)
- PDF/Email Requested

The estimated standard delivery cost for this transcript is \$510.00.

Please note that the page estimate is not guaranteed. The price indicated above is an approximation based on the audio length. The actual cost and page count may vary due to

several factors including but not limited to speech rate, side bars, Q&A v Colloquy, and hearing type. A final invoice will be sent when the transcript is completed. Please include any attorneys who were present at each hearing and who they represented with your confirmation as the attorneys are not always introduced in the audio.

Once you have authorized us to proceed by responding to this email, we will place your transcript inline for production with a 60-day due date, although transcripts are usually completed much earlier. If you have any questions, please let us know.

Thank you,

<image001.png>Velvet Mills

Transcript Manager | Legal Eagle

M (864) 325-5486 | P (864) 467-1373

E vmills@legaleagleinc.com

107 LeGrand Blvd., Greenville, SC
29607

www.LegalEagleInc.com

<image002.png>

<image003.png>

<image004.png>

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compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.

Fletcher Smith

From: Velvet Mills <vmills@LegalEagleInc.com>
Sent: Monday, January 5, 2026 8:47 AM
To: fnsmith@bellsouth.net
Cc: info; Transcripts
Subject: Completed Transcript: Jackson vs Smith
Attachments: 6.20.25_2019-CP-23-06363 SYLVESTER JACKSON, ET AL v CHARLES BENNIE SMITH, ET AL.pdf; Invoice 109076.pdf

Fletcher,

Attached are the transcript and invoice for the above referenced matter. If you have any questions after the review of the transcript, please let us know. We would be happy to revisit any concerns.

Thank you,



Velvet Mills
Transcript Manager | Legal Eagle

M (864) 325-5486 | P (864) 467-1373
E vmills@legaleagleinc.com

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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

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.

Fletcher Smith

From: Loretta Maddox
Sent: Thursday, February 12, 2026 3:33 PM
To: Info; Fletcher Smith
Cc: Fletcher Smith; Transcripts; Adam Shirley
Subject: Re: Transcript Request: Jackson vs Smith

Kevin,

Could I please get the date of this deposition?

Thank you,

Loretta Maddox
Legal Administrator to Fletcher N. Smith, Jr., Esq.
112 Wakefield St. (29601)
PO BOX 10496
Greenville, SC 29603
loretta@piedmontlegal.com

From: info <Info@LegalEagleInc.com>
Sent: Thursday, February 12, 2026 10:19 AM
To: Loretta Maddox <Loretta@piedmontlegal.com>; Fletcher Smith <fsmith@piedmontlegal.com>
Cc: Fletcher Smith <fsmith@bellsouth.net>; Transcripts <transcripts@sccourts.org>; Adam Shirley <AShirley@LegalEagleInc.com>
Subject: RE: Transcript Request: Jackson vs Smith

Loretta,

Hope you are doing well. We have not yet received payment for this invoice. Could you look into it for us and when it might be paid? Thank you.



Kevin Dehlinger
Director of Operations

M (864) 444-4219 | P (864) 467-1373
E kdehlinger@legaleagleinc.com

107 LeGrand Blvd., Greenville, SC 29607
www.LegalEagleInc.com

