

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Richard E. Fields, Special Referee

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S.C. Supreme Court

Appellate Case No. 2012-213391

Lower Court Case No. 2012-CP-27-291

Barbara B. Clark, Warren E. Hatcher, Cassie Keeton, Daniel Green,
Powell Hampton, Amos Hatcher, Bobby Keeton, James Moseley,
Willie B. Oliver, Individually and as General Officers of the
RMUE Church.....Respondents

v.

Fred Henderson Moore.....Appellant

RECORD ON APPEAL

Eduardo K. Curry, Esquire
Curry & Housey, P.A.
Post Office Box 42270
North Charleston, South Carolina 29423
(843) 767-5284
Attorney for Appellant

Darrell Thomas Johnson, Jr.
The Law Offices of Darrell Thomas
Johnson, Jr., LLC
Post Office Box 1125
Hardeeville, South Carolina 29927
(843) 784-2124
Attorney for Respondents

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STATE OF SOUTH CAROLINA)

COUNTY OF JASPER)

BARBARA B. CLARK,)

Plaintiff,)

vs.)

REFORMED METHODIST UNION)

EPISCOPAL CHURCH and)

FRED HENDERSON MOORE,)

Defendants.)

IN THE COURT OF COMMON PLEAS

FOURTEENTH JUDICIAL CIRCUIT

CASE NUMBER: 2012-CP-27-291

ORDER OF REFERENCE

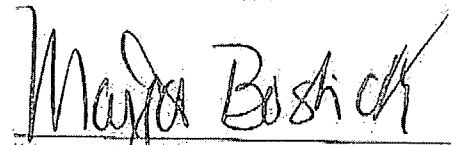
This matter is before me on motion below by the Plaintiff's attorney and consent by Defendant's attorney for an Order of Reference with Finality to the Honorable Richard E. Fields.

It is hereby ORDERED that this matter is referred to the Honorable Richard E. Fields, to conduct such hearings, to consider such evidence and to issue such Orders, pendent lite or permanently, as he deems advisable with direct appeal of any final order directly to the Supreme Court of South Carolina. Judge Fields shall also retain jurisdiction to hear any post-judgment issues which may come before the Court.

SO ORDERED

Dated: July 18, 2012

Hardeeville, South Carolina

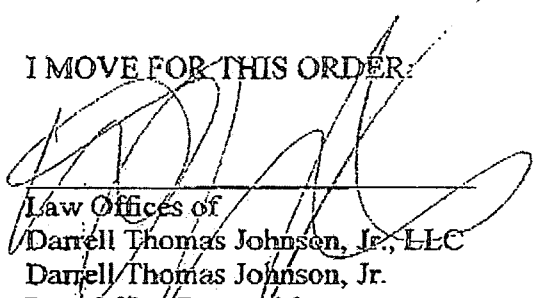


Honorable Margaret Bostick
Jasper County, South Carolina

Or
Judge, 14th Judicial Circuit

Clark vs. Reformed Methodist Union Episcopal Church, et. al.
Case No. 2012-CP-27-291
Order of Reference to Honorable Richard E. Fields

I MOVE FOR THIS ORDER:


Law Offices of
Darrell Thomas Johnson, Jr., LLC
Darrell Thomas Johnson, Jr.
Post Office Box 1425
Hardeeville, South Carolina 29927
(843) 784-2142
Attorney for Plaintiff

I CONSENT TO THIS ORDER:


Richard E. Fields
Retired Circuit Court Judge
1707 Heritage Park Rd.
Charleston, South Carolina 29407
(843) 571-2381


Edward M. Brown
146 Spring Street
Post Office Box 20261
Charleston, SC 29413-0261
(843) 577-7363
Attorney for Defendant

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

IN THE COURT OF COMMON PLEAS

14TH JUDICIAL CIRCUIT

CASE NUMBER: 2012-CP-27-291

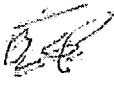
BARBARA B. CLARK, WARREN E.
HATCHER, CASSIE KEETON, DANIEL
GREEN, POWELL HAMPTON, AMOS
HATCHER, BOBBY KEETON, JAMES
MOSELEY, WILLIE B. OLIVER,
INDIVIDUALLY AND AS GENERAL
OFFICERS OF THE RMUE CHURCH,

Plaintiffs,

vs.

FRED HENDERSON MOORE,
Defendant.

AMENDED ORDER

 This case was referred to me by Consent Order of Reference dated July 18, 2012 and signed by the Honorable Margaret Bostick, Clerk of Court for Jasper County, 14th Judicial Circuit. Reference to same is hereby craved.

This matter is before the Court on the Plaintiffs' Motion for a Temporary Order to restrain and enjoin the Defendant from interfering with the duly called Annual Conference, interfering with the RMUE Church funds, and continuing to serve as the RMUE Church Bishop. The reasons for the Motion were set forth in an affidavit attached to said Motion.

Prior to filing and serving said Motion, the Plaintiffs had filed and served upon the Defendant a Complaint containing similar and other allegations including a request for contemporary injunctive relief.

For the purpose of this Order, the Court will not address all of the complaints in the affidavit. The record indicates that the General Officers of the Church (Plaintiffs) notified the Defendant (Bishop) that, based upon information received by that body, he, the Defendant, was in violation of certain basic laws promulgated in the discipline of the RMUE Church. He was then called upon to respond to these charges and requested to appear at a certain time and place for a hearing on these complaints.

It appears from the record that the Defendant chose to not respond to the charges and did not appear and participate in the subsequent hearing. The trial ended with the Defendant being found guilty, and he was suspended as episcopal leader of the RMUE Church. The findings and decisions of the trial body were communicated to the Defendant. However, he has continued to attempt to exercise his episcopal authority as Bishop of the RMUE Church. The Defendant's response to the actions of the trial body was that they had no jurisdiction to try him.

Under the discipline of the RMUE Church, had the Defendant participated in the trial and disagreed with the outcome, he would have had the right to appeal the decision of the trial body at the ensuing Annual Conference. The Plaintiffs now take the position that the Defendant, having failed to appear and participate in the trial, waived his right to appeal.

After the issues were joined by the pleadings, this Court attempted to settle this dispute through mediation with the parties, severally and jointly, in a total of three sessions. The Court's efforts in that regard was not successful.

It now appears that both the Plaintiffs and the Defendant are in preparation to have separate Annual Conferences. Both parties having submitted the resolution of this dispute to this Court, these present projections for separate Annual Conferences are illegal and unacceptable.

 THEREFORE based upon the pleadings, the Motion, the affidavits, and the record in this case, this Court makes the following findings of fact and temporary conclusions pending a final determination of the issues in this matter as follows:

1. The Annual Conference scheduled by the Plaintiffs for November 7, 2012, and the Annual Conference scheduled by the Defendant for November 5, 2012, are hereby cancelled and abolished.
2. The Plaintiffs should reschedule an Annual Conference pursuant to the dictates of the Doctrines and Discipline of the Reformed Methodist Union Episcopal Church to begin on December 5, 2012 or within thirty days after November 7, 2012 as the circumstances will permit.
3. The legal position of the Defendant, to wit, that the General Officers did not have the authority to institute disciplinary proceedings against him, should have been raised in the forum which notified him of the pending trial and cannot be used as a defense in this matter. The office of episcopal leadership or Bishop of the RMUE Church shall be in a suspended state until the newly Annual Conference to be scheduled as above directed.
4. The newly Annual Conference shall be presided over by the Associate Bishop.

5. The Defendant shall be entitled to appeal the decision of the official body which held the disciplinary trial and subsequently suspended him on July 12, 2012.

6. Should the Annual Conference sustain the ruling of the trial body which initiated the suspension, the Defendant shall have the right to appeal to an expedited General Conference to be scheduled by this Court which should then make the final decision on expulsion of the Defendant.

7. Should the Defendant fail to exercise his right to appeal the ruling of the initial trial body which suspended him, the suspension shall become permanent.

8. In addition to dealing with the above matters, the newly Annual Conference shall affirm or deny the following for this Court:

- a) the tenure of the episcopal leadership or Bishop is four years;
- b) the age of retirement of all ministerial persons, including the Bishop, is 74 years;
- c) the character of voting in the Annual and General Conferences is majority rule.

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9. The Secretary shall notify each and every duly elected member of the newly Annual Conference of the exact time and place of said conference.

10. The Defendant shall file with the General Secretary and the General Treasurer, at least fourteen days before the date of the Annual Conference, a written accounting of all funds of the RMUE Church received by him and the disbursement of same.

NOW THEREFORE IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. The Annual Conference scheduled by the Plaintiffs for November 7, 2012, and the Annual Conference scheduled by the Defendant for November 5, 2012, are hereby cancelled and abolished.

2. The Plaintiffs are to reschedule an Annual Conference pursuant to the dictates of the Doctrines and Discipline of the Reformed Methodist Union Episcopal Church to begin on December 5, 2012.

3. The legal position of the Defendant cannot be used as a defense in this matter. The office of episcopal leadership or Bishop of the RMUE Church shall be in a suspended state until the newly Annual Conference is held as above directed.

4. The newly Annual Conference shall be presided over by the Associate Bishop.

5. The Defendant shall be entitled to appeal the decision of the official body which held the disciplinary trial and subsequently suspended him on July 12, 2012.

6. Should the Annual Conference sustain the ruling of the trial body which initiated the suspension, the Defendant shall have the right to appeal to an expedited General Conference to be scheduled by this Court which should then make the final decision on expulsion of the Defendant.

7. Should the Defendant fail to exercise his right to appeal the ruling of the initial trial body which suspended him, the suspension shall become permanent.

8. The newly Annual Conference shall affirm or deny the following for this Court:

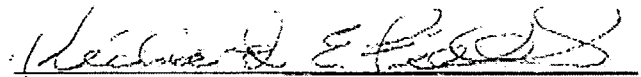
- a) the tenure of the episcopal leadership or Bishop is four years;
- b) the age of retirement of all ministerial persons, including the Bishop, is 74 years;
- c) the character of voting in the Annual and General Conferences is majority rule.

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9. The Secretary shall notify each and every duly elected member of the newly Annual Conference of the exact time and place of said conference.

10. The Defendant is hereby immediately restrained and enjoined from soliciting or receiving any official or designated funds from any local church in the RMUE denomination or from any source whatsoever in the name of or in behalf of the RMUE Church. Such funds in the name of the RMUE denomination as are now held by the Defendant from any source whatsoever shall be immediately transferred to the General Treasurer of the RMUE Church with an accompanying report to the General Secretary of the RMUE Church.

11. The Defendant shall file with the General Secretary and the General Treasurer, at least fourteen days before the date of the Annual Conference, a written accounting of all funds of the RMUE Church received by him and the disbursement of same.

AND IT IS SO ORDERED!


RICHARD E. FIELDS
SPECIAL CIRCUIT JUDGE

November 3, 2012
Charleston, South Carolina

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Barbara B. Clark, Warren E. Hatcher,)
Cassie Keeton, Daniel Green, Powell)
Hampton, Amos Hatcher, Bobby)
Keeton, James Moseley, Willie B.)

Oliver, Individually and as General)
Officers of the RMUE,)

Plaintiffs,)

v.)

Fred Henderson Moore,)

Defendant.)

Civil Action No. 9:12-cv-3169-SB

ORDER

This matter is before the Court upon the Plaintiffs' motion to remand the above-captioned matter to the Jasper County Court of Common Pleas. The Defendant removed this action to this Court on November 1, 2012, alleging that this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) based on his claim that the Plaintiffs are abridging his First Amendment right to freedom of religion.

 In the amended complaint, which was originally filed in the Jasper County Court of Common Pleas, the Plaintiffs, who are members and officers of the Reformed Methodist Union Episcopal Church ("the church"), complain of allegedly *ultra vires* acts taken by the Defendant under the color of his position in the church. For example, the Plaintiffs complain that the Defendant sought to convert funds of the church, that he unilaterally suspended officers of the church, and that he breached his fiduciary duty.

In their motion to remand, the Plaintiffs first assert that the Defendant failed to timely remove this action pursuant to 28 U.S.C. § 1446. Next, the Plaintiffs object to the

Defendant's assertion that federal question jurisdiction exists. Finally, the Plaintiffs ask the Court to impose Rule 11 sanctions upon the Defendant for removing the case in bad faith, based on their claim that the Defendant removed the case to avoid an imminent state court ruling.

The Defendant filed a response in opposition to the Plaintiffs' motion, in which he claims: (1) that the amended complaint, which added new plaintiffs but admittedly did not add any new claims, "made this proceeding a new proceeding," thereby presumably re-starting his time for removal; (2) that federal question jurisdiction exists because the Defendant has the right to the freedom of religion under the First Amendment; and (3) that he did not remove the case in bad faith.

After a thorough review of the record, the Court agrees with the Plaintiffs that no federal question jurisdiction exists and that, therefore, this matter should be remanded to state court.¹ Contrary to the Defendant's assertion that this case somehow implicates the First Amendment, a review of the amended complaint indicates that this matter simply involves the operation (or rather, the alleged mis-operation) of the church in accordance with its bylaws as well as the alleged handling (or rather, the alleged mishandling) of the church's money, and in no way does this case affect the Defendant's freedom to practice the religion of his choice.

In addition, with respect to the Plaintiffs' argument that the Defendant failed to file a timely notice of removal, the Court agrees with the Plaintiffs that the amended complaint did not restart the Defendant's time for removal. Stated simply, the Defendant removed

¹ Diversity jurisdiction also does not exist because the parties are not of diverse citizenship.

this action on the basis of federal question jurisdiction, yet he admitted that the initial complaint and the amended complaint set forth the same claims and requested the same relief. Therefore, it can hardly be said that the amended complaint restarted the 30-day clock because it constituted "an amended pleading . . . from which it may first be ascertained that the case is one which is or has become removable." 28 U.S.C. § 1446(b)(3). In any event, because the Court finds that neither the initial complaint nor the amended complaint were removable pursuant to 28 U.S.C. § 1441, the Court notes that the issue of timeliness is of little import.

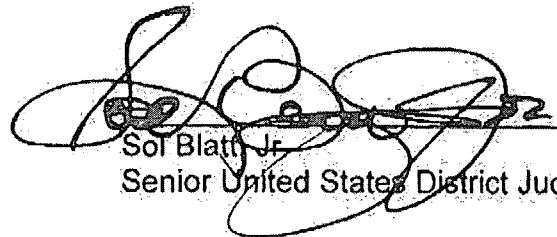
Finally, although the Court recognizes the Plaintiff's frustration in the removal of this matter, the Court declines to impose sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure.

Based on the foregoing, it is hereby

ORDERED that the Plaintiffs' motion to remand (Entry 5) is **GRANTED**, and this matter is remanded to the Jasper County Court of Common Pleas.

AND IT IS SO ORDERED.

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Sol Blatt Jr.
Senior United States District Judge

March 11, 2013
Charleston, South Carolina

The Supreme Court of South Carolina

Barbara B. Clark, Warren E. Hatcher, Cassie Keeton,
Daniel Green, Powell Hampton, Amos Hatcher, Bobby
Keeton, James Moseley, Willie B. Oliver, Individually
and as General Officers of the RMUE Church,
Respondents,

v.

Fred Henderson Moore, Appellant.

Appellate Case No. 2012-213391
Lower Court Case No. 2012-CP-27-000291

ORDER

This appeal, which is currently pending before the South Carolina Court of Appeals, is from an order entered by the clerk of the circuit court on November 5, 2012. The appeal is hereby certified for review by this Court under Rule 204 of the South Carolina Appellate Court Rules (SCACR).

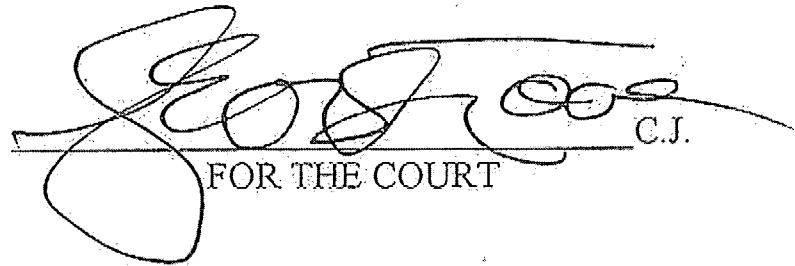
The order on appeal, along with several other orders,¹ were entered after a notice of removal was filed with the United States District Court for the District of South Carolina on November 1, 2012, and before an order remanding the case to state court was filed in the United States District Court on March 12, 2013.² This Court

¹ Several of these orders include language indicating that Retired Judge Richard E. Fields is serving as a special circuit court judge or special judge. This is incorrect since Retired Judge Fields is serving as a special referee in this matter. Any further orders issued in this matter should properly reflect his status as a special referee.

² The Federal District Court has provided this Court with a copy of the Notice of Removal and the Remand Order.

is concerned that the circuit court may have been without jurisdiction to enter any of these orders. *Davis v. Davis*, 267S.C. 508, 229S.E.2d 847 (1976) ("[O]nce removal proceedings to federal court are fulfilled and requisite notice accomplished, the State court loses all jurisdiction in the matter."); *see also Maseda v. Honda Motor Company*, 861 F.2d 1248 (11th Cir. 1988) ("[A]fter removal, the jurisdiction of the state court absolutely ceases and the state court has a duty not to proceed any further in the case. [citation omitted]. Any subsequent proceedings in state court on the case are void *ab initio*.").

Within ten (10) days of the date of this order, counsel in this matter are requested to file a response addressing whether this Court should vacate the order on appeal and the other orders issued by the circuit court while this matter was removed to federal court. If, of course, the order under appeal is vacated, the appeal in this matter will be dismissed as moot.


C.J.
FOR THE COURT

Columbia, South Carolina
April 1, 2013

cc: Darrell T. Johnson, Jr., Esquire
Eduardo Kelvin Curry, Esquire
The Honorable Jenny Kitchings

The Supreme Court of South Carolina

Barbara B. Clark, Warren E. Hatcher, Cassie Keeton,
Daniel Green, Powell Hampton, Amos Hatcher, Bobby
Keeton, James Moseley, Willie B. Oliver, Individually,
and as General Officers of the RMUE Church,
Respondents,

v.

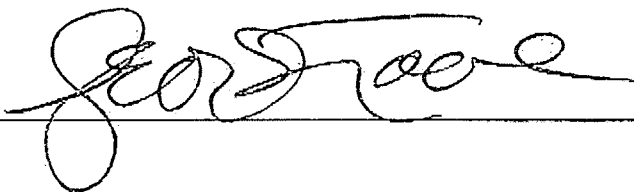
Fred Henderson Moore, Appellant.

Appellate Case No. 2012-213391

ORDER

By order dated April 1, 2013, this appeal was certified to this Court pursuant to Rule 204(b), SCACR. The order also noted that the order on appeal, along with several other orders, were entered after a notice of removal was filed in the United States District Court for the District of South Carolina on November 1, 2012, and before an order remanding the case to state court was filed in the United States District Court on March 12, 2013. Counsel were directed to file a response within ten days addressing whether this Court should vacate the order on appeal, as well as the other orders issued by the circuit court while this matter was removed to the federal court, for lack of jurisdiction.

After consideration of the responses submitted by the parties, we find the order on appeal should not be vacated. The remaining orders are not before this Court. We also find the order is immediately appealable. S.C. Code Ann. § 14-3-330(4) (1976 & Supp. 2012). Finally, we deny appellant's request to remove Retired Judge Richard Fields as special referee in this matter.


C.J.

) IN THE COURT OF COMMON PLEAS
) 14th JUDICIAL CIRCUIT
) CIVIL ACTION NO: 2012-CP-27-291

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DARRELL THOMAS JOHNSON, JR.
Attorney for the Plaintiff
LAW OFFICE OF DARRELL THOMAS
JOHNSON, JR. LLC
Post Office Box 1125
HARDEEVILLE, SC 29927
(843) 784-2142
(843) 784-5770 facsimile

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) IN THE COURT OF COMMON PLEAS

) 14th JUDICIAL CIRCUIT

) CIVIL ACTION NO: 2012-CP-27-291

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7. That the Plaintiff is entitled to injunctive relief both pendente lite and permanently, in order to mitigate irreparable harm.

8. That the Plaintiff seeks a declaratory judgment as the legality and validity of Defendant's recent dictatorial acts especially a declaratory judgment that:

- a. The Plaintiff and the other General Officers will be allowed to participate and their votes are counted;
- b. The illegally appointed delegates will not be seated or their votes counted; and
- c. The election for Bishop he held as scheduled.

FOR SECOND CAUSE OF ACTION

9. The Plaintiff reiterates all of the allegations of the First Cause of Action above, as fully as if repeated.

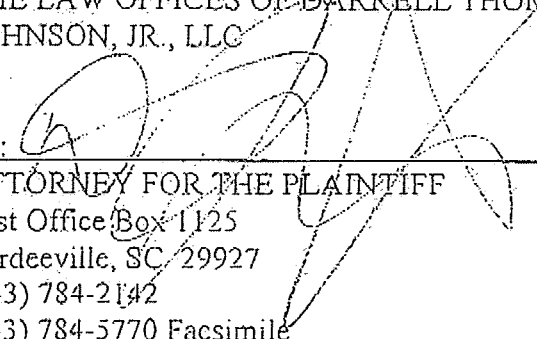
10. That the Defendant Moore was removed from office by the attached letter.

11. That the Defendant should be restrained and enjoined from purporting to handle Church matters.

WHEREFORE, Plaintiff prays for judgment against the Defendant

- a. Temporary restraining order;
- b. Temporary injunction;
- c. Permanent injunction;
- d. Declaration of the parties' obligations to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules; and
- e. Such other relief as may be just and proper.

THE LAW OFFICES OF DARRELL THOMAS
JOHNSON, JR., LLC

By: 
ATTORNEY FOR THE PLAINTIFF

Post Office Box 1125
Hardeeville, SC 29927
(843) 784-2142
(843) 784-5770 Facsimile
tdjohnson1@hargray.com

May 1, 2012
Hardeeville, South Carolina

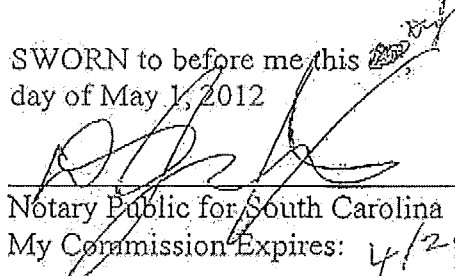
STATE OF SOUTH CAROLINA
COUNTY OF JASPER

) IN THE COURT OF COMMON PLEAS
) 14th JUDICIAL CIRCUIT
) CIVIL ACTION NO: 2012-CP-27-291

BARBARA B. CLARK, being duly sworn that she is the Plaintiff, herein, and that she has read the foregoing Complaint and knows the contents therein; that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief; and to those matter she believes them to be true.


BARBARA B. CLARK

SWORN to before me this 29th
day of May 1, 2012


Notary Public for South Carolina
My Commission Expires: 4/29/2015

2012 MAY -2 AM 10:14
CLERK OF COURT
JASPER COUNTY

STATE OF SOUTH CAROLINA)
COUNTY OF JASPER)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

BARBARA B. CLARK,)
Plaintiff,)
vs.)

ANSWER

REFORMED METHODIST UNION)
EPISCOPAL CHURCH and)
FRED HENDERSON MOORE,)
Defendants.)

Comes now the Defendants, by and through undersigned counsel, answering the Complaint of the Plaintiff as follows:

1. The Defendants deny each and every allegation of the Plaintiff's Complaint, not hereinafter specifically admitted and demands strict proof of said denied allegation.
2. The Defendants deny allegations three (3), 3(a), 3(b), 3(c), five (5), six (6), seven (7), eight (8), 8(a), 8(b), 8(c), ten (10), and eleven (11) of the Plaintiff's Complaint and demands strict proof of said denied allegations.
3. In further answering the Plaintiff's Complaint by way of affirmative defenses and/or special matters, the Defendant, the Reformed Methodist Union Episcopal Church is a religious organization in which Fred Henderson Moore has been duly appointed and/or elected the Bishop thereof.
4. That this church is governed by a Book of Discipline and the matters that are set out in the Plaintiff's Complaint are strictly and quintessentially ecclesiastical and cannot be the subject of a judicial proceeding.

5. That the Defendants assert that this matter is a matter of which the court lacks jurisdiction over the subject matter and/or the over the person, Fred Henderson Moore.

6. That the matters asserted in the Plaintiff's Complaint does not state facts sufficient to constitute a cause of action against either Defendant.

7. That the matters asserted in the Plaintiff's Complaint is a matter that involves church doctrine and cannot be the subject matter of a legal proceeding in a civil court.

8. That the Defendants rely, in further crystallizing the defenses hereinabove enumerated, on Rule 12(b)(1), 12(b)(2), and 12(b)(6) of the South Carolina Rules of Civil Procedure.

WHEREFORE, after having fully answering the Plaintiff's Complaint, the Defendants pray that the same be dismissed without cost to the Defendants.

And for such other relief as this Court may deem just, equitable and proper.



EDWARD M. BROWN, ESQUIRE
Attorney for the Defendants
P. O. Box 20261
Charleston, SC 29413
(843) 577-7363

Charleston, South Carolina

Dated: July 11, 2012

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	14th JUDICIAL CIRCUIT
COUNTY OF JASPER	)	CIVIL ACTION NO: 2012-CP-27-291
	)	
Barbara B. Clark, Warren E. Hatcher,	)	
Cassie Keeton, Daniel Green, Powell	)	
Hampton, Amos Hatcher, Bobby Keeton,	)	
James Moseley, Wille B. Oliver,	)	
Individually and as General Officers of	)	
the RMUE,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	AMENDED COMPLAINT
	)	(Non-Jury)
	)	
Fred Henderson Moore,	)	
	)	
Defendant(s).	)	
	)	

FOR FIRST CAUSE OF ACTION

1. That the Defendant, the Reformed Methodist Union Episcopal Church is a hierarchal church, owning property, doing business, and maintaining agents in Jasper County:
2. That the Plaintiff Clark, is a resident of Jasper County and a duly elected representative General Secretary, a voting officer of the Reformed Methodist Union Episcopal Church. She is steward, finance and recording secretary of her member church in Jasper County, and the other Plaintiffs are General Officers residing in various counties.
3. That the Defendant Moore under color of authority of the Reformed Methodist Union Episcopal Church has recently taken numerous ultra vires acts, the most egregious of which:
 - a. Unilaterally "suspending" the Plaintiff and all other General Officers from their position;
 - b. Unilaterally, appointing other delegates and/or officers; and
 - c. Canceling the election for the Bishop and declaring himself Bishop-for-life.
 - d. Misappropriating monies from various accounts, including the Pension Fund.

4. That the Reformed Methodist Union Episcopal Church 29th General Conference with elections was scheduled for May 7th through 9th, 2012, and included an election for Bishop.

5. That the Plaintiff, and those she represents, are being irreparably harmed by being deprived of their voice on Church matters.

6. That the Plaintiff has no adequate remedy at law.

7. That the Plaintiff is entitled to injunctive relief both pendente lite and permanently, in order to mitigate irreparable harm.

8. That the Plaintiff seeks a declaratory judgment as to the legality and validity of Defendant's recent dictatorial acts especially a declaratory judgment that:

- a. The Plaintiff and the other General Officers will be allowed to participate and their votes are counted;
- b. The illegally appointed delegates will not be seated or their votes counted; and
- c. The election for Bishop he held at a reconvened, or specifically called General Conference pursuant to Chapter IX Section 1.D.6.

FOR SECOND CAUSE OF ACTION

9. The Plaintiff reiterates all of the allegations of the First Cause of Action above, as fully as if repeated.

10. That the Defendant Moore was removed from office by the attached letter.

11. That there were some admitted deviations from the Church Discipline, but those deviations were arranged by Defendant to thwart the proceeding.

12. That the Defendant should be restrained and enjoined from purporting to handle Church matters.

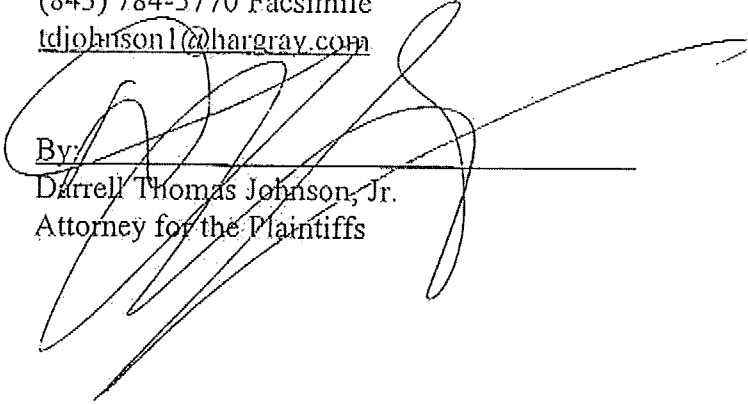
13. That the Defendant did not appeal the decision to remove him as Bishop, thereby waiving any alleged procedural defects.

WHEREFORE, Plaintiff prays for judgment against the Defendant

- a. Temporary restraining order;
- b. Temporary injunction;
- c. Permanent injunction;
- d. Declaration of the parties' obligations to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules;

- specifically recognizing the removal of the Defendant as Bishop and/or
convening an election for Bishop; and
- e. Such other relief as may be just and proper.

THE LAW OFFICES OF DARRELL THOMAS
JOHNSON, JR., LLC
Post Office Box 1125
Hardeeville, SC 29927
(843) 784-2142
(843) 784-5770 Facsimile
tdjohnson1@hargray.com

By: 

Darrell Thomas Johnson, Jr.
Attorney for the Plaintiffs

October 10, 2012
Hardeeville, South Carolina

STATE OF SOUTH CAROLINA

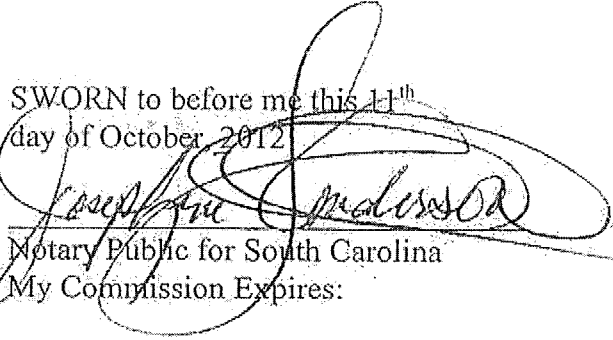
COUNTY OF JASPER

) IN THE COURT OF COMMON PLEAS
) 14th JUDICIAL CIRCUIT
) CIVIL ACTION NO: 2012-CP-27-291

BARBARA B. CLARK, being duly sworn that she is the Plaintiff, herein, and that she has read the foregoing Complaint and knows the contents therein; that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief; and to those matter she believes them to be true.


BARBARA B. CLARK

SWORN to before me this 11th
day of October 2012


Notary Public for South Carolina
My Commission Expires:

2012 OCT 13 PM 5:43
JASPER COUNTY
SOUTH CAROLINA

2012 OCT 31 AM 11: 04

Defendant(s).

25

FILED

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
2012 OCT 31) AM 11:05
COUNTY OF JASPER) JUDICIAL CIRCUIT

MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY SC

CIVIL ACTION NO: 2012-CP-27-291

Barbara B. Clark, Warren E. Hatcher,
Cassie Keeton, Daniel Green, Powell)
Hampton, Amos Hatcher, Bobby Keeton,)
James Moseley, Willie B. Oliver,)
Individually and as General Officers of)
The RMUE,)

Plaintiff,)

vs.)

Fred Henderson Moore,)

Defendant(s).)

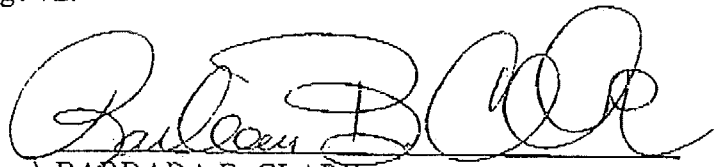
**AFFIDAVIT OF
BARBARA B. CLARK**

PERSONALLY APPEARED BEFORE ME the undersigned, Barbara B. Clark, who,
having been duly sworn deposes and says as follows:

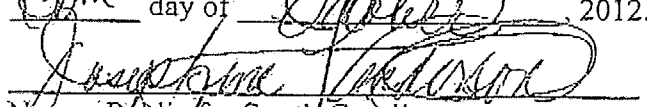
1. That she is General Secretary of the RMUE Church.
2. That the duly elected General Offices have set the RMUE Annual Conference for November 7th 2012, through November 11th, 2012.
3. That the Defendant has set what he characterized as the Annual Conference, for the same time, at a difference place (see attached).
4. That after somehow accessing and emptying the general bank account, the Defendant has attempted to take the Banquet account, Pension Account, and perhaps others.
5. That the Discipline by which the RMUE is governed has by duly amended, from time to time, after publication of the hardbound book adopted in 1999.
6. That the attached list is an attempt to list the Amendments.
7. That two duly passed amendments limit the age of Bishop to 72, and provided for

election of Bishop every 4 years.

8. The Defendant has set an election of General Officers in his Annual Conference. General Officers are elected every 4 years. General Officers in place will serve until May of 2016.
9. That Defendant shall not be allowed to conduct any business for the RMUE Church, but not limited to including holding an Annual Conference, meetings or collect any RMUE financial funds.
10. That the Defendant filed to run for Bishop in 2012, acknowledging the Amendment, but unilaterally canceled the election.
11. That the Defendant is well past the age 72.


BARBARA B. CLARK

SWORN TO BEFORE ME, a Notary Public, this
30th day of October, 2012.


Notary Public for South Carolina,

My Commission Expires: 02-17-2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF JASPER)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

BARBARA B. CLARK,)
)
Plaintiff,)
)
vs.)
)
REFORMED METHODIST UNION)
EPISCOPAL CHURCH and)
FRED HENDERSON MOORE,)
)
Defendants.)

DEFENDANTS' RESPONSE TO
PLAINTIFF'S REQUEST FOR TEMPORARY
RESTRAINING ORDER and/or
INJUNCTIVE RELIEF

This matter was initially filed in the Court of Common Pleas for Jasper County under the caption of Barbara B. Clark, Plaintiff v. Reformed Methodist Union Episcopal Church and Fred Henderson Moore. As is evidenced by **Exhibit 1** attached hereto, the Plaintiff sought and secured a hearing before the Honorable Carmen T. Mullen, Circuit Court Judge for the Fourteenth Judicial Circuit. The hearing was held at the Beaufort County Courthouse before Judge Mullen.

In that action as evidenced by Exhibit 2 attached hereto, the Plaintiff sought injunctive relief, namely a Temporary Restraining Order, requesting that, *"the Plaintiff seeks a declaratory judgment as the legality and the validity of the Defendants' recent dictatorial acts especially a declaratory judgment that the Plaintiff and other officers will be allowed to participate and their votes are counted: (b) illegally appointed delegates will not be seated or their votes counted and the election of a Bishop be held as scheduled."*

Plaintiff further requested in allegation eleven (11) of that Complaint, that the Defendant, Moore, should be restrained and enjoined from purporting to handle church matters."

The Court advised the Plaintiff that essentially, that the Circuit Court had no jurisdiction to enter into these matters in that they were essentially ecclesiastical matters. Therefore, the Plaintiff's request for the injunctive relief by that Court was affectively denied.

The Amended Complaint filed by the Plaintiffs that now includes Ms. Clark as well as others, mirrors the Complaint that was filed on May 5, 2012 and that was the subject matter of the May 7, 2012 hearing before Judge Mullen. This is the Plaintiff's second attempt to secure from this Court, what the Court cannot grant. This is not a matter that involves whether the Plaintiff or the Defendant is entitled to church property.

Essentially, the Plaintiffs, in their request for injunctive relief, have asked this Court to, in part, *"a declaration of the party's obligation to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules."* To put differently, the Plaintiff is asking this Court to interject itself into purely ecclesiastical matters, a controversy that the United States Supreme Court as well as many other state courts have said, civil courts cannot mediate or enter into

ARGUMENT AND AUTHORITIES

In *Watson v. Jones*, 13 Wall. 679, the South Carolina Supreme Court held,

'In this country the full and free right to entertain any religious belief, to practice any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property, and which does not infringe personal rights, is conceded to all. The law knows no heresy, and is committed to the support of no dogma, the establishment [229 S.C. 545] of no sect. The right to organize voluntary religious associations to assist in the expression and dissemination of any religious doctrine, and to create tribunals for the decision of

controverted questions of faith within the association, and for the ecclesiastical government of all of the individual members, congregations and officers within the general association, is unquestioned. All who unite themselves to such a body do so with an implied consent to this government, and are bound to submit to it. But it would be a vain consent and would lead to the total subversion of such religious bodies, if anyone aggrieved by one of their decisions could appeal to the secular courts and have them reversed. It is of the essence of these religious unions, and of their right to establish tribunals for the decision of questions arising among themselves, that those decisions should be binding in all cases of ecclesiastical cognizance, subject only to such appeal as the organism itself provided for.'

In *Harmon v. Dreher*, 17 S.C. Eq 87, "two factions claimed that they constituted the true congregation of St. Peter's Church in Lexington County, a Lutheran congregation and a member of the Synod of that church. The schism and division arose over the expulsion of the minister by the Synod. The adherents of the minister undertook to close the church against that portion of the congregation that adhered to the Synod, and executed a deed attempting to vest the title of the property in their own faction. The question for determination was which of the parties constituted the true church of St. Peter's." Against that factual backdrop the Court held that, "It belongs not to the civil power to enter into or review the proceedings of a Spiritual Court. The structure of our government has, for the preservation of Civil Liberty, rescued the Temporal Institutions from religious interference. On the other hand, it has secured Religious liberty from the invasion of the Civil Authority. The judgments, therefore, of religious associations, bearing upon their own members, are not examinable here;

In the case of *Turbeville v. Morris*, 26 S.E. 2d 821, 827, the South Carolina Supreme Court gives a clear definition of the authority of Civil Courts in regards to church controversy in that it states,

"Civil Courts will not enter into the consideration of the church doctrine or church discipline, nor will they inquire into the regularity of proceedings of the church. Judicatoris having cognizance of such matters. To assume such jurisdiction will not only be an attempt by the Civil Court to deal with matters of which they have no special

knowledge, but it would be inconsistent with complete religious liberty, untrampled by state authority. On this principle the action of the church authority in the disposition of a pastor and/or the expulsion of its member is final. Where, however, a church controversy necessarily involves rights growing out of a contract recognized by civil law are the rights to the possession of property, a civil tribunal cannot avoid adjudicating these rights under the law of the land, having in view, nevertheless, the implied obligation imputed to the controversy who have voluntarily submitted themselves to the authority of the church by connecting themselves with it". (See also Morris Street Baptist Church v. Bart, 45 S.E. 753).

As the South Carolina Supreme Court held also in Bramlett v. Young, 93 S.E. 2d 873, 882 (S.C. 1956), ... "civil courts have no jurisdiction of ecclesiastical questions and controversies, but it does have jurisdiction as to civil contract and property rights which are involved in church controversy."

In the year 1846 in Wilson v. Presbyterian Church of John's Island, 19 S.C. Eq. 192, 2 Rich. Eq. 192,

The Court, in discussing the case said:

"The Court disclaims, altogether, any authority to decide on questions of religious faith, or on the fitness and propriety of the forms of government which a church or congregation may adopt, if it inculcates nothing that is prohibited by law or subversive of good morals."

Further, in Boyles v. Roberts 121 S.W. 185 the Court held "That law is well settled that when a church splits, the courts will not undertake to inquire into the ecclesiastical acts of the several parties, but will determine the property rights in favor of the party or division maintaining the church organization as it previously existed. Bramlett v. Young, 229 S.C. 519, 93 S.E. 2d 873 (1956):

Therefore, based on the above case law, Defendant asserts that the relief prayed for by the Plaintiff's be denied with all costs to the Plaintiff's.



Edward M. Brown, Esquire
Attorney for the Defendant
P.O. Box 20261
Charleston, South Carolina 29413
(843) 577-7363
(843) 577-3079 (fax)

Charleston, South Carolina

Dated: November 2, 2012

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

BARBARA B. CLARK,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO.: 9:12-cv-3169-SB
	)	
vs.	)	
	)	<u>NOTICE OF REMOVAL</u>
REFORMED METHODIST UNION)	)	
EPISCOPAL CHURCH and	)	
FRED HENDERSON MOORE,	)	
	)	
Defendants.	)	
_____	)	

COMES NOW the Defendant, Fred Henderson Moore (hereinafter "Defendant"), who hereby files its Notice of Removal of the above-entitled action from the Court of Common Pleas for Jasper County, State of South Carolina, to the United States District Court for the District of South Carolina, Charleston Division.

1. The above entitled action was instituted by the Plaintiff against the Defendant by the service of a Summons and Complaint on or about May 2, 2012, and this action is now pending in the Court of Common Pleas for Jasper County, State Court of South Carolina as Case Number 2012-CP-27-0291. Subsequent thereto, an Amended Complaint with additional Plaintiffs was filed on or about October 12, 2012 against the Defendant.
2. Upon information and belief, at the time of the commencement of this action, the Plaintiff was and still is a citizen of the State of South Carolina, County of Jasper.

3. The Defendant is now and at all times intervening, a citizen of the State of South Carolina, County of Charleston.
4. This action is removable pursuant to 22 U.S.C. 1446(a), et seq. It appears from the allegations contained in Plaintiff's Complaint and the Amended Complaint that said action is one over which the District Court of the United States has original jurisdiction pursuant to 28 U.S.C. §1331 for the following reasons:
 - a. That the Defendant verily believes that his constitutional rights as set out and embodied in the First Amendment to the United States Constitution, that is the right to religious association and/or Freedom of Religion along with his right to Freedom of Religion under the United States Constitution, is being abridged and that he is being restrained from exercising that most revered and constitutionally enshrined right, that is the right to worship free from interference by governmental authorities.
 - b. The Defendant is also being denied his right to be tried in the County of his residence in the pending action, in that the action has been filed in the Circuit Court for Jasper County and the Defendant is a resident of and domicile in the County of Charleston, State of South Carolina.
 - c. Under no circumstances can a Defendant, under the laws of South Carolina, be sued in a County other than in the County in which he is a resident.

5. A copy of this Notice of Removal is being served on all adverse parties and filed with the Clerk of Court, Jasper County Courthouse, where this case was originally filed.
6. The Defendant files herewith a copy of all process pleadings and Orders served upon it in this action as a part of this Notice, being the Summons and Complaint (**Exhibit A**), Notice of Hearing (**Exhibit B**), Order of Reference (**Exhibit C**), Voluntary Dismissal (**Exhibit D**), Answer (**Exhibit E**), Amended Summons and Complaint (**Exhibit F**).
7. That a hearing before a Circuit Court Judge on matters similarly set forth in this Complaint has been held.

WHEREFORE, the Defendant respectfully requests that this Court consider this Notice of Removal as provided by law governing the removal of this case; that this Court make the proper Order to effect the removal of this case from the Court of Common Pleas for Jasper County to this Court; and that this Court will make such Orders as may be appropriate to effect the preparation and filing of a true record of all proceedings that may have been had in the Circuit Court; and for such other relief as this Court may deem just, equitable and proper.

BY: *s/Edward M. Brown, Esquire*
EDWARD M. BROWN, ESQUIRE
Attorney for the Defendant
P. O. Box 20261
Charleston, SC 29413
(843) 577-7363
Federal I. D. #1510

Charleston, South Carolina

Dated: November 1, 2012

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

BARBARA B. CLARK

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

Plaintiff(s)

2012-JAN-2 ARJC 44 2012-CP - 27-891

vs.

REFORMED METHODIST UNION EPISCOPAL
CHURCH and FRED HENDERSON MOORE

Defendant(s)

(Please Print)

Submitted By: DARRELL THOMAS JOHNSON, JR.

Address: POST OFFICE BOX 1125

HARDEEVILLE, SOUTH CAROLINA 29927

SC Bar #: 3010

Telephone #: 843-784-2142

Fax #: 843-784-5770

Other:

E-mail: tdjohnson1@hargray.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other paper as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this cover sheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☐ JURY TRIAL demanded in complaint. ☒ NON-JURY TRIAL demanded in complaint.
☐ This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☒ This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

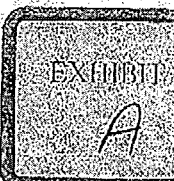
- | | | | |
|---|---|--|--|
| ☐ Contracts | ☐ Torts - Professional Malpractice | ☐ Torts - Personal Injury | ☐ Real Property |
| ☐ Constructions (100) | ☐ Dental Malpractice (200) | ☐ Assault/Slander/Label (300) | ☐ Claim & Delivery (400) |
| ☐ Debt Collection (110) | ☐ Legal Malpractice (210) | ☐ Conversion (310) | ☐ Condemnation (410) |
| ☐ Employment (120) | ☒ Medical Malpractice (220) | ☐ Motor Vehicle Accident (320) | ☐ Foreclosure (420) |
| ☐ General (130) | Previous Notice of Intent Case # | ☐ Premises Liability (330) | ☐ Mechanic's Lien (430) |
| ☐ Breach of Contract (140) | 20 -CP- | ☐ Products Liability (340) | ☐ Partition (440) |
| ☐ Other (199) | ☐ Notice/ File Med Mal (230) | ☐ Personal Injury (350) | ☐ Possession (450) |
| | ☐ Other (299) | ☐ Wrongful Death (360) | ☐ Building Code Violation (460) |
| | | ☐ Other (399) | ☐ Other (499) |
| ☐ Inmate Petitions | ☐ Judgments/Settlements | ☐ Administrative Law/Relief | ☐ Appeals |
| ☐ PCR (500) | ☐ Death Settlement (700) | ☐ Reinstate Driver's License (800) | ☐ Arbitration (900) |
| ☐ Mandamus (520) | ☐ Foreign Judgment (710) | ☐ Judicial Review (810) | ☐ Magistrate-Civil (910) |
| ☐ Habeas Corpus (530) | ☐ Magistrate's Judgment (720) | ☐ Relief (820) | ☐ Magistrate-Criminal (920) |
| ☐ Other (599) | ☐ Minor Settlement (730) | ☒ Permanent Injunction (830) | ☐ Municipal (930) |
| | ☐ Transcript Judgment (740) | ☐ Forfeiture-Petition (840) | ☐ Probate Court (940) |
| | ☐ Lis Pendens (750) | ☐ Forfeiture-Consent Order (850) | ☐ SCDOJ (950) |
| | ☐ Transfer of Structured Settlement Payment Rights Application (760) | ☐ Other (899) | ☐ Worker's Comp (960) |
| | ☐ Other (799) | | ☐ Zoning Board (970) |
| ☐ Special/Complex/Other | | | ☐ Public Service Commission (990) |
| ☐ Environmental (600) | ☐ Pharmaceuticals (630) | | ☐ Employment Security Comm (99) |
| ☐ Automobile Arb. (610) | ☐ Unfair Trade Practices (640) | | ☐ Other (999) |
| ☐ Medical (620) | ☐ Out-of State Depositions (650) | | |
| ☐ Other (699) | ☐ Motion to Quash Subpoena in an Out-of-County Action (660) | | |
| | ☐ Sexual Predator (610) | | |

Submitting Party Signature:

Date:

5-1-2012

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Civil Proceedings Sanctions Act, S.C. Code Ann. §14-26-10 et. seq.



STATE OF SOUTH CAROLINA

COUNTY OF JASPER

BARBARA B. CLARK,

Plaintiff,

vs.

REFORMED METHODIST UNION
EPISCOPAL CHURCH and
FRED HENDERSON MOORE,

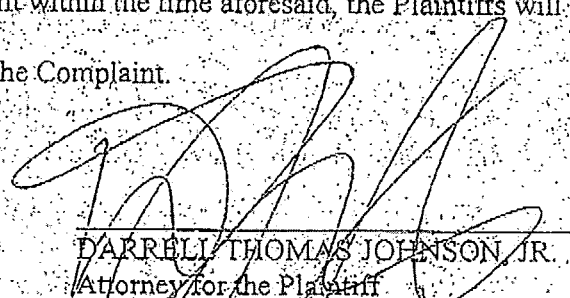
Defendant(s).

) IN THE COURT OF COMMON PLEAS
) 14th JUDICIAL CIRCUIT
) CIVIL ACTION NO. 2012-CP-27-291

SUMMONS
(Non-Jury)

TO THE DEFENDANT 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 subscribers at 300 Main Street (Post Office Box 1125) Hardeeville, South Carolina 29927, within thirty (30) days after the service hereof, exclusive of the date of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiffs will apply to the Court for the relief demanded in the Complaint.


DARRELL THOMAS JOHNSON, JR.
Attorney for the Plaintiff
LAW OFFICE OF DARRELL THOMAS
JOHNSON, JR. LLC
Post Office Box 1125
HARDEEVILLE, SC 29927
(843) 784-2142
(843) 784-5770 facsimile

May 1, 2012

Hardeeville, South Carolina

7. That the Plaintiff is entitled to injunctive relief both pendente lite and permanently, in order to mitigate irreparable harm.

8. That the Plaintiff seeks a declaratory judgment as the legality and validity of Defendant's recent dictatorial acts especially a declaratory judgment that:

- a. The Plaintiff and the other General Officers will be allowed to participate and their votes are counted;
- b. The illegally appointed delegates will not be seated or their votes counted, and
- c. The election for Bishop be held as scheduled.

FOR SECOND CAUSE OF ACTION

9. The Plaintiff reiterates all of the allegations of the First Cause of Action above, as fully as if repeated.

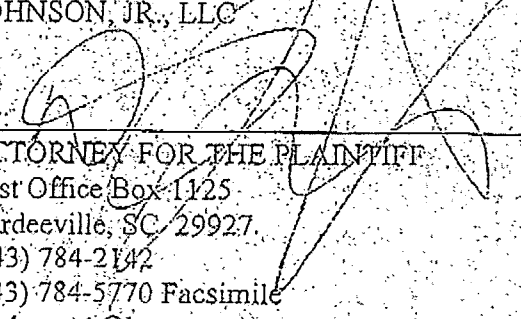
10. That the Defendant Moore was removed from office by the attached letter.

11. That the Defendant should be restrained and enjoined from purporting to handle Church matters.

WHEREFORE, Plaintiff prays for judgment against the Defendant.

- a. Temporary restraining order;
- b. Temporary injunction;
- c. Permanent injunction;
- d. Declaration of the parties' obligations to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules; and
- e. Such other relief as may be just and proper.

THE LAW OFFICES OF DARRELL THOMAS
JOHNSON, JR., LLC

By: 
ATTORNEY FOR THE PLAINTIFF
Post Office Box 1125
Hardeeville, SC 29927.
(843) 784-2142
(843) 784-5770 Facsimile
tdjohnson1@hargray.com

May 1, 2012
Hardeeville, South Carolina

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

) 14th JUDICIAL CIRCUIT

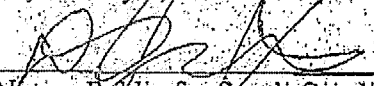
COUNTY OF JASPER

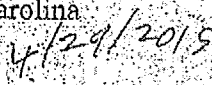
) CIVIL ACTION NO: 2012-CP-27-291

BARBARA B. CLARK, being duly sworn that she is the Plaintiff, herein, and that she has read the foregoing Complaint and knows the contents therein, that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief, and to those matter she believes them to be true.


BARBARA B. CLARK

SWORN to before me this 
day of May 1, 2012


Notary Public for South Carolina

My Commission Expires: 

05/04/2012 15:52 FAX 843 784 5770

JOHNSON

002

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF JASPER	)	CASE NO.: 2012-CP-27-291
	)	
BARBARA B. CLARK,	)	
	)	
PLAINTIFF,	)	NOTICE OF HEARING
	)	
vs.	)	
	)	
REFORMED METHODIST UNION	)	
EPISCOPAL CHURCH and	)	
FRED HENDERSON MOORE,	)	
	)	
DEFENDANT(S)	)	

TO: DEFENDANT(S) ABOVE NAMED:

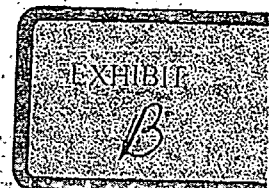
YOU WILL PLEASE TAKE NOTICE that a hearing has been set in the above entitled action on Monday, May 7, 2012 at 12:00 o'clock p.m. You hereby notified to be present at the Beaufort County Courthouse, 2nd Floor, Room #212, 102 Ribaut Road, Beaufort, South Carolina 29901, at that time.

LAW OFFICE OF
DARRELL THOMAS JOHNSON, JR., LC

By: *[Signature]*

FOR Darrell Thomas Johnson, Jr., Esquire
300 Main Street
Post Office Box 1125
Hardeeville, South Carolina 29927
843-784-2142
843-784-5770 (facsimile)
Attorney for Plaintiff

May 4, 2012



STATE OF SOUTH CAROLINA)

COUNTY OF JASPER)

BARBARA B. CLARK,)

Plaintiff,)

vs.)

REFORMED METHODIST UNION)

EPISCOPAL CHURCH and)

FRED HENDERSON MOORE,)

Defendants.)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

ORDER OF REFERENCE

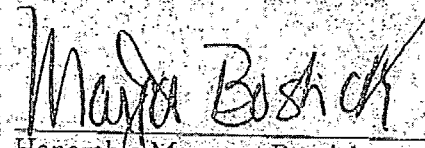
This matter is before me on motion below by the Plaintiff's attorney and consent by Defendant's attorney for an Order of Reference with Finality to the Honorable Richard E. Fields.

It is hereby ORDERED that this matter is referred to the Honorable Richard E. Fields, to conduct such hearings, to consider such evidence and to issue such Orders, pendent lite or permanently, as he deems advisable with direct appeal of any final order directly to the Supreme Court of South Carolina. Judge Fields shall also retain jurisdiction to hear any post-judgment issues which may come before the Court.

SO ORDERED

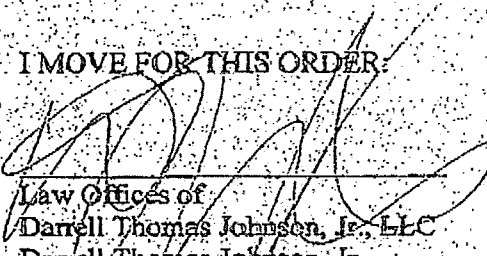
Dated: July 18 2012

Hardeeville, South Carolina


Honorable Margaret Bostick
Jasper County, South Carolina
Or
Judge, 14th Judicial Circuit

Clark vs. Reformed Methodist Union Episcopal Church, et al.
Case No. 2012-CP-27-291
Order of Reference to Honorable Richard E. Fields

I MOVE FOR THIS ORDER:


Law Offices of
Darrell Thomas Johnson, Jr., LLC
Darrell Thomas Johnson, Jr.
Post Office Box 1425
Hardeeville, South Carolina 29927
(843) 784-2142
Attorney for Plaintiff

I CONSENT TO THIS ORDER:


Richard E. Fields
Retired Circuit Court Judge
1707 Heritage Park Rd.
Charleston, South Carolina 29407
(843) 571-2381


Edward M. Brown
146 Spring Street
Post Office Box 20261
Charleston, SC 29413-0261
(843) 577-7363
Attorney for Defendant

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

BARBARA B. CLARK,

Plaintiff,

vs.

REFORMED METHODIST UNION
EPISCOPAL CHURCH and
FRED HENDERSON MOORE,

Defendant(s).

) IN THE COURT OF COMMON PLEAS

) 14th JUDICIAL CIRCUIT

) CIVIL ACTION NO: 2012-CP-27-291

) VOLUNTARY DIMISSAL

PLAINTIFF HEREBY DISMISSES the Complaint as to the Reformed Methodist Union
Episcopal Church ONLY, without prejudice.

THE LAW OFFICES OF
DARRELL THOMAS JOHNSON, JR., LLC

DARRELL THOMAS JOHNSON, JR.

Post Office Box 1125

Hardeeville, SC 29927

(843) 784-2142

(843) 784-5770 Facsimile

tdjohnson1@hargray.com

July 6, 2012

EXHIBIT

D

I hereby certify that I have this 6th day of July, 2012, placed a copy of Voluntary Dismissal in the US Mail, with sufficient postage attached, and addressed to the following:

Edward M. Brown
Attorney at Law
Post Office Box 20261
Charleston, South Carolina 29413


Leanne Motes

STATE OF SOUTH CAROLINA)
COUNTY OF JASPER)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

BARBARA B. CLARK,)

Plaintiff,)

vs.)

ANSWER

REFORMED METHODIST UNION)
EPISCOPAL CHURCH and)
FRED HENDERSON MOORE,)

Defendants.)

Comes now the Defendants, by and through undersigned counsel, answering the Complaint of the Plaintiff as follows:

1. The Defendants deny each and every allegation of the Plaintiff's Complaint, not hereinafter specifically admitted and demands strict proof of said denied allegation.
2. The Defendants deny allegations three (3), 3(a), 3(b), 3(c), five (5), six (6), seven (7), eight (8), 8(a), 8(b), 8(c), ten (10), and eleven (11) of the Plaintiff's Complaint and demands strict proof of said denied allegations.
3. In further answering the Plaintiff's Complaint by way of affirmative defenses and/or special matters, the Defendant, the Reformed Methodist Union Episcopal Church is a religious organization in which Fred Henderson Moore has been duly appointed and/or elected the Bishop thereof.
4. That this church is governed by a Book of Discipline and the matters that are set out in the Plaintiff's Complaint are strictly and quintessentially ecclesiastical and cannot be the subject of a judicial proceeding.

EXHIBIT

E

5. That the Defendants assert that this matter is a matter of which the court lacks jurisdiction over the subject matter and/or the over the person, Fred Henderson Moore.

6. That the matters asserted in the Plaintiff's Complaint does not state facts sufficient to constitute a cause of action against either Defendant.

7. That the matters asserted in the Plaintiff's Complaint is a matter that involves church doctrine and cannot be the subject matter of a legal proceeding in a civil court.

8. That the Defendants rely, in further crystallizing the defenses hereinabove enumerated, on Rule 12(b)(1), 12(b)(2), and 12(b)(6) of the South Carolina Rules of Civil Procedure.

WHEREFORE, after having fully answering the Plaintiff's Complaint, the Defendants pray that the same be dismissed without cost to the Defendants.

And for such other relief as this Court may deem just, equitable and proper.


EDWARD M. BROWN, ESQUIRE
Attorney for the Defendants
P. O. Box 20261
Charleston, SC 29413
(843) 577-7363

Charleston, South Carolina

Dated: July 11, 2012

4. That the Reformed Methodist Union Episcopal Church 29th General Conference with elections was scheduled for May 7th through 9th, 2012, and included an election for Bishop.
5. That the Plaintiff, and those she represents, are being irreparably harmed by being deprived of their voice on Church matters.
6. That the Plaintiff has no adequate remedy at law.
7. That the Plaintiff is entitled to injunctive relief both pendente lite and permanently, in order to mitigate irreparable harm.
8. That the Plaintiff seeks a declaratory judgment as to the legality and validity of Defendant's recent dictatorial acts especially a declaratory judgment that:
 - a. The Plaintiff and the other General Officers will be allowed to participate and their votes are counted;
 - b. The illegally appointed delegates will not be seated or their votes counted; and
 - c. The election for Bishop he held at a reconvened, or specifically called General Conference pursuant to Chapter IX Section 1.D.6.

FOR SECOND CAUSE OF ACTION

9. The Plaintiff reiterates all of the allegations of the First Cause of Action above, as fully as if repeated.
10. That the Defendant Moore was removed from office by the attached letter.
11. That there were some admitted deviations from the Church Discipline, but those deviations were arranged by Defendant to thwart the proceeding.
12. That the Defendant should be restrained and enjoined from purporting to handle Church matters.
13. That the Defendant did not appeal the decision to remove him as Bishop, thereby waiving any alleged procedural defects.

WHEREFORE, Plaintiff prays for judgment against the Defendant

- a. Temporary restraining order;
- b. Temporary injunction;
- c. Permanent injunction;
- d. Declaration of the parties' obligations to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules;

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

) IN THE COURT OF COMMON PLEAS
) 14th JUDICIAL CIRCUIT
) CIVIL ACTION NO: 2012-CP-27-291

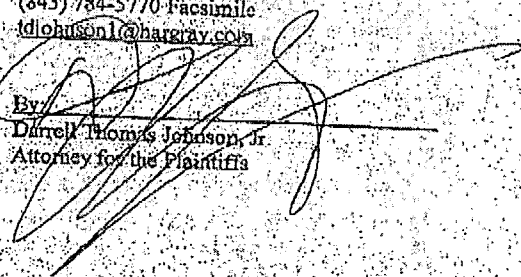
BARBARA B. CLARK, being duly sworn that she is the Plaintiff, herein, and that she has read the foregoing Complaint and knows the contents therein; that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief; and to those matters she believes them to be true.



specifically recognizing the removal of the Defendant as Bishop and/or convening an election for Bishop; and

e. Such other relief as may be just and proper.

THE LAW OFFICES OF DARRELL THOMAS
JOHNSON, JR., LLC
Post Office Box 1125
Hardeeville, SC 29927
(843) 784-2142
(843) 784-5770 Facsimile
tdjohnson1@hargray.com

By: 
Darrell Thomas Johnson, Jr.
Attorney for the Plaintiff

October 10, 2012
Hardeeville, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON) **VERIFICATION**

PERSONALLY APPEARED before me, Fred Henderson Moore, who being duly sworn, deposes and states that he is the Defendant in the foregoing action; and he has read the allegations of the foregoing Notice and/or Petition for Removal; and the same are true and correct to the best of his knowledge.

Fred Henderson Moore
FRED HENDERSON MOORE

Sworn to before me this 1st
Day of November, 2012.
Deborah J. Robinson
Notary Public for South Carolina
My commission expires: 3-22-2021



STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	14 TH JUDICIAL CIRCUIT
COUNTY OF JASPER	)	CASE NUMBER: 2012-CP-27-291
BARBARA B. CLARK, WARREN E.	)	
HATCHER, CASSIE KEETON, DANIEL	)	
GREEN, POWELL HAMPTON, AMOS	)	
HATCHER, BOBBY KEETON, JAMES	)	
MOSELEY, WILLIE B. OLIVER,	)	NOTICE OF HEARING
INDIVIDUALLY AND AS GENERAL	)	
OFFICERS OF THE RMUE CHURCH,	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
FRED HENDERSON MOORE,	)	
Defendant.	)	
	)	

This is to remind you that a hearing on the Plaintiffs' Motion has been set to be heard by agreement on Friday, November 2, 2012, beginning at 10:00 a.m. o'clock in Room 3-D of the Charleston County New Courthouse.


RICHARD E. FIELDS
SPECIAL CIRCUIT JUDGE

November 1, 2012

1 STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
2 COUNTY OF JASPER) FOURTEENTH JUDICIAL CIRCUIT
3) CASE NO.: 2012-CP-27-291

4 BARBARA B. CLARK, WARREN)
5 E. HATCHER, CASSIE)
6 KEETON, DANIEL GREEN,)
7 POWELL HAMPTON, AMOS)
8 HATCHER, BOBBY KEETON,)
9 JAMES MOSELEY, WILLIE B.)
10 OLIVER, Individually and)
11 as General Officers of)
12 the RMUE CHURCH,)
13 Plaintiffs)
14 vs.)
15 FRED HENDERSON MOORE,)
16 Defendant.)

 COPY

17 REPORT OF PROCEEDINGS at the hearing of
18 the above-entitled cause before the Honorable RICHARD E.
19 FIELDS, Special Circuit Judge, on November 2, 2012, at
20 10:00 a.m.

21
22 REPORTED BY: Helen L. Rose, CSR, RPR
23 Certified Shorthand Reporter
24 Registered Professional Reporter
25 Notary Public

1
2 APPEARANCES:

3 FOR THE PLAINTIFF:

4 By: DARRELL THOMAS JOHNSON, JR.
5 LAW OFFICES OF DARRELL THOMAS JOHNSON, JR.
6 300 Main Street
7 P.O. Box 1125
Hardeeville, SC 29927-1125

8 FOR THE DEFENDANT:

9 By: EDWARD M. BROWN
10 EDWARD M. BROWN & ASSOCIATES
11 P.O. Box 20261
12 146 Spring Street
13 Charleston, SC 29413-0261
14
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16
17
18
19
20
21
22
23
24
25

I N D E X

THE WITNESS:

BARBARA B. CLARK

	DX	CX	Re-DX	Re-CX
By MR. JOHNSON	36		52	
By MR. BROWN		46		

FRED HENDERSON MOORE

	DX	CX	Re-DX	Re-CX
By MR. BROWN	56		73	
By MR. JOHNSON		58		

E X H I B I T S

Plaintiff's Page

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No. 2	Notice of Hearing	4
No. 3	10-30-12 Fax, Johnson to Judge Fields	4
No. 4	The Doctrines and Discipline of the Reformed Methodist Union Episcopal Church	4
No. 5	Clark Affidavit	40
No. 6	Minutes, RMUE 26th General Conference	40
No. 6	Admitted into evidence	41

Defendant's Page

No. 1	Packet of pertinent information	4
No. 2	11-1-12 Fax, Brown to Bostick	4

*** All original exhibits shipped to Mr. Johnson.

P-R-O-C-E-E-D-I-N-G-S

(Plaintiffs' Exhibit Nos. 1 through 4
were marked for identification.)

(Defendant's Exhibit No. 1 and No. 2
were marked for identification.)

THE COURT: This matter comes before the Court on a motion for temporary restraining order and temporary injunction filed in the court by the plaintiffs and served on the defendant. The motion is supported by an affidavit of the plaintiffs, the general secretary of the RMUE Church, which affidavit alleges that she is the general secretary, and she brings this, signs this motion on behalf of the remaining general officers. She alleges that the duly elected general officers have set the RMUE annual conference for November 7, 2012 through November 11, 2012, that the defendant, Bishop Moore, has set what he characterized as the annual conference for the same time at a different place; that after somehow assessing and emptying the general bank account, the defendant has attempted to take the bank account, pension account, and perhaps others; that Discipline by which the RMUE is governed has been duly amended from time to time after publication of the hardbound book adopted in 1999, that the attached list is an attempt to list the amendments, that two duly passed amendments limit the age

1 of bishops to 72 and provide for the election of bishops
2 every four years.

3 The defendant has set an election of
4 general officers in his annual conference. General
5 officers are elected every four years. General officers
6 in place will serve until May of 2016. The defendant
7 shall not be allowed to conduct any business for the RMUE
8 Church, but not limited to but including holding an
9 annual conference, meeting, or collect any RMUE financial
10 funds. That the defendant tried to run for bishop in
11 2012, acknowledging the amendment, but unilaterally
12 canceled the election; that the defendant is well past
13 the age 72.

14 This affidavit supports the motion for the
15 temporary relief requested by the plaintiff. As a
16 background to this matter the summons and complaint by
17 the plaintiffs against the defendant was probably served
18 some time ago. Instead of entering into a trial at that
19 time, I elected to hold several individual conferences
20 with each side in an attempt to mediate this matter and
21 in an attempt to resolve this dispute amicably. We had
22 conferences with the plaintiffs, conferences with the
23 defendant, and joint conferences.

24 Those conferences did not meet with any
25 success, and the Court intended to then set the term for

1 the trial of the issues in this case. And it appears
2 that certain emerging circumstances necessitates the
3 Court to take a look at where the situation stands at
4 this time.

5 Now, present this morning is Mr. Darrell
6 Johnson, who represents the plaintiff, and Mr. Ed Brown,
7 who represents the defendant. Is there anything to come
8 before the Court before we. . .

9 MR. BROWN: There is, Your Honor. And this
10 matter that is before the Court today is on an amended
11 complaint.

12 THE COURT: Yes.

13 MR. BROWN: I will admit to the Court that I do
14 not have that affidavit that was read into the record.
15 What was sent to me by Mr. Johnson on the --

16 THE COURT: This affidavit is attached to the
17 motion for temporary relief.

18 MR. BROWN: Yes, sir. I did not have access to
19 that. But separate and apart from that, Your Honor, I
20 need to point out to the Court that as it relates to the
21 amended complaint, we, on behalf of my client, have filed
22 a notice of removal, which is introduced -- and I
23 provided a copy to Mr. Johnson -- which is introduced as
24 Exhibit No. 1 -- Exhibit No. 2. That notice of removal
25 removes this action to the United States District Court.

1 I represent to the Court as an officer of
2 the court that that matter has been filed. There was a
3 technicality in regards to the division on the notice of
4 removal, but that has been corrected. The notice of
5 removal lists Charleston as the division when, in fact,
6 it's the Beaufort Division. The Beaufort Division of the
7 United States District Court located in Beaufort has been
8 closed. And I thought that it was under the Charleston
9 Division; however, I have corrected that, and the notice
10 of removal has been filed.

11 As a backup position, Your Honor, I am
12 going to give to the Court what has been marked as
13 Exhibit No. 1, which is our memorandum of authority in
14 opposition to the relief prayed for in the amended
15 complaint.

16 Your Honor, I would like to try to address
17 this matter in sequence. First, it is our position that
18 once an action has been filed in the United States
19 District Court under the Removal Statute, 28 U.S.C.
20 1446 (d), the State court is deprived the jurisdiction
21 to, in fact, hear the matter.

22 We have filed a notice of removal, and
23 it's not frivolous, Your Honor. Our notice of removal as
24 set out in the notice is based on this defendant's First
25 Amendment right as it relates to religious freedom to

1 worship as they see fit or as he sees fit without the
2 interference of state or governmental authorities:

3 And we think that deprives this Court of
4 jurisdiction. We think this hearing can no longer
5 proceed inasmuch as that notice has been filed. As I
6 understand the rules, once the notice is filed, all
7 actions in the State court cease. The State court no
8 longer has jurisdiction.

9 A secondary position, Your Honor, that we
10 take, even if this Court decides I do have jurisdiction
11 and I'm going to proceed forth, we have another
12 jurisdictional issue that is very, very important in this
13 matter. The laws of South Carolina indicate that any
14 defendant and every defendant must be sued in the county
15 of their residence. This action in the State court was
16 filed in Jasper County. My client is a lifelong resident
17 of Charleston County, so we would indicate to the Court
18 that jurisdiction, if not jurisdiction, at least venue,
19 is not proper.

20 Now, we filed an answer to the initial
21 complaint, and our answer in the initial complaint raises
22 all those defenses. And if this Court decides that it's
23 going to go forward this day, we don't waive any of those
24 defenses.

25 Your Honor, I would point out to the Court

1 again in the notice of removal that we passed up to the
2 Court as Exhibit No. 2, there is a notice of hearing that
3 was held on the initial complaint, which was also for
4 temporary relief. That matter was heard before the
5 Beaufort County Circuit Court. I'm informed by
6 Mr. Johnson that that Court took the matter under
7 advisement and has not issued an order.

8 THE COURT: I'm not aware of this. I'll let
9 Mr. Johnson respond.

10 MR. BROWN: Yes, sir, Judge Mullen, I think was
11 the --

12 THE COURT: Was this before I was appointed?

13 MR. BROWN: Yes, sir. The notice of hearing is
14 in the packet that we sent to the -- filed with the
15 United States District Court. And I think that
16 hearing -- not I think -- that hearing was held on May 7.

17 THE COURT: Was that before the consent order
18 was filed in this case in which both the plaintiff and
19 the defendant consented to have me appointed as special
20 judge in this case?

21 MR. BROWN: Yes, sir.

22 MR. JOHNSON: Yes, Your Honor, that was before
23 the issues were joined before we were able to get service
24 on Mr. Moore. We had a temporary restraining order, as
25 opposed to a temporary injunction.

1 MR. BROWN: A temporary restraining order,
2 temporary injunction, both pretty much are one and the
3 same thing. My point is, Your Honor, a circuit court in
4 this state at a very minimum has the matter under
5 advisement, although the relief -- and in addition to
6 that, the relief that is prayed for in this amended
7 complaint mirrors, if not parallels, the relief that's
8 prayed for in that first complaint.

9 THE COURT: Well, tell me what is my authority
10 now? If both the plaintiff and the defendant goes into
11 the court and they agree to take the jurisdiction from
12 whoever was presiding and give it to me, both parties,
13 how does that affect in that prior situation that I was
14 not even aware of, was not made aware of? And what, if
15 anything, was done to terminate that particular
16 situation?

17 MR. BROWN: Your Honor, I became aware of the
18 proceeding through a deposition which was many weeks
19 after the hearing and after we agreed to the consent
20 order. Now, had I known that this matter was pending
21 before -- or that a hearing of this caliber was before
22 the circuit court in Beaufort County, I certainly would
23 not have agreed. But I did not know that. And I'm not
24 saying Mr. Johnson misled me. You know, he's a friend of
25 mine. I have known him for quite some time; however, I

1 learned of that through the deposition of Ms. Clark.

2 THE COURT: When was that taken?

3 MR. BROWN: The deposition was taken -- I can't
4 remember exactly.

5 MR. JOHNSON: August 15, 2012, Your Honor.

6 THE COURT: Was that before or after the
7 defendant's answer was filed to the first complaint?

8 MR. BROWN: That was after defendant's answer
9 was filed to the first complaint. But my point is, Your
10 Honor, in regards to that is that I don't know that this
11 Court has jurisdiction on two levels. I cited both, one
12 in the notice of removal. The matter is in the Federal
13 court.

14 I think even if the Court says, well, this
15 matter, I have jurisdiction, I don't know that that is a
16 ruling that this Court can make. Of course, we'll abide
17 by any ruling the Court does make, not waiving our
18 objection. But that is a matter that's exclusively now
19 before the Federal judge.

20 THE COURT: Mr. Brown, let me ask you, as I
21 understand it, the petition has been filed with the
22 Federal court to take or assume jurisdiction of this
23 matter. Is that correct?

24 MR. BROWN: Yes, sir, it's called a notice of
25 removal, petition of removal.

12

1 THE COURT: What if the Federal court decides
2 not to take it?

3 MR. BROWN: Well, Your Honor, that's something
4 that the Federal court has to decide. And if the Federal
5 court remands it to this court, that's another story.
6 And the rule --

7 THE COURT: Can it be remanded without taking
8 jurisdiction?

9 MR. BROWN: No, sir, it can't.

10 THE COURT: So it has to either accept
11 jurisdiction or refuse jurisdiction. If it refuses
12 jurisdiction, that petition is moot. Am I correct?

13 MR. BROWN: Your Honor, here is my
14 understanding -- and I don't think that is correct.

15 THE COURT: You're in an area now that I'm not
16 too familiar with. I need a little guidance from you.

17 MR. BROWN: I do a fair amount of Federal work.

18 THE COURT: I know you do.

19 MR. BROWN: Once the notice of petition for
20 removal is filed, all action in the State court ceases.
21 The State court no longer has jurisdiction. Now, even if
22 the Federal court deems there is not a Federal question
23 that is present, it can still hear the state action. It
24 can still hear the State action.

25 And what we submit is that there is a

1 Federal question based upon the First Amendment of the
2 United States Constitution, which regards religious
3 freedom, so we think that this Court does not have
4 jurisdiction on that ground. Second, Mr. Fred Henderson
5 Moore is a resident of Charleston County. This action
6 was brought in Jasper County, and at a very minimum,
7 venue is not proper.

8 BY THE COURT:

9 THE COURT: Well, it has been tried in the
10 magistrate court originally because originally, the
11 complaint, it was State. Would that constitute the
12 defendants as having waived that right?

13 MR. BROWN: No, sir.

14 THE COURT: Since the church is almost a state
15 church and holds a state office almost because you
16 have -- its jurisdiction covers from the upper part of
17 the state almost to the Georgia line -- I'm just
18 questioning it in my mind.

19 MR. BROWN: Your Honor, here is how I would
20 answer that. Initially when this matter was filed in the
21 first complaint, Fred Henderson Moore and the RMUE Church
22 was named as the defendant.

23 THE COURT: That's correct.

24 MR. BROWN: A petition was entered, voluntary
25 petition to dismiss the church. Now, when I answered, if

14

1 I remember correctly, I answered for both. Then we
2 agreed with Mr. Johnson that the church should be out of
3 this. And then the only defendant is Fred Henderson
4 Moore.

5 So to answer your question directly, I
6 don't think in my legal research that I have come upon
7 any case where this Court would have jurisdiction, on two
8 levels, the removal and the venue.

9 Your Honor, there is a third defense,
10 there's a third argument that we're making in regards to
11 the jurisdictional issue. I passed up to the Court my
12 memorandum in response to their motion for summary
13 judgment, and I would like -- the Court is totally aware
14 of the facts of this case.

15 THE COURT: Motion for summary judgment?

16 MR. BROWN: I'm sorry, motion for injunctive
17 relief, my memorandum in response to that.

18 THE COURT: Yeah.

19 MR. BROWN: The pleading that we are here on
20 today is the amended complaint, not the original
21 complaint. We don't know at this point what the status
22 of the original complaint is to the extent that we have
23 answered it, but we do know that Judge Mullen had a
24 hearing, and no order was issued. She took it under
25 advisement.

1 Even if this Court decides that it has
2 jurisdiction, we would again submit that this matter is
3 not one for the circuit court. Our reasoning behind that
4 is very, very simple. It's based on the laws of South
5 Carolina. It seems like South Carolina has been the
6 bellwether state in terms of putting forth law that has,
7 in fact, been followed by all states in the United
8 States, in addition to the United States Supreme Court.

9 I would direct the Court to my -- to the
10 last page of my response. This is the first case that I
11 could find in South Carolina in the year 1846, Wilson
12 versus Presbyterian Church of Johns Island. That case
13 has been cited repeatedly in this state and in the United
14 States Supreme Court. And it says quite clearly that
15 where you have splits or where you have problems with
16 faith, belief, and doctrine and discipline, the court has
17 no duty in that area, the court is forbidden from coming
18 to that area.

19 I cite for the Court a case called Boyles
20 versus Roberts, which is a Missouri case. And that case,
21 in fact, cites Bramlett versus Young, which is a South
22 Carolina case. Bramlett versus Young relies on the
23 Presbyterian case. This is a matter of schism. This is
24 an ecclesiastical matter. The courts have no authority
25 to adjudicate ecclesiastical matters.

1 says:

2 "The civil courts will not enter into
3 consideration of the church doctrine or church
4 discipline, nor will they inquire into the regularities
5 of proceedings of the church Judicatoris having
6 cognizance of such matters. To assume such jurisdiction
7 would not only be an attempt by the civil court to deal
8 with matters of which they have no special knowledge, but
9 it would be inconsistent with complete religious liberty,
10 untrammelled by state authority."

11 There is no property here that we're
12 fighting about or that this matter is about this day.
13 What this is about is whether or not they can hold an
14 annual conference. And, Your Honor, in the memorandum
15 this church -- and it specifically says church splits.
16 That's how new churches are formed. This church is
17 split, and there is nothing in here that allowed this
18 Court to, in fact, issue a temporary injunction to
19 prevent either one of these parties from holding an
20 annual conference. If they have split, they have split.
21 That is the nature of -- as a matter of fact, the Dart
22 case, Morris Street case.

23 THE COURT: Now, Morris Street case was an
24 independent church. It's not a hierarchical church.
25 It's independent.

Hearing

18

1 MR. BROWN: Yes, sir, I agree. But the
2 principle of law there that is right on point is that
3 this is an ecclesiastical matter. Another case, more
4 recent, that the South Carolina Supreme Court has ruled
5 on -- well, South Carolina Court of Appeals is a case,
6 Banks versus James Bell, et al. And I agree, that is not
7 a hierarchical church. That is a congregational church.
8 However, the principle that is laid down in that case
9 remains the same. In Banks on Page 3, the Court says,
10 "Nonetheless, there is a general Constitutional command
11 based in the First Amendment mandating civil courts to
12 decide disputes involving underlying conflict or disputes
13 of the religious doctrine." Go on further --

14 THE COURT: You think this is about religious
15 doctrine?

16 MR. BROWN: Yes, sir, Your Honor. That's what
17 governs the church.

18 THE COURT: Is there a dispute about the
19 doctrine between these two people? Is the dispute about
20 the doctrine?

21 MR. BROWN: The dispute is about the
22 interpretation of the Discipline. And that's the
23 dispute.

24 THE COURT: I'm not -- I don't want to argue
25 Mr. Johnson's case, but the dispute, as I view it, is

1 we're talking about administrative matters, not church
2 doctrine.

3 MR. BROWN: But, Your Honor, that's what caused
4 the split.

5 THE COURT: It hasn't split yet. It may be on
6 the path to splitting, but they haven't split yet. And I
7 have been honest with everybody in this case. And while
8 I am going to try to address the law as I believe the law
9 is, my effort is going to be to try to hold this church
10 together. Now, that don't mean that I am not going to be
11 mindful of what the law is, but I don't take the position
12 that at this time -- I think if we don't do something, if
13 we don't get this thing resolved, that they may split,
14 but I don't see yet that there is a split. I think there
15 is a disagreement and people have taken sides, but I
16 don't think --

17 Go ahead. You're making a good argument.
18 You have got my attention, so I don't want to throw you
19 off.

20 MR. BROWN: I'm making the best argument I can.
21 But, Judge, I think the main thing, this is a situation
22 where one group says that we don't like the other group,
23 so the other group are renegades, and we're the real
24 church. And that's what a split is.

25 Now, granted, it may not have been

1 formalized yet, but how do you formalize a split?
2 Central Baptist Church was formed, although Morris Street
3 Baptist is a congregational church, was formed when some
4 people said, well, we aren't going to be here no more.
5 We're going to leave, and we want you to leave Reverend
6 Dart.

7 And that's what happened here. One group
8 says he is not the bishop, and we don't want him to be
9 the bishop because he didn't follow this, he didn't
10 follow the Discipline, and we want the Court to interpret
11 the Discipline to show that he didn't follow it. And
12 that's exactly what the law says the Court can't do. The
13 Court cannot enter into this matter because this is a
14 matter that is left to the church ecclesiastical body.

15 I've argued a long time, but to summarize:

16 One, we don't think the Court has
17 jurisdiction because the notice of removal has been
18 filed. The rule clearly says when we file the motion,
19 notice of removal, jurisdiction is no longer here.

20 Two, this defendant lived not in Jasper
21 County, but in Charleston County, so venue is a problem.

22 Three, the very remedy that they seek now
23 they have sought before, and that has not been -- that
24 matter still might be pending. Mr. Johnson told me that
25 there was not an order issued. The matter was taken

1 under advisement.

2 I did send an e-mail to Judge Mullen's law
3 clerk yesterday. I haven't gotten a response to that
4 e-mail, so I really don't know the status of that, Your
5 Honor.

6 Our position is -- and, lastly, we were
7 saying that this is not a matter that this Court can
8 hear. And if the Court decides that it is going to go
9 forth, I would ask that I be accorded the right, my
10 client be accorded the right to put some testimony on the
11 record.

12 THE COURT: Mr. Johnson?

13 MR. JOHNSON: First order of business, I ask
14 the Court permission or perhaps forgiveness for appearing
15 without a coat. My battery was dead this morning, and
16 when I swapped over cars, I left my coat behind. I
17 apologize for not having a coat on, Your Honor.

18 Starting with the most practical issue
19 first, if there is to be a split, which is not what the
20 plaintiffs want, but they have stated that if that was
21 the will of a particular congregation, to withdraw, they
22 could do so taking their local church property and move
23 the church treasury with them, as long as that was truly
24 the will of the congregation. We would be willing to
25 enter into a consent order for an orderly provision for

Hearing

22

1 that, but I don't think that's where we are.

2 THE COURT: That's not the issue before me now.

3 MR. JOHNSON: It is not the issue before you,
4 and it was our position there has been no split and there
5 should be no split. That's unnecessary. We have one
6 issue, and that is involving one individual conforming to
7 the church doctrine.

8 THE COURT: One issue conforming to the church
9 doctrine?

10 MR. JOHNSON: The only issue is one individual
11 conforming to the rules of the church. If he is in
12 conformity, then the case should be dismissed, and we
13 should all go home. If not, then the Court should issue
14 an order requiring him to conduct himself according to
15 what the -- when I say doctrine, I don't mean the rules
16 and all that --

17 THE COURT: I have read this Discipline 50
18 times. As you know, in all disciplines there are certain
19 parts that's doctrine, and there are certain parts that
20 are administrative.

21 MR. JOHNSON: I misspoke, Your Honor. I mean
22 the administrative. I do not mean the core beliefs. I
23 meant the administration and basically the democracy of
24 the administration.

25 Going to the main issue as I see it, maybe

1 not the most urgent issue, but the main issue, I have
2 read these church cases till my eyes crossed and
3 struggled with exactly where the line is. And where the
4 exact line and exact case may be blurry, but there is no
5 question that the Court can't tell people how to worship
6 or how to run a church. But there's also no question
7 that the Court can tell people that once you have rules,
8 you have to conform to them. And that is just one of the
9 many places on Page 4, the very piece Mr. Brown handed
10 up --

11 THE COURT: Which one?

12 MR. JOHNSON: The Bell case, Bell versus Saint
13 Matthew Baptist Church. Of course, you look at the
14 caption and you say that the case is not on point because
15 it's a Baptist church.

16 Well, I attend a Baptist church, and if
17 you have something in a Baptist church that you're
18 concerned about administration-wise, you'd better not
19 miss a Sunday because whoever is there that one Sunday
20 can hold a vote, and that's what it is. And then the
21 next Sunday a different crowd can hold a vote, and that's
22 what it is. This is hierarchical church, and altogether
23 different from a Baptist church.

24 Regardless of that, the Court in
25 discussing the law on Page 4 of the Bell case, Bell

1 versus Saint Matthew Church, says that under the Pearson
2 Rule referring to another case, a civil court can
3 completely resolve a church dispute on neutral principles
4 of law. The First Amendment commands it to do so.

5 That says that this Court if it can look
6 at the papers and determine whether the rules that the
7 church imposed upon itself are rules that -- most of them
8 are 100-something years old -- have been followed or not
9 been followed, then the Court -- the First Amendment
10 commands the Court to require conformity to those rules.

11 So we're not asking the Court to decide
12 whether you should be baptized by sprinkling or
13 immersion, we're asking the Court to rule that under the
14 church Discipline, the administrative parts of it, the
15 bishop has to hold an election, that delegates have to be
16 appointed in a certain way, that finances have to be
17 handled in a certain way, that terms of office have a
18 certain duration, that termination of an office has a
19 certain procedure, and that if the Court can look at
20 those without deciding on the basis of whether somebody
21 is a good Christian, a bad Christian, a Muslim or
22 atheist, then the Court can and should rule on it just
23 like they would rule on a dispute in a big corporation,
24 not the morality or the wisdom of an action, but whether
25 the action is taken in conformity with their rules. So I

1 don't think there is any doubt whether the Court has
2 jurisdiction over the subject matter.

3 Going to what I see as the least important
4 thing in the case is the reasoning that the venue is not
5 jurisdictional. And it's kind of ironic to hear this
6 argument when this is my fifth trip to Charleston, South
7 Carolina. So if the bishop is complaining about Jasper
8 County venue, I'm puzzled why I'm standing in Charleston.
9 But in any event, the rule is clear that that is not
10 jurisdictional, and he has a right to move or change the
11 venue, which would accomplish absolutely nothing except
12 whose clerk kept up with the papers because we are doing
13 everything in Charleston anyhow. So we consented to Your
14 Honor handling the matter, so I would say that is moot,
15 if not creating an estoppel.

16 As far as the first hearing, that was a
17 temporary restraining order. The bishop was served with
18 the notice of hearing, but through an error on the
19 process server, he wasn't served with the pleadings. And
20 then he evaded service for another month or so until
21 Mr. Brown finally accepted service. And that can be
22 documented in the record.

23 But that was a temporary restraining
24 order, which is by law limited to ten days duration. We
25 were trying to stop the disruption that occurred at the

1 general conference, and we couldn't get a hearing until,
2 I believe, the morning of the general conference.

3 The judge said this is a thorny issue, I'm
4 going to have to think about it. And then the next
5 thing, it really doesn't matter; the issues are joined
6 and you agreed to hear it. And Judge Mullen was
7 delighted that this had fallen in your lap and not in
8 hers.

9 In any event that is an entirely different
10 animal from a temporary order that occurred after the
11 issues are joined. Had we gotten what we asked for, it
12 would have been limited under the rules of ten-day
13 duration. Then there would have been a hearing, or it
14 would have been resolved and at the hearing it would have
15 changed complexion and become not a temporary restraining
16 order but a temporary injunction. And that's what we're
17 asking for now. We're also asking for something that
18 wasn't before the Court then because it hadn't happened
19 then. Most of what we are in court today about didn't
20 exist at the time we filed the complaint, and that's the
21 reason for the amendment.

22 Then going probably to the most urgent
23 issue, under local Rule 5.05 there is a provision that
24 documents will be served basically on South Carolina
25 lawyers electronically. As of 9:57 we had not been

1 served with any notice of removal. We checked something
2 called PACER, which is an acronym. I couldn't tell you
3 what it is, but it's a way we look at Federal court
4 filings. Didn't find anything. I left instructions to
5 call me in the event that something came in while we were
6 in court. And allow me to check my phone. I have gotten
7 a call from my office at exactly 10:30.

8 May I check my voice mail, Your Honor, in
9 which case I might be able to tell you whether we
10 received that or not.

11 THE COURT: Go ahead.

12 MR. JOHNSON: Yes, sir, Your Honor.

13 MR. BROWN: Your Honor, if I may be -- I just
14 want to be heard about this, about PACER. He is correct,
15 you have to e-file stuff in the Federal court. All of it
16 is electronically filed. The clerk's office called me
17 this morning and said the matter is filed; however, you
18 need to send me two things. One was --

19 THE COURT: Are you talking about the Federal?

20 MR. BROWN: Yes, sir. And the two things I
21 have to send was, one, change the division, as I
22 mentioned earlier on the notice of removal.

23 THE COURT: That happened this morning?

24 MR. BROWN: Yes, sir, that happened about 9:30.

25 THE COURT: 9:30 this morning?

1 MR. BROWN: Yes, sir. And to send another
2 document. They said e-mail. We e-mailed it. And even
3 if this hearing was ongoing and we filed a notice of
4 removal, that still divests this court of jurisdiction.
5 Your Honor, I think that's a very, very good point
6 because I don't think the court has jurisdiction, but let
7 me --

8 THE COURT: I understand your argument. Will
9 you let --

10 MR. BROWN: Let me address one other thing.

11 THE COURT: Will you let Mr. Johnson finish?

12 MR. BROWN: Oh, I'm sorry.

13 MR. JOHNSON: Your Honor, and I'm not doubting
14 his word. I just want to make sure everybody understands
15 that if he says he did it, I'm not saying he didn't do
16 it. I'm just stating that -- and in the rules and, you
17 know, we're talking about highly technical subjects, and
18 if I understand this rule that I have been forced to live
19 by even though I don't like computers, that the way we
20 get served with things, once they file and, you know,
21 it's done almost instantaneously, is by an e-mail from
22 the court. And as of whatever time it is, 11:07, we have
23 not been served.

24 I'm just -- I'm not saying that I
25 disbelieve Mr. Brown at all. I certainly believe

1 Mr. Brown. I'm just telling you what the rule says and
2 what the facts are. Certainly, there is -- if the -- and
3 I don't know if what I'm about to say is germane to
4 anything before you, but the removal statute requires you
5 to remove within 30 days of -- actually, 30 days of
6 written notice by service or otherwise, but basically 30
7 days from service of the document or pleading that
8 informs you of a basis of removal.

9 The amended complaint merely restates the
10 same issue with more details -- not more details, new
11 details. It started out as a case involving the
12 administration of church matters, and the amended
13 complaint continued that same issue. The factual
14 allegations of the amended complaint merely reflected
15 what's transpired during the pendency of this litigation,
16 but it doesn't change what the case was about; therefore,
17 the 30 days ran six months ago or however long it's been.

18 And I also think that the mere fact that
19 it's a church doesn't give it, doesn't make it a Federal
20 question because every case somehow involves one or more
21 of our civil liberties, even if it's a wreck case or
22 punitive damages. There is always something
23 constitutional involved. That is more in the eye of the
24 beholder. But the 30 days is crystal clear. But I'm not
25 sure that that's something the Court can entertain,

1 although I would respectfully suggest that the case law
2 in South Carolina holds that frivolous removal to thwart
3 a trial could be considered a matter of contempt in State
4 court and not something to be done lightly.

5 I would have to concede to the Court that
6 the Federal court has jurisdiction to determine
7 jurisdiction once the court has a case where it has the
8 exclusive jurisdiction to determine its own jurisdiction.
9 And it pains me to say that, but I have to be candid with
10 the Court.

11 So I would, I guess, on the removal issue,
12 I would do two things. I would beseech the bishop not to
13 play this game with the Court or the parties and let's
14 get on about the business of the church. And the other
15 is I would rely on local rule, local U.S. District Court
16 Rule 5.05 for the purpose of saying that as of this
17 moment we have not been served under the rule; and
18 therefore, in spite of Mr. Brown's 11th hour efforts, he
19 hasn't quite stopped us.

20 MR. BROWN: Your Honor, it's certainly not my
21 intention to, as he put it, stop anything. First, I must
22 clearly indicate to the Court that, in fact, we followed
23 the rules. Now, as the Federal court rules clearly say,
24 an action is commenced by the filing of the summons and
25 complaint. The e-filing that Mr. Johnson is talking

1 about, that occurs from the clerk's office if the lawyer
2 on the other side has e-filing. And I don't know whether
3 he has that or not. But once we filed it -- and we get a
4 notice that it's been filed -- it's filed.

5 And even if the local rule says what he
6 said it says, that's not sufficient to devoid the Federal
7 court of jurisdiction. What is sufficient is the Federal
8 court. Only the Federal court can say it does not have
9 jurisdiction, and he concedes that. So it is not for the
10 this Court to say, well, the Federal court doesn't have
11 jurisdiction, so I'm going to move forward.

12 Again, I say that I understand that any
13 lawyer can be sanctioned for frivolous action. But there
14 is nothing frivolous -- nothing frivolous -- about any
15 citizen of this country asserting their rights to
16 religious freedom in the United States District Court.
17 That's the purpose of the First Amendment. That's what
18 Congress intended it to mean.

19 What is frivolous to Mr. Johnson or
20 someone else is not frivolous. That's for a judge to
21 determine. And if there is sanctions and it's determined
22 it's frivolous, then so be it. But I assert on behalf of
23 my client that it was not and it is not frivolous.

24 Your Honor, what drove us to Federal court
25 is the same thing that has been tried on 7th of May 2012

1 and no relief. They're doing the same thing again. And
2 what this client has is the right to assert his rights
3 under the First Amendment.

4 And if I may retrogress from the
5 jurisdiction matter one minute, Mr. Johnson cites the
6 Bell or the Banks case. I call the Court's attention to
7 Page 4 of that case, the same page he cites. And it
8 says, "Whenever the question of discipline, faith, or
9 ecclesiastical matters, including matters for rules,
10 custom, or law have been decided by the church, then this
11 Court can't entertain."

12 And what we're talking about, I think this
13 book, it says the Doctrine and Discipline. That's what
14 this matter -- that's what the plaintiff is asking this
15 Court to interpret. And they can't do that because there
16 is no property rights involved here. This is not truly a
17 hierarchical church. What they are asking is that this
18 Court determine matters in this book, which the State
19 cannot.

20 And this matter about Mr. Moore not being
21 served because of a technicality, he wasn't served,
22 technicality or otherwise. And the fact that he wasn't
23 served doesn't mandate the right that he's supposed to be
24 there. And additional -- now this representation that he
25 has been avoiding service, well, that's a representation

1 that I vehemently deny on behalf of my client.

2 So our position, again, Your Honor, is
3 that this court does not have jurisdiction to proceed
4 forth with this matter.

5 THE COURT: All right. Thank you.

6 I want both sides to consider my position
7 in this case. I am the retired circuit judge. I have
8 been retired for 20 years. I am not looking for any
9 business. Both the plaintiff and the defendant together
10 decided that they wanted me to resolve the -- to try to
11 resolve this dispute, and I agreed. And to that end I
12 have spent a tremendous amount of time, as all of you
13 know, trying to resolve it. I have not resolved it in
14 the manner in which I had hoped.

15 But I appreciate very much your very
16 scholarly argument. I think it's premature. I am going
17 to deny the motion, and we're going to move forward. The
18 plaintiff in this case is asking for temporary relief. I
19 don't know what the evidence is going to show. I will
20 listen to the evidence, and I will either grant it or
21 deny it based upon the pleadings and the evidence. And
22 if you are right, it will be of no moment what I do, but
23 we will proceed. Thank you.

24 MR. JOHNSON: If it please the Court, Your
25 Honor, I have marked certain items that the Court is very

1 familiar with that I would like to have made exhibits so
2 that the court record is clear, the affidavit and the
3 Discipline.

4 MR. BROWN: I would like to try to get a copy
5 of the affidavit, so we can at least put up testimony to
6 countermand what's in the affidavit. And I do --

7 THE COURT: Do you have a copy of the
8 Discipline?

9 MR. BROWN: Yes, sir. Oh, I have that.

10 THE COURT: Are there copies of the Discipline?
11 Mr. Johnson, what are those?

12 MR. JOHNSON: This is the Discipline, that's
13 the matters that were faxed to you-all.

14 MR. BROWN: All I am asking for --

15 MR. JOHNSON: The records of the --

16 MR. BROWN: I need a copy of that --

17 THE COURT: Those are copies.

18 MR. BROWN: I think a copy should be attached
19 to this.

20 THE COURT: You have it?

21 MR. BROWN: Yes, sir.

22 THE COURT: Any objection?

23 MR. BROWN: That that be made a part of the
24 record? No, sir.

25 THE COURT: Subject to your initial -- all of

1 this is subject to your initial objection.

2 MR. BROWN: Yes, sir. We're not waiving any of
3 that.

4 THE COURT: Yes, sir.

5 MR. JOHNSON: Your Honor, I think those
6 documents speak for themselves. The purpose --

7 THE COURT: Are you going to introduce those
8 into evidence?

9 MR. JOHNSON: Yes, sir, I thought I did that.
10 I would move those into evidence.

11 MR. BROWN: Your Honor, those are pleadings. I
12 will not object to that. In terms of the affidavit, I'm
13 going to object to that because I can't cross-examine an
14 affidavit.

15 MR. JOHNSON: I don't have a problem with
16 calling her at all.

17 Call Ms. Clark.

18 Go ahead and take your bag up there with
19 all the originals in it with you.
20
21
22
23
24
25

(Witness sworn.)

BARBARA B. CLARK,
called as a witness herein, having been first duly sworn,
was examined and testified as follows:

DIRECT EXAMINATION

BY MR. JOHNSON:

Q Give us your name please, ma'am.

A Barbara B. Clark.

Q Ms. Clark, where do you live?

A Hardeeville, South Carolina.

Q Is that in Jasper County, South Carolina?

A Yes, sir, it is.

Q Do you hold a church office?

A Yes, sir, I hold a denominational office.

Q And what is that?

A I am the general secretary of the RMUE.

Q Do you attend a church that belongs to that
denomination?

A Yes, sir, Greater Mount Olive.

Q Is that church situated in Jasper County, South
Carolina?

A Yes, it is.

Q And does that church support the RMUE with its
tithes and offerings?

A Yes, sir, we have certain taxation that must be

1 paid to the denomination each year in the annual
2 conference.

3 Q Does the RMUE hold title to property? By that
4 I mean things of value, land, bank accounts, things of
5 that nature.

6 A Yes, sir.

7 Q And to the extent that you are a member of that
8 denomination, does this matter affect not only your
9 worship but also your finances?

10 A Yes, sir.

11 Q And does it affect the property and finances of
12 hundreds of other individuals?

13 A Yes, sir.

14 Q Now, Ms. Clark, how did you get to be the
15 general secretary of the RMUE?

16 A Each year in the annual conference you have to
17 put in your declaration to run for general officer
18 position. I put in my declaration to run for general
19 secretary in the last annual conference. In May the
20 general conference was trying to be held. I had no
21 opposition, so I went back into the general secretary
22 position unopposed.

23 Q How long have you held that office in the
24 denomination?

25 A This is my second term.

1 Q How did you become a member of this
2 denomination?

3 A I became a member of this denomination through
4 my mother.

5 Q So it was her dying wish that you --

6 A Yes, she spoke to me on a Monday asking me to
7 come over to Mount Olive to help with the church, and on
8 Tuesday morning she died.

9 Q And so your family has been in this
10 denomination for several generations; is that correct?

11 A Yes, sir.

12 Q Now, let me show you this book that's been
13 marked Plaintiffs' Exhibit No. 4. And can you tell me --
14 this, of course, is for the record. Everybody in the
15 room knows what that is, but we have to follow certain
16 procedures when we are in court. Can you tell me what
17 that book is?

18 A This is the Discipline of the Reformed
19 Methodist Union Episcopal Church that was printed and
20 copyrighted in 1999.

21 Q Since 1999 or whenever that was mailed off to
22 the printer, have there been certain amendments made?

23 A Yes, sir. Every four years you go to the
24 general conference. Each church elects a delegate.
25 There is a certain amount that they can elect. Minister

1 of delegates, certain amount must be elected. When we go
2 into the general conference, that conference is set up to
3 make rules, regulations, and law in which the Reformed
4 Methodist Union Episcopal Church will be guided by.

5 We do not print a discipline each four
6 years due to the fact of our size and how costly printing
7 is; so therefore, the amendments are sent out in the
8 minutes of the general conference every four years. When
9 we come back to the general conference, the minutes are
10 adopted, and it becomes law.

11 Q Do you have a bound volume of the minutes of
12 the 2000 general conference?

13 A I did.

14 THE WITNESS: Judge, this is a copy from it.
15 But I gave my original to Judge Field. It's in a yellow
16 cover.

17 THE COURT: 2000?

18 THE WITNESS: That's it right there.

19 THE COURT: Do you want this?

20 MR. JOHNSON: I will just have that marked, if
21 that's okay.

22 THE COURT: I will take a copy. You take that.

23 MR. BROWN: Can I look at the original?

24 Your Honor, I object to the introduction
25 of this document through this witness. She can't

1 authenticate this. There is no place on here that I see
2 her signature. In order for this document to be properly
3 authenticated, the person whose duties it is to
4 authenticate and make sure this is the document needs to
5 be --

6 THE COURT: You can address those questions
7 with the secretary, I think.

8 BY MR. JOHNSON:

9 Q Are you one of the persons that has custody of
10 the records kept in the normal course of the business of
11 the church?

12 A Yes, sir, I keep the records, from the time I
13 was elected general secretary up until this present time.
14 But also my signature is not on this book either.

15 Q Yes, ma'am. Is this document captioned -- let
16 me get it marked as No. 6.

17 (Plaintiffs' Exhibit No. 5 and No. 6
18 were marked for identification.)

19 BY MR. JOHNSON:

20 Q Is this document that is now captioned as No. 6
21 a record of church business kept in the normal course of
22 the church activities?

23 A Yes, sir, those minutes are kept. Also each
24 delegate from a general conference and the church receive
25 these minutes every four years. And if they don't

1 receive it, it's up to them and their pastor and their
2 delegate. That's the reason they didn't get it.

3 MR. JOHNSON: Your Honor, I proffer this into
4 evidence over objection as a business record.

5 MR. BROWN: Your Honor, objection.

6 THE COURT: So admitted.

7 (Whereupon, Plaintiffs' Exhibit No. 6
8 was admitted into evidence.)

9 THE COURT: Excuse me, Mr. Johnson, we're going
10 to have a problem here because we're hearing this matter
11 in Charleston, and these documents ought to be in the
12 record in Jasper County. How are we going to handle
13 that?

14 MR. JOHNSON: Your Honor, normally the court
15 reporter would keep up with the documents and at some
16 point convey them to the clerk.

17 MR. BROWN: I'm not opposed to that, Your
18 Honor.

19 THE COURT: All right. That's fine. In return
20 for me giving you what I had, I got to have a copy of
21 this made. I could have that done down in the clerk's
22 office while we're here. I will give you the one I gave
23 Mr. Brown. He would like to have this.

24 THE WITNESS: He has about five copies I gave
25 him.

1 THE COURT: I beg your pardon?

2 THE WITNESS: He have about five copies that I
3 gave him in the mediation.

4 THE COURT: Do you have those?

5 MR. BROWN: No, sir, I don't have a copy.

6 THE COURT: Mr. Brown doesn't have a copy.

7 MR. BROWN: I got this copy. I got the copy
8 you just gave me. She said -- I will not enter into a
9 discussion with her right now. It will be on
10 cross-examination.

11 THE COURT: I understand. Later on I want to
12 get a copy. That's what I had in my records, and I'm
13 transferring this. I don't want to keep that. I will
14 get a copy later.

15 BY MR. JOHNSON:

16 Q In the 2000 minutes was there an amendment made
17 that related to the tenure of the bishop?

18 A Yes, sir.

19 Q And what was the nature of that amendment?

20 A The nature of that amendment was every four
21 years after the demise of the present bishop, which was
22 Bishop Leroy Gethers, there would be an election of the
23 bishop every four years.

24 MR. BROWN: Your Honor, I am going to object to
25 this line of questioning. I realize this is his case.

1 The issue here is whether or not the Court is going to
2 deny or grant the motion to an annual conference. I
3 mean, I don't know that the rest of this is relevant.

4 THE COURT: One of the items in the affidavit
5 does allege that. . .

6 MR. BROWN: Are you thinking about Item Seven?

7 THE COURT: Yes, Item Seven in the affidavit
8 limits the bishop to 72. For the purposes of this
9 hearing, I don't think it's necessary, but it is -- I
10 think the real issue before this Court at this time that
11 I want emphasized is whether or not these two annual
12 conferences should take place.

13 I think all of the other issues can be put
14 on the back burner. And I would say for the record that
15 I am asking -- that the plaintiff is asking for temporary
16 relief. Whatever I do here is temporary. And what
17 brings this matter to the Court at this time are these
18 two annual conferences. I think we can shorten this
19 matter if you could.

20 MR. JOHNSON: Your Honor, I am a big believer
21 in shortening and a big believer in getting it brief;
22 however, we kind of switched back from the highly
23 technical to the general.

24 THE COURT: Let's try to do it this way: You
25 moved for this motion, and you set forth the affidavit.

1 Let's see what Mr. Brown forms as important in this, and
2 let's let him move forward in his examination. He can
3 direct or cross, whatever he wishes, and then you can
4 respond. Let's see what he thinks is important.

5 MR. BROWN: If I could.

6 THE COURT: Excuse me.

7 MR. BROWN: I would like to shorten this, but I
8 think the most critical thing here is what's set out in
9 this affidavit, is Number Nine, which says -- the
10 question is whether or not this defendant can conduct,
11 can hold an annual conference. That's what this is
12 about.

13 THE COURT: I agree.

14 MR. BROWN: That's all this is about.

15 MR. JOHNSON: Your Honor, I don't want to waive
16 anything. Mainly, I don't want to be limited in not
17 coming to the court for additional temporary relief by
18 not bringing it up now. As long as we understand that
19 the most -- that the hottest fire is the annual
20 conference, then that's fine, limit it to that. That's
21 what got us here on Friday, November 2.

22 THE COURT: I think that for the temporary
23 relief that the plaintiff is seeking at this point in
24 time, the question of these two annual conferences is
25 really what's relevant.

1 MR. JOHNSON: Yes, sir.

2 THE COURT: It's what brings us here to this
3 emergency hearing. If not for that particular thing, we
4 wouldn't be here today. We would probably be here at
5 some -- later on.

6 MR. JOHNSON: Yes, sir.

7 THE COURT: Certainly, that's one of the
8 reasons of my ruling to not accept the motion of the
9 defendant in this case, to deny that motion. I don't
10 want to try the merits of this case. I'm not here to try
11 it on the merits.

12 MR. JOHNSON: My only point or concern is part
13 of our position is that the bishop should not be calling
14 annual conferences or doing anything else, that that is
15 the role of the general officers. And to get there
16 completely, I need to start with Genesis and go to
17 Revelations. But I'm happy to just rely upon the
18 affidavit, that there is a legitimate position or
19 contention that he is no longer the bishop and,
20 therefore, should not be calling any conferences.

21 THE COURT: Let's see what the defendant is
22 interested in, and then you can respond on redirect.

23 Mr. Brown.

24 MR. BROWN: Are you finished?

25 MR. JOHNSON: Yes.

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CROSS-EXAMINATION

BY MR. BROWN:

Q Ms. Clark, it takes money to put on the annual conference?

A Yes, sir.

Q If an annual conference was held and in your estimation was held illegally, you could sue the bishop for that money; could you not?

A We have enough cases.

THE COURT: Mr. Johnson, did you hear his question?

MR. JOHNSON: Yes, sir, I think he is asking if there is irreparable harm on the fact that there is money involved.

BY MR. BROWN:

Q So you could sue the bishop for that money, couldn't you?

A I don't know whether we could sue him or not because we have sued for many things, and we haven't gotten any results yet.

Q You sued and you haven't gotten results. But do you know of anything that would prevent you from bringing a lawsuit for monetary damage against the bishop? For money.

A Nothing prevents us, but the bishop should not

1 be handling any money or church business at this time.

2 Q I understand. I understand you have a lot to
3 say about that. My question simply is, you would have
4 the right, as well as the general officers, to sue the
5 bishop for money if you think the general conference was
6 illegally held; is that correct?

7 MR. JOHNSON: We stipulate that to the extent
8 it's a money issue, you have a theoretical right to sue.
9 We stipulate to that.

10 MR. BROWN: That's a good stipulation. Not
11 theoretical. If there is a tort, you have a right to
12 bring an action in the state of South Carolina. If you
13 stipulate to that, I'll agree.

14 BY MR. BROWN:

15 Q You do have that right?

16 A Yes.

17 Q So you can get monetary damage from the bishop?

18 A Yes, we can sue him. I don't know about
19 getting monetary damage.

20 Q So then if you could sue him, then you would
21 sue him in a court of law; would you not?

22 A Yes.

23 Q If you can sue him in a court of law, your
24 remedy would be in a court of law; would it not?

25 A Yes.

1 Q So then you do have a remedy at law; is that
2 correct?

3 A Yes.

4 Q I'm not going to introduce these, but which one
5 of these programs is the one that's your part of the
6 church?

7 A You can look at it and tell. The most
8 professional one that's done (indicating).

9 Q So that's this one (indicating)?

10 A Yes.

11 Q Now, there is nothing that is mandatory about
12 this professionally done program and the people who it
13 represents holding an annual conference? There is
14 nothing that mandates them to hold an annual conference,
15 is there?

16 A In this Discipline it states that the RMUE
17 annual conference shall be held starting the Wednesday
18 after the first Sunday in November.

19 Q All right. But you can change that if you
20 want?

21 A Not unless we go into general conference and
22 change it. You just can't keep changing the law.

23 Q Understand my question now. My question is if
24 your part of the church wanted to not have an annual
25 conference, they could; isn't that correct?

1 A No, sir, we would be in violation of the
2 discipline. The discipline states that the annual
3 conference for the RMUE shall be held the Wednesday after
4 the first Sunday. That's when it starts. And ends that
5 Sunday.

6 Q You and your group, your part of the church,
7 and I don't --

8 A The general officers.

9 Q -- I don't mean to be disparaging. But listen
10 to the question. You and the other plaintiffs can hold
11 an annual conference, right?

12 A Yes, we can legally because we are the general
13 officers of the Reformed Methodist Union Episcopal
14 Church.

15 Q So then if you hold your annual conference, you
16 may get your damages, right? Answer the question yes or
17 no. Then you are entitled to explain your answer.

18 A No.

19 Q So you're answering no to what?

20 A You are saying if we hold our annual
21 conference, that we. . .

22 Q You won't have any damages if you hold an
23 annual conference, will you?

24 A No, we won't have any damages if we have our
25 annual conference.

1 Q Now, is there anything in your discipline that
2 prevents the bishop from holding an annual conference?

3 A Yes, it is. It says --

4 Q No, wait a minute. You got it in front of you.

5 MR. JOHNSON: Your Honor, I think she's
6 entitled to answer the question.

7 BY MR. BROWN:

8 Q Go ahead, answer the question.

9 A It says the annual conference. It did not say
10 these annual conference.

11 Q I want you to go to the page, show us the page,
12 and read the language that says the bishop cannot hold an
13 annual conference.

14 A It doesn't say that in the Discipline that the
15 bishop cannot hold an annual conference.

16 Q So it doesn't say that in the Discipline, does
17 it?

18 A Mr. Brown, we're using common sense.

19 Q No, you got to answer my question.

20 A No. If you are suspended, what can you do?

21 Q Ma'am, please answer my question.

22 A If you're suspended from law, can you hold a
23 trial?

24 THE COURT: Ma'am, just try the best you can.

25 THE WITNESS: Okay.

1 THE COURT: Go ahead.

2 BY MR. BROWN:

3 Q I think the first question was, you said "it
4 says". Now I want you to show me in the book because
5 that's what governs the church; does it not?

6 A This book along with three sets of general
7 conference minutes governs the RMUE church. You-all keep
8 excluding them.

9 Q You got all of them. Show me in any of them
10 where it says the bishop cannot hold an annual
11 conference.

12 A It does not say that the bishop cannot hold an
13 annual conference.

14 Q So it doesn't say that. So then they can hold
15 an annual conference; can they not?

16 A A suspended bishop cannot hold an annual
17 conference.

18 Q You're not here to determine whether or not the
19 suspension is valid or invalid. We're here to determine
20 whether or not these annual conferences are going to be
21 held.

22 A That's what we're determining.

23 Q All right. Now, ma'am, nothing prevents either
24 one of these annual conferences from being held; isn't
25 that correct?

1 A No, it's not in the Discipline.

2 Q Thank you, ma'am.

3 May I have a minute, Your Honor?

4 THE COURT: Yes, sir.

5 MR. BROWN: In regard to the issues that we're
6 here for today, Your Honor, I have no further questions.
7 But in having participated in this, I want to put on the
8 record that I have waived nothing we raised before.

9 THE COURT: Thank you.

10 Anything further, Mr. Johnson?

11 MR. JOHNSON: Two quick questions, Your Honor.

12 REDIRECT EXAMINATION

13 BY MR. JOHNSON:

14 Q Ms. Clark, here and in your deposition
15 Mr. Brown, good lawyer that he is, has asked numerous
16 questions about where does it say something can't be done
17 or cannot be done. Is the Discipline written in terms of
18 what will be done, what shall be done? For the most part
19 is it an affirmative direction; this is, what you will
20 do?

21 MR. BROWN: Objection.

22 THE COURT: Overrule the objection.

23 THE WITNESS: It's to tell you what you should
24 be doing.

25

1 BY MR. JOHNSON:

2 Q For the most part does it list each and every
3 thing you can't do?

4 A No, it does not. A lot of our rules come to
5 the Reformed Methodist Union Episcopal Church through the
6 Robert Rules of Order.

7 Q Who is the presiding bishop of the RMUE at this
8 time?

9 A At this time presently we do not have a --

10 MR. BROWN: Your Honor --

11 A -- presiding bishop.

12 MR. BROWN: None of this was brought up. This
13 is not proper redirect.

14 THE COURT: Well, I changed the order so that
15 you could glean what you thought was important and what
16 he thought was important. We're not before a jury. I
17 know what to consider and what not to.

18 MR. BROWN: All right.

19 THE WITNESS: Presently we does not have an
20 acting presiding bishop because the bishop was suspended
21 from our administration of the church.

22 MR. BROWN: Objection.

23 THE COURT: Again, Mr. Brown, we don't have a
24 jury here.

25 THE WITNESS: We have an associate bishop

1 that's carrying on the Reform Church at this time, along
2 with the general officers.

3 BY MR. JOHNSON:

4 Q What is his name?

5 A Bishop William Polite, Jr.

6 Q One last question, kind of a general.

7 Ms. Clark, separate and apart from whatever it costs to
8 put on an annual conference, tell the Court what harm in
9 having two competing annual conferences there is.

10 A Having two annual conference is a destruction
11 of God's church because in the five churches that's
12 supposedly to be going to the conference that suspended
13 Moore is holding, it's not the entire church. A
14 referendum was not done in the churches to see who wants
15 to go to this conference or who wants to go to that
16 conference.

17 A few leaders in the church have taken an
18 initiative themselves to say we're following, and they
19 are not listening to what the people are saying. We have
20 received several calls and whatever, people crying out
21 for help. It will split the finances.

22 THE COURT: Just answer the question.

23 THE WITNESS: He asked me what it would do.

24 THE COURT: I know.

1 BY MR. JOHNSON:

2 Q I asked a general question. Let me ask you, is
3 this causing confusion in --

4 THE COURT: I don't think that that --

5 THE WITNESS: Yes.

6 THE COURT: I don't think that I need to
7 consider that in making a decision.

8 MR. JOHNSON: I just wanted to make sure we
9 were covered on the irreparable harm thing.

10 THE COURT: I can't make a decision based on
11 the fact that there is confusion. I got to try to
12 address the law as best I can or understand it.

13 I know everybody is not going to be
14 pleased. I said that when we went through mediation. I
15 tried to tell you if I have to settle it, a lot of people
16 aren't going to be satisfied. I said that.

17 MR. JOHNSON: I have nothing further.

18 You may come down.

19 MR. BROWN: Well --

20 MR. JOHNSON: I'm sorry.

21 MR. BROWN: But I am finished.

22 THE COURT: Thank you.

23 Anything further from the plaintiff?

24 MR. JOHNSON: Not at this time on the limited
25 issue of temporary injunction as to the competing annual

1 conferences.

2 THE COURT: That's basically why we're here.

3 Anything, Mr. Brown?

4 MR. BROWN: Yes, Your Honor, I do have one
5 witness. Bishop Moore.

6 THE COURT: All right, Bishop. You're familiar
7 with the process.

8 THE WITNESS: Yes, sir.

9 (Witness sworn.)

10 FRED HENDERSON MOORE,
11 called as a witness herein, having been first duly sworn,
12 was examined and testified as follows:

13 DIRECT EXAMINATION BY

14 MR. BROWN:

15 Q Bishop Moore, I've got a few questions. Now, I
16 know you have a lot you want to say. But the issue here
17 today is very narrow, whether or not there should be an
18 annual conference. That's the only issue we are
19 concerned about.

20 Now, as a backdrop to that, give me in 50
21 word or less what must happen in order for -- what is the
22 makeup of the body that must be impaneled to try and
23 suspend the bishop? 50 words or less.

24 A That's augmented by the initiative of three
25 presiding elders upon --

1 THE COURT: I'm going to let him answer that
2 question, but that's really not before me at this time.

3 MR. BROWN: Strike the question.

4 BY MR. BROWN:

5 Q Don't answer the question. Bishop Moore, I
6 will show you Ms. Clark's affidavit. And I'm
7 specifically concerned about Item Nine.

8 A Nine?

9 Q Yes, sir. You have read Item Nine? Okay.

10 A Yes, sir, I have read it.

11 Q As bishop of the RMUE Church, do you have the
12 authority to call an annual conference?

13 A Quite frankly, the annual conference site was
14 set in the general conference. And that was the Savannah
15 district. The bishop alone has the authority to set an
16 annual conference.

17 Q And are you the bishop of the RMUE Church?

18 A Yes, sir, I am.

19 Q Have you, in fact, set an annual conference
20 date for the RMUE Church?

21 A I have, in fact, set a date for the annual
22 conference in Hardeeville, St. Stephens Church.

23 Q Does anybody else have the authority to set an
24 annual conference for the RMUE Church?

25 A No one whatsoever.

1 Q Does it say in this book, which is the
2 Discipline, that the general officers and the associate
3 bishop can set a date for the annual conference? Yes or
4 no?

5 A No, sir.

6 Q You would agree with Ms. Clark that she has,
7 she and the plaintiffs have an adequate remedy at law in
8 this matter?

9 A Obviously, they do.

10 Q Because she said they do.

11 A Amen.

12 Q I have nothing further, Your Honor.

13 MR. JOHNSON: If it please the Court.

14 THE COURT: Yes, sir.

15 CROSS-EXAMINATION

16 BY MR. JOHNSON:

17 Q Bishop?

18 A Uh-huh.

19 Q If we had one election for Mr. President Obama
20 on Tuesday and another election for Mr. Romney on Friday,
21 would that cause confusion?

22 MR. BROWN: Objection, Your Honor.

23 THE COURT: Sustained.

24 BY MR. JOHNSON:

25 Q There is more to an annual conference than what

1 it costs to put on. You would agree with that, wouldn't
2 you, Bishop?

3 A More to an annual conference than what it costs
4 to put it on?

5 Q Yes, sir.

6 A Obviously so, sir.

7 Q It's a lot more important than that?

8 A Oh, yes.

9 Q Would you agree with me that right now having
10 two annual conferences, people don't know which one to go
11 to?

12 A You want my answer to that?

13 Q Yes, sir.

14 A My answer is there is only one annual
15 conference, and that's set by the bishop of the RMUE
16 Church. So there is still only one annual conference.

17 Q And show me in your Discipline where the bishop
18 sets the annual conference.

19 A In practice?

20 Q No, sir, in --

21 A No, I'm answering the question.

22 Q Okay.

23 A In practice and custom and usage, it's in the
24 procedural nexus for the operation of the church, the
25 bishop always sets the place of the annual conference.

60

1 That was approved in the general conference. That's
2 nonvarying.

3 Q But it doesn't say that in the book, does it?

4 A Well, you are asking me to answer the question.

5 THE COURT: You know better than that. Answer
6 the question.

7 THE WITNESS: All right.

8 THE COURT: No arguing.

9 BY MR. JOHNSON:

10 Q You were talking about irreparable harm. There
11 is probably only three of us in the room that have any
12 idea what that's referring to, but you agree with me that
13 there are things about the annual conference a lot more
14 important than the cost, right?

15 A Of course I do.

16 Q And you would agree with me that the time
17 people take away from their families and jobs is
18 precious, wouldn't you?

19 A I agree with that.

20 Q And you would agree with me that the time
21 church workers take away from their home, church and
22 their other church duties is precious, wouldn't you?

23 A Let me preface that by saying that the process
24 entails and contemplates sacrifice. And those who get in
25 the race to be elected by the church's delegates are

1 aware of that. So it's a non sequitur to say that it's
2 going to cause harm, sacrifice of time because that's
3 already considered.

4 Q But to double that, if you double that by
5 having two conferences, you can't ever give that time --
6 the Court can't give that time back, can it?

7 A There is only one annual conference set by the
8 bishop. It was approved in the general conference. No
9 one objected to it. All right? So that's fixed. There
10 may be some who sought to change that, but then you only
11 have one presiding bishop under this ecclesiastical rule.
12 And I follow it. Okay?

13 Q Show me where the general conference set it for
14 St. Stephen's Church?

15 A General conference set it for the Savannah
16 district.

17 Q Show me where that was done. If you can put
18 that in the record, I would appreciate it.

19 A I don't have the minutes here. And then the
20 minutes. . . .

21 Q I'm sorry, I was listening. Were you through?

22 A It was set in the general conference. There is
23 no one who wants to be candid, but what our practice was
24 from time immemorial, the place of the annual conference
25 is always set by the bishop. That's unvarying. There

1 was always a question about who would accept, which
2 church would accept the annual conference site. And if a
3 church declined to accept the site offered or suggested,
4 then you try to move it on to a church that would accept
5 it.

6 Q Was the notice of your annual conference --
7 when was the notice of what I'm going to call your annual
8 conference, the annual conference for Monday, sent out?

9 A I choose not to pursue that term because that's
10 a castoff. But the annual conference was noted, the
11 place -- rather, the district was noted in the general
12 conference. Now, there was some attempt to try and
13 sabotage that, but notices were sent out long ago that
14 the annual conference would be held at the Greater
15 Pentecostal Church in Hardeeville on Okatie Road. But
16 because funds were not available to finance that effort,
17 it was shifted to St. Stephens Church.

18 Q By whom?

19 A By the bishop.

20 Q And again when and by what means was the notice
21 of the annual conference set for Monday sent out?

22 A That was sent out to the ministers of the
23 various church. That's part of what brings us here,
24 because the other people sought to have their own annual
25 conference.

1 Q Mr. Moore, I am asking you a very simple
2 question. I want to hear whatever you have to say, but
3 first please answer my question. When and by what means
4 was the notice of the November 5th annual conference sent
5 out?

6 A That was sent out three weeks ago.

7 Q And to whom?

8 A It was sent out to the pastors of the various
9 churches.

10 Q And what about to the --

11 A Excuse me. In addition to that, it was sent
12 out to the general officers.

13 Q How about to all traveling elders, deacons,
14 licentiates, local elders, and local deacons? Was that
15 all sent out three weeks ago?

16 A I'm not sure because I did not personally
17 dispense the notices. It was done by the Episcopal
18 secretary.

19 Q Who is that?

20 A Reverend Josephine Richardson.

21 Q And this notice didn't go out until after you
22 had already -- after the other one had already been
23 noticed; is that correct?

24 A That's not accurate. You know why?

25 Q Why is that?

1 A Because the notice was announced, the place was
2 announced in the general conference, and notices were
3 previously sent out to the churches that the annual
4 conference would be at a minimum held on Savannah
5 district, quite notably at the Pentecostal Church as the
6 site. But that was shifted, so they had general notice
7 that the annual conference would be held in Savannah
8 district.

9 Q At your -- at the November 5th annual
10 conference, who will be the finance committee?

11 A Finance committee?

12 Q Yes, sir.

13 A We have a program. The program notes that.
14 Okay?

15 Q You got a copy of the program with you?
16 Because the one I was shown doesn't have any of that.
17 Let me show you the two notices and just ask you if the
18 committee will be the same at the November 5th conference
19 as they were at the later conference?

20 A The November. Let me ask you if you might be
21 more explicit. I don't know what you are talking about.

22 Q All right. You have before you the programs of
23 both conferences?

24 A Yes, I have.

25 Q Will the officers and the persons participating

1 in and presiding over both conferences be the identical
2 officers or the identical individuals?

3 A Let me preface, I answer with this: There is
4 only one official annual conference, and that's the one
5 set by the presiding bishop of the RMUE Church. There is
6 no provision authorizing the general officers to set a
7 time and place for the annual conference, so we're
8 talking about an invalid document.

9 Q My question, Reverend Moore, is comparing the
10 two documents, are the individual participants in each
11 proposed annual conference going to be the same
12 individuals having the same duties?

13 A The individuals that are designated by the
14 bishop, once more, the only officially designated person
15 by the presiding bishop is on this program. That
16 precludes consideration of anything else.

17 Q Reverend Moore, I am willing to stipulate that
18 you are smarter than I am, but what I want to know is an
19 answer to a simple question. Are the same people holding
20 the same rights and duties proposed to be at both
21 conferences based on those documents, regardless of your
22 opinion of those documents? Do you intend to have the
23 same people do the same things?

24 A Well, there is only one annual conference over
25 which -- let me answer -- over which the presiding bishop

1 will preside. And that's the one set by the bishop who
2 is designated by the authority of this Discipline to
3 preside over the RMUE Church. That's ecclesiastical and
4 that's hierarchical. Anything else is void.

5 Obviously, two different programs by two
6 different sets of names and persons aren't the same
7 personality. But there is only one personality that's
8 the manifesto of the RMUE Church. And that's the one
9 presided over by the duly elected bishop. I hope I have
10 answered your question.

11 Q No, sir, you haven't even started. Let's
12 assume I am a complete --

13 A I have said they are not the same.

14 Q All right.

15 THE COURT: Do you have another copy of those
16 two documents?

17 MR. BROWN: No, sir, these are what I got from
18 Mr. Johnson.

19 MR. JOHNSON: I only had one, and I gave it to
20 Mr. Brown. I think they are attached to the affidavit.

21 THE COURT: One of them is -- hold up a minute
22 while we get a hold of that.

23 MR. JOHNSON: November 5th is the --

24 MR. BROWN: This is not the complete document.
25 What is attached to the affidavit is not -- attached to

1 the affidavit is not complete. That's the one for the --
2 for Bishop Moore.

3 BY MR. JOHNSON:

4 Q Let me ask you, will the finance committee at
5 the annual conference proposed to be held on the 5th,
6 will there be a welcome address by Reverend Daniel Green?

7 A I don't know.

8 Q Okay. Who would know?

9 A Who would know whether -- those who
10 contrived --

11 Q No, sir. I'm going to call it your conference
12 on the 5th, on a Monday. Do you propose to have Reverend
13 Daniel Green give the welcome address? Yes or no?

14 A The program stipulates that.

15 Q The program that I have seen doesn't stipulate.
16 If you can show me, I will save a lot of time.

17 MR. BROWN: I'm not trying to rush this along,
18 but I think we can agree that you have two different
19 conferences. We're not going to have the same people at
20 dual conferences. I would agree with that.

21 THE COURT: I think it's interesting because
22 you have some general officers listed here, and I am
23 interested in are the general officers going to be at
24 this annual conference?

25 MR. BROWN: Which annual conference?

1 THE COURT: At Bishop Moore's annual
2 conference. They are listed by title, if this is the
3 right one that I have. But there are no names attached
4 to it.

5 MR. JOHNSON: Yes, sir, that's the. . . Okay.

6 BY MR. JOHNSON:

7 Q How about name the people on the -- the middle
8 of your program, you have general officers. How about
9 naming the people that you refer to when you say that.
10 I'm listening, sir.

11 A The general officers remain the general
12 officers that are named on the other document.

13 Q You don't know the name of the general
14 secretary of education?

15 A Well --

16 Q Who is the general secretary of education that
17 you intend to be here?

18 A All the existing general officers named in the
19 other document, they were invited to come. I assume that
20 they will attend.

21 Q Do you know the name of the general secretary
22 of education?

23 A General secretary of education is Reverend
24 Cassandra Keeton.

25 Q And the general secretary?

1 A Barbara B. Clark.

2 Q General treasurer?

3 A Reverend Daniel Green.

4 Q General secretary of church extension?

5 A Reverend Hatcher.

6 Q General secretary of mission?

7 A Reverend Warren Hatcher.

8 Q General secretary of pensions?

9 A Reverend Ronald Wine.

10 Q And so all of -- you intend to have all of the
11 existing officers participate?

12 A Let me be candid, except for that of the
13 department of security. I dismissed the general head of
14 the department of security and replaced him because he
15 compromised my security, and I was threatened when I went
16 to Central Church in Hardeeville -- I'm sorry, in
17 Savannah.

18 Q Is that something you have the authority to do
19 under the Discipline?

20 A Yes, I have. Under the hierarchical form, this
21 Discipline specifies that the bishop has priority in all
22 matters. And where an act is reprehensible and places
23 the bishop in jeopardy, common sense dictates that he
24 will take the initiative to protect himself.

25 Q In this you purport on Friday to have the

1 installation of the general officers. Tell me what you
2 envision that to be.

3 A Ask the question again, please.

4 Q On Friday -- I am looking at your program --
5 you have down the installation of general officers. What
6 does that refer to?

7 A That's self-explanatory.

8 Q No, sir, it's not. And again --

9 A You asked the question. I'm answering the
10 question.

11 THE COURT: That's not an answer, Mr. Moore.
12 Answer the question.

13 THE WITNESS: The general officers that will be
14 installed are the ones who were elected by the general
15 conference with the exception of Reverend Moseley because
16 he was dismissed.

17 BY MR. JOHNSON:

18 Q And haven't the general officers already been
19 installed?

20 A General officers been installed?

21 Q Haven't they already been installed?

22 A They have been installed, yes.

23 Q Other than Reverend -- the security -- and was
24 this referred to a ratification of the other general
25 officers, or is there potential there will be some

1 change?

2 A That calls for speculation. And I have no
3 control of what would evolve in future events.

4 Q And under the Discipline what could evolve that
5 would change the installation of officers who have
6 already been installed?

7 A At this time I don't know. I really don't
8 know.

9 Q Now, Bishop, you are the bishop as well as a
10 lawyer. You know -- would you agree with me that there
11 is nothing in the Discipline that allows for a change of
12 general officers at an annual conference?

13 A Well, in terms of the tradition, yes, there is.

14 Q Tell me what it is.

15 A Without identifying personalities or a
16 personality --

17 Q I'm not asking about personality --

18 MR. BROWN: Let him answer the question.

19 THE WITNESS: Let me answer the question.

20 MR. JOHNSON: I object. He is not answering
21 the question.

22 THE COURT: Just answer the question. Don't
23 generalize. If there is a question, answer the question.

24 BY MR. JOHNSON:

25 Q Is there something in the Discipline that

1 allows a change of general officers at an annual
2 conference?

3 A There is no specific provision in the
4 Discipline, but there are events which took place in the
5 past in terms of the Episcopal office where a general
6 officer was removed. And that was not by general
7 conference. That was by the action of the bishop
8 himself.

9 Q My mama used to tell me two wrongs don't make a
10 right. Is there anything in this book or any amendments
11 that give the bishop the right to remove or suspend any
12 general officer? Just yes or no.

13 A Well, it requires more than a yes or no answer.

14 THE COURT: You can answer yes or no and then
15 explain your answer.

16 THE WITNESS: Not specifically, but
17 historically, yes.

18 BY MR. JOHNSON:

19 Q If it was historically done and done wrong, it
20 doesn't make it part of this book; is that correct?

21 A Well, in practice, if the church thought it was
22 right. And nothing was done to overrule it. And it
23 wasn't me.

24 Q You sound like a Baptist now.

25 A Well, I was baptized.

1 MR. JOHNSON: I have nothing further. Thank
2 you.

3 THE WITNESS: Thank you.

4 THE COURT: Mr. Brown.

5 MR. BROWN: I have one question.

6 REDIRECT EXAMINATION

7 BY MR. BROWN:

8 Q Bishop Moore, did you invite the general
9 officers to the annual conference?

10 A Certainly did.

11 Q Do you extend now an invitation?

12 A I re-extend it to those gentlemen and ladies.

13 MR. BROWN: We have nothing further.

14 THE COURT: Mr. Johnson, anything further?

15 MR. JOHNSON: I have nothing further.

16 THE COURT: It's now 12:30. I am going to
17 recess this hearing and go to my office and sit down and
18 talk with my secretary and pray a little bit. Come back
19 here at 3:00 o'clock, and I will give you my decision.
20 We'll reassemble at 3:00 o'clock.

21 (Whereupon, this matter was
22 adjourned, to reconvene at 3:00 p.m.
23 of the same day.)
24
25

1 (Afternoon session.)

2 MR. BROWN: Your Honor, I heard from Mr. Moore.
3 He is on the way. He ran into some issues. He gave me
4 permission to tell the Court we can proceed without him,
5 in his absence. He should be here very, very shortly.

6 THE COURT: Let's wait about five minutes or
7 so. I hate to start without him. You say he is on his
8 way?

9 MR. BROWN: That's what he told me, yes, sir.
10 I don't think he's going to be here in five minutes.

11 THE COURT: You don't think so?

12 MR. BROWN: No, sir.

13 THE COURT: Mr. Johnson?

14 MR. JOHNSON: Your Honor, I'll do whatever
15 pleases you. Obviously, we'd like to proceed, but we
16 will do whatever the Court wants to do.

17 THE COURT: Let me hear you, for the record,
18 Mr. Brown.

19 MR. BROWN: I heard from the client. He ran
20 into some problems.

21 THE COURT: Did he say what the problem was?

22 MR. BROWN: Yes, sir, he was trying to come
23 back from an appointment in Jacksonboro, and he is not
24 going to be back at 3:00 o'clock and said he was not
25 going to be back probably not by 3:30. He did give me --

1 I specifically asked him can we proceed in your absence.
2 He said yes.

3 THE COURT: All right.

4 I'm going to speak a little bit for the
5 benefit of the audience. Many years ago I served as a
6 judge in the family court of Charleston County. And the
7 family court is a very unique branch of our judicial
8 system because it deals with probably what might be
9 considered the foundation of our society. It deals with
10 the family structure.

11 In those days when I was on the family
12 court, it was not as litigious as it is today. And the
13 court was designed to try to keep families together,
14 rather than to participate very easily in its
15 dissolution. And I guess that's where I got my training
16 from, because as you will recall when I spoke to you at
17 the beginning of this process I thought about this case
18 much in terms as I thought about family court matters
19 that came before me when our main objective was to try to
20 keep families together.

21 I'm a United Methodist, so you know my
22 aim, first of all, and I explained that to everybody,
23 would be to try to keep the church together. And that
24 was my first effort. I was invited -- and I wanted to
25 say this to both parties. I'm sorry the bishop is not

1 here. I didn't volunteer for this assignment. I don't
2 know why I was selected, but I was. And I suspect that
3 the parties thought that I might have some unique ability
4 to deal with the problems that are evident in this case.

5 And we have come now to the place where I
6 am going to issue my first order. This is not in my
7 opinion the final order in this case. The plaintiffs in
8 this case, the general officers of this church, have
9 sought the Court's aid for temporary relief, and that's
10 what this court deals with at this point.

11 I said at the beginning that I wanted the
12 parties themselves to try to resolve this case because
13 you would be more satisfied if you did, rather than if I
14 did. I discovered after I left the family court and got
15 into the circuit court that parties were more satisfied
16 when they could come together and resolve their cases
17 rather than have the judge do it because very often
18 nobody was pleased.

19 That very well might be the conclusion
20 that we have here. But I want you to know that I will do
21 the best that I can. I personally have a warm feeling
22 toward all the professionals in this case. I know them
23 all, and they have all been very kind to me and have done
24 an excellent job. I have no enemies to punish or friends
25 to reward. I will do the best that I can from the

1 perspective that I've garnered from the facts of this
2 case. I will now issue my response to the petitioner
3 plaintiff.

4 This case was referred to me by Consent
5 Order of Reference dated July 18, 2012 signed by the
6 honorable Margaret Bostick, Clerk of Court for Jasper
7 County, 14th Judicial Circuit. Reference is hereby
8 craved.

9 This matter is before the Court on the
10 plaintiffs' Motion for a Temporary Order to restrain and
11 enjoin the defendant from interfering with the duly
12 called annual conference, interfering with the RMUE
13 Church funds, comma, and continuing to serve as the RMUE
14 Church bishop. The reasons for the motion were set forth
15 in an affidavit attached to the motion.

16 Prior to filing and serving said motion
17 the plaintiffs had filed and served upon the defendants a
18 complaint containing similar and other allegations
19 including a request for contemporary injunctive relief.

20 Let me pause here for a minute, please,
21 and let you know who the plaintiffs are in this case and
22 who the defendant is. The plaintiffs in this case are
23 the general officers of the RMUE Church. They are
24 Barbara Clark, Warren E. Hatcher, Cassie Keeton, Daniel
25 Green, Powell Hampton, Amos Hatcher, Bobby Keeton, James

1 Moseley, Willie Oliver, individually and as church
2 officers of the RMUE Church. They are the parties that
3 brought this suit. The defendant in this suit is Fred
4 Henderson Moore. And, of course, they bring this suit
5 against Bishop Moore, as the acting bishop of the RMUE
6 Church.

7 For the purpose of this order, the Court
8 will not address all of the complaints in the affidavit.
9 The record indicates that the general officers of the
10 church, plaintiffs, notified the defendant bishop that
11 based upon information received by that body he, the
12 defendant, was in violation of certain basic laws
13 promulgated in the Discipline of the RMUE Church. He was
14 then called upon to respond to these charges and
15 requested to appear at a certain time and place for a
16 hearing on these complaints.

17 It appears from the record that the
18 defendant bishop chose to not respond to the charges and
19 did not appear and participate in the subsequent hearing.
20 The trial ended with the defendant being found guilty.
21 And he was subsequently suspended as Episcopal leader of
22 the RMUE Church. The findings and decisions of the trial
23 body were communicated to the defendant; however, he has
24 continued to attempt to exercise his Episcopal authority
25 as bishop of the RMUE Church. The defendant's response

1 to the actions of the trial body was that they had no
2 jurisdiction to try him.

3 Under the Discipline of the RMUE Church,
4 had the defendant participated in the trial and disagreed
5 with the outcome, he would have had the right to appeal
6 the decision of the trial body at the ensuing annual
7 conference. The plaintiff now takes the position that
8 the defendant, having failed to appear and participate in
9 the trial, waived his right to appeal.

10 After the issues were joined by the
11 pleadings, this Court attempted to settle this dispute
12 through mediation with the parties severally and jointly
13 in a total of three sessions. The Court efforts in that
14 regard was not successful.

15 It now appears that both the plaintiff and
16 the defendant are in preparation to have separate annual
17 conferences, both parties having submitted the resolution
18 of this dispute to this Court. These present projections
19 for separate annual conferences are illegal and
20 unacceptable. Therefore, based upon the pleadings, the
21 motion, the affidavits, and the record in this case, the
22 Court makes the following findings of fact and temporary
23 conclusions pending a final determination of the issues
24 in this matter:

25 Number one, the annual conference

1 scheduled by the plaintiffs for November 7, 2012 and the
2 annual conference scheduled by the defendant for
3 November 5, 2012 are hereby canceled and abolished.

4 Number two, plaintiffs should reschedule
5 an annual conference pursuant to the dictates of the
6 Doctrines and Discipline of the Reformed Methodist Union
7 Episcopal Church to begin on December 5, 2012 or within
8 30 days after November 7, 2012, as the circumstances will
9 permit.

10 The legal position of the defendant, to
11 wit, that the general officers did not have authority to
12 institute disciplinary proceedings against him, should
13 have been raised in the forum which notified him of the
14 pending trial and cannot be used as a defense in this
15 matter. The office of the Episcopal leadership or bishop
16 of the RMUE Church shall be in a suspended state until
17 the newly annual conference to be scheduled above as
18 directed.

19 Four, the newly annual conference shall be
20 presided over by the associate bishops.

21 Five, the defendant shall be entitled to
22 appeal the decision of the official body which held the
23 disciplinary trial and subsequently suspended him on
24 July 12, 2012. This might have been July 10, 2012.

25 Six, should the annual conference sustain

1 the ruling of the trial body which initiated the
2 suspension, the defendant shall have the right to appeal
3 to an expedited general conference to be scheduled by
4 this Court, which should then make the final decision on
5 expulsion of the defendant.

6 Seven, should the defendant fail to
7 exercise his rights to appeal the ruling of the initial
8 trial body which suspended him, the suspension shall
9 become permanent.

10 Eight, in addition to dealing with the
11 above matters, the newly annual conference shall affirm
12 or deny the following for this Court:

13 (A) the tenure of the Episcopal leadership
14 or bishop is four years; (B), the age of retirement of
15 all ministerial persons, including the bishop, is 74
16 years is what I have from the record. It very well might
17 be 72. But whatever it is, I'm ruling that this annual
18 conference affirm once and for all what that situation
19 is. (C) The character of voting in the annual and
20 general conference is majority rule.

21 Nine, the secretary shall notify each and
22 every duly elected member of the newly annual conference
23 of the exact time and place of said conference.

24 Ten, the defendant shall file with the
25 general secretary and the general treasurer at least 14

1 days before the date of the annual conference a written
2 accounting of all funds of the RMUE Church received by
3 him and the disbursement of the same.

4 Now, therefore, it is ordered, adjudged,
5 and decreed as follows:

6 One, the annual conference scheduled by
7 the plaintiffs for November 7, 2012 and the annual
8 conference scheduled by the defendant for November 5,
9 2012 are hereby canceled and abolished.

10 Two, the plaintiffs are to reschedule the
11 annual conference pursuant to the dictates of the
12 Doctrines and Discipline of the Reformed Methodist Union
13 Episcopal Church to begin on December 5, 2012.

14 Three, the legal position of the defendant
15 cannot be used as a defense in this matter. The office
16 of the Episcopal leadership or bishop of the RMUE Church
17 shall be in a suspended state until the newly annual
18 conference is held as above directed.

19 The newly annual conference shall be
20 presided over by the associate bishop.

21 The defendant shall be entitled to appeal
22 the decision of the official body which held the
23 disciplinary trial and subsequently suspended him on
24 July 12, 2012.

25 Should the annual conference sustain the

1 ruling of the trial body which initiated the suspension,
2 the defendant should have the right to appeal to an
3 expedited general conference to be scheduled by the
4 Court, which general conference shall then make the final
5 decision on expulsion of defendant.

6 Should the defendant fail to exercise his
7 right of appeal, the ruling of the initial trial body
8 which suspended him, the suspension shall become
9 permanent.

10 The newly annual conference shall affirm
11 or deny the following for this court:

12 The tenure of the Episcopal leadership or
13 bishop is four years or otherwise, the age of retirement
14 of the ministerial persons including the bishop is 74
15 years old or otherwise, the character of the voting in
16 the annual and general conference is majority rule.

17 The secretary shall notify each and every
18 elected member of the newly annual conference the exact
19 time and place of said conference. The defendant shall
20 file with the general secretary of the general treasury
21 at least 14 days before the date of the annual
22 conference, the newly annual conference, a written
23 accounting of all funds in the RMUE Church received by
24 him and disbursed by him.

25 And it is so ordered. Richard E. Fields,

1 Special Circuit Judge, November 2, 2012, Charleston,
2 South Carolina.

3 MR. BROWN: Your Honor, if I may, I would ask
4 the Court very humbly to make a ruling on our argument
5 regarding jurisdiction. I think I know what it is, but
6 for the record.

7 THE COURT: I think I thought as we went along
8 we did your motion regarding the Federal. All of the
9 motions made by the defendant are hereby denied.

10 MR. BROWN: Very well.

11 THE COURT: Anything further from the
12 plaintiff?

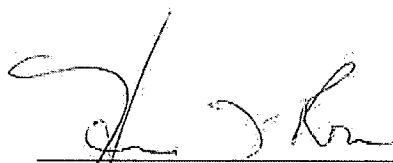
13 MR. JOHNSON: No, sir. Thank you.

14 THE COURT: Thank you all very much.

15 (Whereupon, this matter was concluded
16 at 3:35 p.m. on the 2nd day of
17 November, 2012.)
18
19
20
21
22
23
24
25

1 STATE OF SOUTH CAROLINA)
2)
3 COUNTY OF CHARLESTON)
4

5 I, Helen L. Rose, being first duly sworn on oath,
6 says that she is a Certified Shorthand Reporter,
7 Registered Professional Reporter, and Notary Public for
8 the State of South Carolina at Large, that she reported
9 in shorthand the proceedings given at the taking of said
10 hearing, and that the foregoing is a true and correct
11 transcript of her shorthand notes so taken as aforesaid
12 and contains all the proceedings that were had at said
13 hearing.
14

15
16
17 

18 Helen L. Rose
19 CSR, RPR
20 My Commission expires
21 December 8, 2016.
22
23
24
25

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

BARBARA B. CLARK, ET AL,

Plaintiff,

vs.

FRED HENDERSON MOORE,

Defendant.

IN THE COURT OF COMMON PLEAS
14th JUDICIAL CIRCUIT

CASE NO.: 12-CP-27-0291

**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Plaintiff's Attorney:

EDWARD M. BROWN, Bar No.

Address:

P O BOX 20261, CHARLESTON, SC 29413

Phone: 843-577-7363 Fax 843-577-3079

E-mail:

Other:

Defendant's Attorney:

DARRELL THOMAS JOHNSON, JR., Bar No. 3010

Address:

P O BOX 1125, HARDEEVILLE, SC 29927

Phone: 843-784-2142 Fax 843-784-5770

E-mail: td1johnson@hargray.com Other:

☒ **MOTION HEARING REQUESTED** (attach written motion and complete **SECTIONS I and III**)

☐ **FORM MOTION, NO HEARING REQUESTED** (complete **SECTIONS II and III**)

☐ **PROPOSED ORDER/CONSENT ORDER** (complete **SECTIONS II and III**)

SECTION I: Hearing Information

Nature of Motion: MOTION FOR TEMPORARY RESTRAINING ORDER & TEMPORARY INJUNCTION

Estimated Time Needed: 15 MINS.

Court Reporter Needed: ☐ YES/☐ NO

SECTION II: Motion/Order Type

☒ Written motion attached

☐ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for ☒ Plaintiff / ☐ Defendant

Date submitted 10/30/12

SECTION III: Motion Fee

☒ PAID - AMOUNT: \$ 25.00

☐ EXEMPT:

(check reason)

☐ Rule to Show Cause in Child or Spousal Support

☐ Domestic Abuse or Abuse and Neglect

☐ Indigent Status ☐ State Agency v. Indigent Party

☐ Sexually Violent Predator Act ☐ Post-Conviction Relief

☐ Motion for Stay in Bankruptcy

☐ Motion for Publication ☐ Motion for Execution (Rule 69, SCRCP)

☐ Proposed order submitted at request of the court; or,
reduced to writing from motion made in open court per judge's instructions

Name of Court Reporter: _____

☐ Other: _____

JUDGE'S SECTION

☐ Motion Fee to be paid upon filing of the attached order.

☐ Other:

JUDGE CODE _____

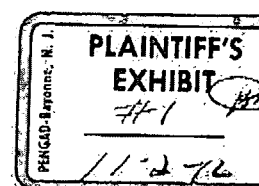
Date: _____

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____

☐ MOTION FEE COLLECTED: \$ _____

☐ CONTESTED - AMOUNT DUE: \$ _____



FILED

2012 OCT 31 AM 11: 04

STATE OF SOUTH CAROLINA)
CLERK OF COURT)
JASPER COUNTY)
COUNTY OF JASPER) CIVIL ACTION NO: 2012-CP-27-291

Barbara B. Clark, Warren E. Hatcher,
Cassie Keeton, Daniel Green, Powell
Hampton, Amos Hatcher, Bobby Keeton,
James Moseley, Willie B. Oliver,
Individually and as General Officers of
The RMUE,

Plaintiff,

vs.

Fred Henderson Moore,

Defendant(s).

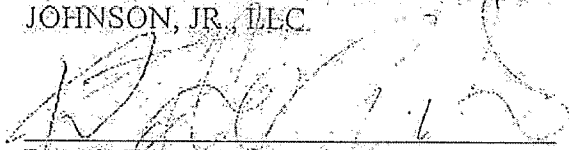
**MOTION FOR TEMPORARY
RESTRAINING ORDER &
TEMPORARY INJUNCTION**

**TO: EDWARD M. BROWN, ESQUIRE, ATTORNEY FOR DEFENDANT
ABOVE NAMED:**

Plaintiffs move for a Temporary Restraining Order and temporary Injunction
restraining and enjoining Defendant from interfering with the duly called Annual
Conference, interfering with the RMUE funds, or purporting to serve as the RMUE
Bishop.

The grounds of this motion are set forth in the attached Affidavit and the verified
Complaints.

LAW OFFICE OF DARRELL THOMAS
JOHNSON, JR., LLC


Darrell Thomas Johnson, Jr.
Attorney for Plaintiffs

FILED

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
2012 OCT 31) JUDGE
COUNTY OF JASPER) JUDICIAL CIRCUIT

CIVIL ACTION NO: 2012-CP-27-291

MARGARET BOSTICK
CLERK OF COURT
JASPER COUNTY SC

Barbara B. Clark, Warren E. Hatcher,
Cassie Keeton, Daniel Green, Powell)
Hampton, Amos Hatcher, Bobby Keeton,)
James Moseley, Willie B. Oliver,)
Individually and as General Officers of)
The RMUE,)

Plaintiff,)

vs.)

Fred Henderson Moore,)

Defendant(s).)

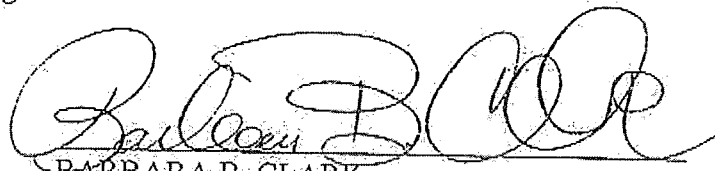
**AFFIDAVIT OF
BARBARA B. CLARK**

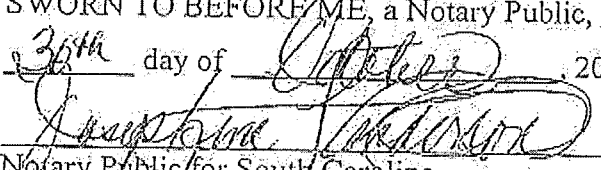
PERSONALLY APPEARED BEFORE ME the undersigned, Barbara B. Clark, who,
having been duly sworn deposes and says as follows:

1. That she is General Secretary of the RMUE Church.
2. That the duly elected General Offices have set the RMUE Annual Conference for November 7th 2012, through November 11th, 2012.
3. That the Defendant has set what he characterized as the Annual Conference, for the same time, at a difference place (see attached).
4. That after somehow accessing and emptying the general bank account, the Defendant has attempted to take the Banquet account, Pension Account, and perhaps others.
5. That the Discipline by which the RMUE is governed has by duly amended, from time to time, after publication of the hardbound book adopted in 1999.
6. That the attached list is an attempt to list the Amendments.
7. That two duly passed amendments limit the age of Bishop to 72; and provided for

election of Bishop every 4 years.

8. The Defendant has set an election of General Officers in his Annual Conference. General Officers are elected every 4 years. General Officers in place will serve until May of 2016.
9. That Defendant shall not be allowed to conduct any business for the RMUE Church, but not limited to including holding an Annual Conference, meetings or collect any RMUE financial funds.
10. That the Defendant filed to run for Bishop in 2012, acknowledging the Amendment, but unilaterally canceled the election.
11. That the Defendant is well past the age 72.


BARBARA B. CLARK

SWORN TO BEFORE ME, a Notary Public, this
30th day of October, 2012.

Notary Public for South Carolina,
My Commission Expires: 02-17-2021

GENERAL OFFICERS

GENERAL SECRETARY OF EDUCATION

GENERAL SECRETARY

GENERAL TREASURER

GENERAL SECRETARY OF CHURCH EXTENSION

GENERAL SECRETARY OF MISSION

GENERAL SECRETARY OF PENSION

GENERAL SECRETARY OF BOOK CONCERN

GENERAL SECRETARY OF SUNDAY SCHOOL

DEPARTMENT OF SECURITY

4:00 p.m.

Devotional Service
Conducted by
Rev. Josephine Richardson
Assisted by
Rev. Matthew Kelly

Discussion: Elder Robert L. Dunham
"Spiritual Leadership/Inspiration"

5:15 p.m. – 6:00 p.m. Break

6:00 p.m. – 7:25 p.m. Brotherhood
Women Department
Annual Sermon Rev. Andrea Simmons
Song Service RMUE Choir
Ushers March RMUE Ushers and Others
Offering Finance Committee
Remarks/Benediction Bishop Fred H. Moore

Thursday, November 8, 2012

Elder James Wine, Presiding Elder in charge

9:00 a.m. 9:55 a.m. Praise and Worship
10:00 a.m.

Devotional Service
Conducted by
Elder Melvin Bolds
Assisted by
Elder Robert L. Dunham

Roll Call
Minutes of the Previous Session

District Ladies Reports
Admission Committee Report

Mid Day

Divine Service
Conducted by
Rev. Morris Graham
Assisted by

Memorial Sermon Rev. Leroy Sims
Song Service New Zion Choir
Offering Finance Committee
Remarks/Benediction Bishop Fred H. Moore

1:00 p.m. – 3:55 p.m. Lunch

(Executive Meeting at 2:30 p.m.)

4:00 p.m.

Divine Sermon
Conducted by

Assisted by

Missionary Sermon Rev. Duwine Sinkler
Song Service Orangehill Choir
Offering Finance Committee
Remarks/Benediction Bishop Fred H. Moore

Friday, November 9, 2012 All Presiding Elders in charge

9:00 a.m. – 9:55 a.m. Praise and Worship

Monday, November 5, 2012 - 10:00 A.M.

Finance Day
St. Stephen RMUE Church

Wednesday, November 7, 2012

Elder Robert Dunham, Presiding Elder in charge

(All ministers conducting Divine Service must be robed)

9:00 a.m. - 9:45 a.m.

10:00 a.m.

Praise and Worship
Processional

(All Ministers in Robe)

Song Service

RMUE Choir

Devotional Service

Conducted by

Rev. Leroy Williams

Assisted by

Rev. Dr. Robert Dunham

Opening Conference Remarks

Welcome Address

Response

Annual Address

Elder Robert L. Dunham

Rev. Leroy Williams

Bishop Fred H. Moore

Conference call to Order

Election of:

Bishop Fred H. Moore

Marshals

Roll call

Registration 2012 Delegates

Roll call of 2012 Annual Conference

Sis. Catherine Washington

Roll Call

Minutes of the Previous Session

Presiding Elders' reports

Place of next Annual Conference TBA

Passing Character

Installation of General Officers

5:00 p.m.

Divine Service

Conducted by

Rev. Josephine Richardson

Assisted by

Rev. Duwine Sinkler

Education Sermon

Song Service

Offering

Rev. Thomas Junious

Payne Choir

Finance Committee

Remarks/Benediction

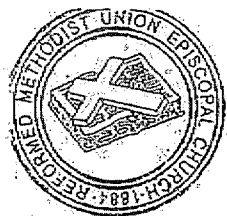
Bishop Fred H. Moore

Saturday, November 10, 2012

Breakfast will not be held

Saturday, November 10, 2012.

Banquet will not be held



The Reformed Methodist Union Episcopal Church Financial Assessment

Effective Dates: September 2012 - September 2013

			\$12.50	\$4.00	\$2.50	\$1.75	\$1.75	\$1.50	\$4.00	\$3.00	\$2.00	\$2.00	\$3.75	\$1.50	\$1.25	\$1.25	\$1.25
Charleston District	Number of Members	Pastor's Salary	Presiding Elders Salary	Church Assessment	Fifth Sunday	Easter Day	Children's Day	Church Extension	Education	Widows	Richardson Day	Founder's Day	General Conference	Missionary	Auxiliary	Sr. Conf. Workers	Jr. Conf. Workers
Mt. Hermon	35	\$598.50	\$473.50	\$140.00	\$67.50	\$61.25	\$61.25	\$52.50	\$140.00	\$105.00	\$70.00	\$70.00	\$131.25	\$52.50	\$43.75	\$43.75	\$43.75
Payne	439	2,474.00	5,487.50	1,756.00	1,097.50	768.25	768.25	658.50	1,756.00	1,317.00	878.00	878.00	1,646.25	658.50	548.75	548.75	548.75
Central	137	1,144.00	1,712.50	548.00	342.50	239.75	239.75	205.50	548.00	411.00	274.00	274.00	513.75	205.50	171.25	171.25	171.25
Jerusalem	43	\$94.00	\$37.50	172.00	107.50	75.25	75.25	64.50	172.00	129.00	85.00	85.00	161.25	64.50	53.75	53.75	53.75
New Zion	140	924.00	1,750.00	560.00	350.00	245.00	245.00	210.00	560.00	420.00	280.00	280.00	525.00	210.00	175.00	175.00	175.00
Bethlehem	15	319.00	187.50	60.00	37.50	26.25	26.25	22.50	60.00	45.00	30.00	30.00	56.25	22.50	18.75	18.75	18.75
St. James	15	319.00	187.50	60.00	37.50	26.25	26.25	22.50	60.00	45.00	30.00	30.00	56.25	22.50	18.75	18.75	18.75
Savannah District																	
Central																	
St. Stephen	9	161.50	112.50	36.00	22.50	15.75	15.75	13.50	36.00	27.00	18.00	18.00	33.75	13.50	11.25	11.25	11.25
Emmanuel																	
Bethel	2	264.00	25.00	8.00	5.00	3.50	3.50	3.00	8.00	6.00	4.00	4.00	7.50	3.00	2.50	2.50	2.50
Mt. Olive																	
Sumter District																	
St. Phillip	219	979.00	2,737.50	876.00	547.50	383.25	383.25	328.50	876.00	657.00	438.00	438.00	821.50	328.50	273.75	273.75	273.75
Mt. Pleasant	70	621.50	875.00	280.00	175.00	122.50	122.50	105.00	280.00	210.00	140.00	140.00	262.50	105.00	87.50	87.50	87.50
Orangehill	71	649.00	987.50	284.00	177.50	124.25	124.25	106.50	284.00	213.00	142.00	142.00	265.25	106.50	88.75	88.75	88.75
Antioch	78	731.50	975.00	312.00	195.00	135.50	136.50	117.00	312.00	234.00	156.00	156.00	291.50	117.00	97.50	97.50	97.50
Mt. Sinai	52	484.00	650.00	208.00	130.00	91.00	91.00	78.00	208.00	156.00	104.00	104.00	195.00	78.00	65.00	65.00	65.00

Catherine Washington

Sis. Catherine Washington - Associate General Secretary

Dr. Fred H. Moore

The Right Reverend Dr. Fred H. Moore, Presiding Bishop

Revised: September 2012

The Reformed Methodist Union Episcopal Church

28th General Conference

Atackin

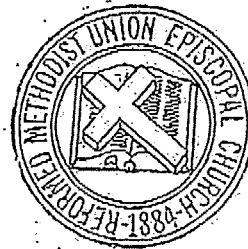
convening at

Jerusalem R.M.U.E. Church
769 Magnolia Road
Charleston, SC 20407

Rev. Daniel Green, Pastor

Rev. Joseph E. Oliver, Host Pastor

May 5-7, 2008



Elder William Polite, Jr. Presiding Elder, Sumter District
Elder Thomas Watson, Jr. Presiding Elder, Savannah District

The Late Rt. Rev. Dr. Leroy Gethers (Presiding Bishop
during the time of 2008 General Conference)

Bishop Fred Henderson Moore Presiding Bishop
(during the time of the 2008 General Conference
Associate Bishop/Presiding Elder, Charleston District)

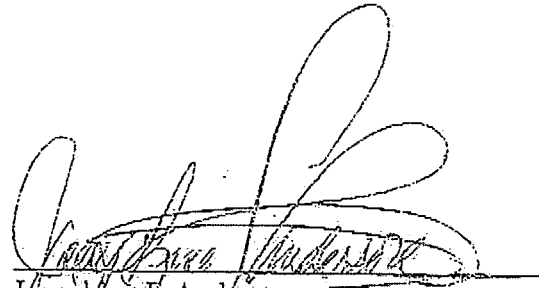
Bishop Moore said that been repealed to reflect that the Bishop should serve for life. And it says nothing in the book about the age and that's why this all can about. We said it will never happen again. You went to the printers without authorization and made changes and that's how it came about printing the new discipline. (She was just coming into the denomination). Bishop Moore said that was repealed to provide that the Bishop shall serve for life. Sis. Clark read that the Bishop of the RMUE Church shall serve for life and upon the age of 72 providing that he reaches the age of 72 shall be automatically retired and replaced as presiding bishop this is when it all started up and went on and corrected it. "An amendment should have been somewhere in this Blue Discipline on that. We need to make a decision here today as whether we are going to elect Associate Bishop every four (4) years in our General Conference that needs to be stipulated. Sis. Chisolm felt that we can talk about this all day but she feels that Bro. Oliver gave a good suggestion to let's put in our discipline that until the next general conference all offices are open except the bishop, then we vote on who we want on these offices that the decision was made at the last general conference and Bro. Oliver is giving us a way now that we could make the corrections in the book from now on every 4 years all General Offices should be open, renominated or someone get in their position. Bro. Oliver said one thing we can vote a law in today and the next 4 years we can kick it out. We have to have 2/3 majority rules. Let us don't get upset about things, I am trying to get things corrected. Laws can be changed" We made some errors but we have to correct them and make amendments for this book and it becomes a law. The question is on the floor are we going to have election today for Associate Bishop or 4 years down the road? Once we ratify the mid year general conference and it becomes legal if we are going to have election then that question need to be voted on today. Rev. Melvin Bolds stated that sometimes we look at the intention of the word rather than letter of the word and the intentions can be misinterpreted and then those who are strict about the letter can make this right. You look at the intention of the writer and what they were trying to accomplish and we will never have another Bishop to serve a life term. Intentions were to allow him to work out his term. Any other Bishop we would elect every four (4) years.

Rev. J. Powell wanted to know the reasons for the mid year general conference. He said nothing is being done in the mid year and it's a Saturday we met and have service. Bro. G. Richardson explains that the mid year is to look back and see what we said in the general conference is being followed through. We make a lot of laws in the general conference but no one follows up on things but the mid year general conference we can come and look at the minutes to see what is being carried out.

CERTIFICATE OF MAIL

I do hereby certify that I have this 30th day of October, 2012, placed a copy of the *Motion for Temporary Restraining Order and Temporary Injunction*, in the US Mail, with sufficient postage attached, and addressed to the following:

Edward M. Brown, Esquire
Attorney at Law
Post Office Box 20261
Charleston, SC 29413



Josephine F. Anderson
Paralegal to Darrell Thomas Johnson, Jr.

Hardeeville, South Carolina

hp LaserJet 3030

D.T. + W.P. JOHNSON, ESQ.
843 784 5770
Oct-30-2012 14:18



Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
838	10/30/2012	14:05:15	Send	18435773709	13:29	14	OK

LAW OFFICE OF DARRELL THOMAS JOHNSON, JR.
Post Office Box 1125
Hardeeville, SC 29927
T: (843) 784-2142
F: (843) 784-5770

Fax

To: Edward M. Brown, Esq. From: Darrell Thomas Johnson, Jr., Esquire

Fax No.: 843-577-3079 Pages: 13 plus cover sheet

Phone No.: 843-577-7363 Date: October 30, 2012

Re: Barbara B. Clark, et al vs. Fred H. Moore CC:

☐ Urgent ☒ For Review ☐ Comment Requested ☐ Reply Requested ☐ Recycle

Enclosed, please find the attached Motion for Temporary Restraining Order and Temporary Injunction in the above referenced matter.

Thanks,

Josie F. Anderson

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**LAW OFFICES OF
DARRELL THOMAS JOHNSON, JR., LLC
300 MAIN STREET
POST OFFICE BOX 1125
HARDEEVILLE, SOUTH CAROLINA 29927**

DARRELL THOMAS JOHNSON, JR.*
MILLS LANE MORRISON, JR.**
WARREN PAUL JOHNSON

Phone (843) 784-2142
Fax (843) 784-5770
Email tdjohnson1@hargray.com

*Certified Mediator
**Also License in Georgia

October 30, 2012

Margaret Bostick
CLERK OF COURT
JASPER COUNTY
Post Office Box 248
Ridgeland, SC 29936

**RE: Barbara B. Clark, et al vs. Fred Henderson Moore
Case No.: 2012-CP-27-291**

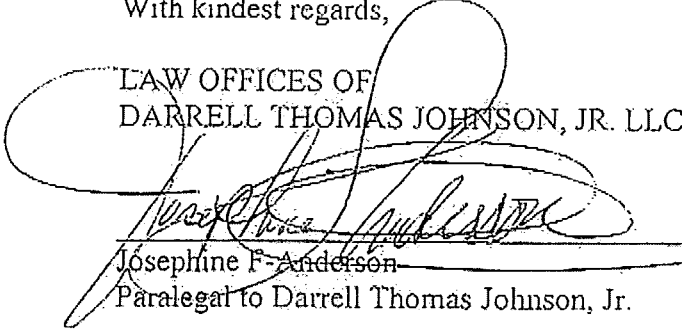
Dear Margaret:

Enclosed, please find the original and two (2) copies of the Motion for Temporary Restraining Order, Temporary Injunction, and Certificate of Mail in the above matter. Please file the original and return the stamped copies to me in the inter-office mailbox.

Also, please find a check for the filing in the amount \$25.00.

With kindest regards,

LAW OFFICES OF
DARRELL THOMAS JOHNSON, JR. LLC


Josephine F. Anderson
Paralegal to Darrell Thomas Johnson, Jr.

/jfa
Encs.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	14 TH JUDICIAL CIRCUIT
COUNTY OF JASPER	)	CASE NUMBER: 2012-CP-27-291
BARBARA B. CLARK, WARREN E.	)	
HATCHER, CASSIE KEETON, DANIEL	)	
GREEN, POWELL HAMPTON, AMOS	)	
HATCHER, BOBBY KEETON, JAMES	)	
MOSELEY, WILLIE B. OLIVER,	)	NOTICE OF HEARING
INDIVIDUALLY AND AS GENERAL	)	
OFFICERS OF THE RMUE CHURCH,	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
FRED HENDERSON MOORE,	)	
Defendant.	)	
	)	

This is to remind you that a hearing on the Plaintiffs' Motion has been set to be heard by agreement on Friday, November 2, 2012, beginning at 10:00 a.m. o'clock in Room 3-D of the Charleston County New Courthouse.


RICHARD E. FIELDS
SPECIAL CIRCUIT JUDGE

November 1, 2012



RICHARD E. FIELDS
ATTORNEY AT LAW

1707 HERITAGE PARK ROAD
CHARLESTON, SC 29407

TELEPHONE 843-571-2381
FAX 843-571-2388

FAX COVER SHEET

DATE: November 1, 2012
TO: Darrell Thomas Johnson Jr., Esquire
FAX #: 843-784-5770
FROM: Judge Fields
FAX #: 843-571-2388
RE: Meetings with Plaintiff(s)/Defendant

NUMBER OF PAGES (inc. cover sheet): 2

QUESTIONS, CONCERNS, CONTACT: Jane

COMMENTS:

CONFIDENTIALITY NOTICE:

THIS MESSAGE AND DOCUMENTS ATTACHED ARE INTENDED ONLY FOR THE USE OF THE PERSON(S) OR ENTITY NAMED ABOVE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IT MAY ALSO BE ATTORNEY-CLIENT PRIVILEGED. ANY DISTRIBUTION OR DISCLOSURE TO ANYONE OTHER THAN THE ADDRESSEE AS WELL AS ANY UNAUTHORIZED COPYING IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY.

DARRELL THOMAS JOHNSON, JR., LLC
Attorney at Law
Post Office Box 1125
300 Main Street
Hardeeville, SC 29927
(843) 784-2142
Fax (843) 784-5770

To: *Atty Edward M. Brown*

Fax #: *843-577-3079*

From: Darrell Thomas Johnson, Jr., Esquire
Warren Paul Johnson, Esquire

Date: *11-1-12*

Subject: *Notice of Hearing*

Pages: including cover sheet *2*

DARRELL THOMAS JOHNSON, JR., LLC
Attorney at Law
Post Office Box 1125
300 Main Street
Hardeeville, SC 29927
(843) 784-2142
Fax (843) 784-5770

To: *Hon. Ret. Judge Richard E. Fields*

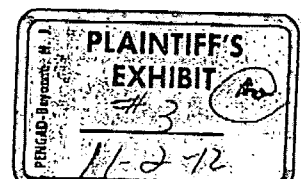
Fax #: *843-571-2388*

From: Darrell Thomas Johnson, Jr., Esquire
Warren Paul Johnson, Esquire

Date: *10-30-12*

Subject: *Barbara B. Clark, et al*
vs. Fred H. Moore

Pages: including cover sheet *16*



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D.T. + W.P. JOHNSON, ESQ.
843 784 5770
Oct-30-2012 17:30



Fax Call Report

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DARRELL THOMAS JOHNSON, JR., LLC
Attorney at Law
Post Office Box 1125
300 Main Street
Hardeeville, SC 29927
(843) 784-2142
Fax (843) 784-5770

To: Hon. Judge Richard E. Fields
Fax #: 843-577-2388
From: Darrell Thomas Johnson, Jr., Esquire
Warren Paul Johnson, Esquire
Date: 10-30-12
Subject: Barbara S. Clark, et al
vs. Fred H. Moore
Pages: including cover sheet

DARRELL THOMAS JOHNSON, JR., LLC
Attorney at Law
Post Office Box 1125
300 Main Street
Hardeeville, SC 29927
(843) 784-2142
Fax (843) 784-5770

To: *Attorney Edward Brown*

Fax #: *843-577-3079*

From: Darrell Thomas Johnson, Jr., Esquire
Warren Paul Johnson, Esquire

Date: *10-30-12*

Subject: *Barbara B. Clark, et al vs. Fred H. Moore*

Pages: including cover sheet *16*

hp LaserJet 3030

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843.784.5770
Oct-30-2012 17:41



Fax Call Report

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DARRELL THOMAS JOHNSON, JR., LLC
Attorney at Law
Post Office Box 1125
300 Main Street
Hardeeville, SC 29927
(843) 784-2142
Fax (843) 784-5770

To: Attorney Edward Baux

Fax #: 843-577-3079

From: Darrell Thomas Johnson, Jr., Esquire
Warren Paul Johnson, Esquire

Date: 10-30-12

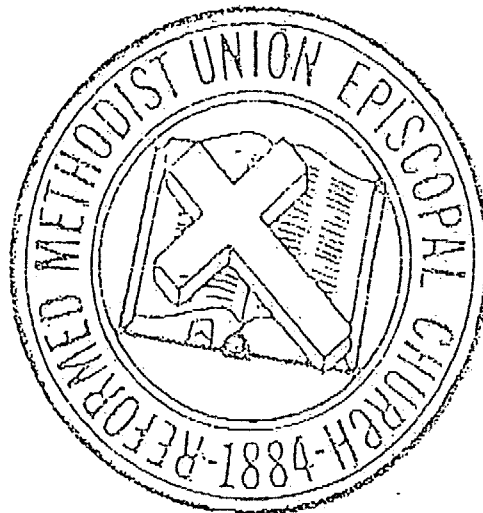
Subject: Barbara B. Clark, Gladys, & Son

Pages: including cover sheet

Minutes
Of the
Reformed Methodist Union Episcopal Churches

26th General Conference

(00) 175



Convened at

Antioch R.M.U.E. Church
Rivini, South Carolina

Rev. William Polite, Jr., Pastor

May 8-9, 2000

Bro. Willie B. Oliver

General Secretary

Sis. Deborah N. Coleman

Episcopal Secretary

Rev. Ronald Wine

Presiding Elder, Sumter Dist

Rev. Thomas Watson, Jr.

Presiding Elder, Savannah Dist

Rev. Fred Henderson Moore

Presiding Elder, Charleston Dist

Rev. Jerry Devoe

Associate Bishop

Rt. Rev. Dr. Leroy Gethers

Presiding Bishop

It was also decided that if a vacancy is created by (death, incapacitation, expulsion, etc.) the Presiding Bishop has the authority to appoint a person to fill the position until General Conference, after that, someone can make their declaration to run for that office.

Bro. Caesar Jenkins read the proposals from the lay delegates.

Item # 1 - ok already corrected

Item # 2 - adopted

Item # 3 - adopted

Item # 4 - adopted

Item # 5 - adopted

Item # 6 - A motion to adopt was made by Bro. Richardson and seconded by Rev. Powell Hampton that the Ministers with a small church receive a \$300.00 per quarter instead of \$150.00 per quarter. The motion was carried

Elder Ronald Wine asked what happens after a presiding Bishop has served his four years? Bro. Caesar Jenkins stated that after demise of the present presiding Bishop any one who is qualified and seeks that office will be elected to a term of four years. After the (4) four years expires, that position is open for election. If that person is defeated, he will be sent to pastor a church. There will only be one presiding Bishop.

Sis. Coleman felt that we should have procedures in place for those ministers receiving assistance from the Denomination. She further stated that it's the church along with the Stewards to see that a pastor is receiving his salary. All churches have Pastor's Anniversary etc. wherein the pastor's receive monies from the church. If the members were to pay their tithes and offering, it would not be a problem. At some point, those pastor's receiving assistance can eventually be weaned out if there membership changes. Rev. Robert Dunham felt that we are our brother's keeper and we should help. It is our responsibility to help the smaller church. It would not be right if the Denomination does not assist these churches. We should help as long as we are able to do so.

Rev. Powell Hampton asked if the Youth Congress can be changed from the 3rd Saturday in July to the 1st Saturday in September. After a lengthy discussion a substitute motion was made by Rev. William Watson and seconded by Sis. Janet Williams that the Youth Congress be held on the 3rd Saturday in September effective this year. The motion was carried.

Sis. Theresa Golden read the Proposal from Savannah District. Sis. Elizabeth Taylor stated that she is on the Savannah District and was not aware of this Proposal. Sis Golden asked that the proposal be submitted from Mt. Olive R.M.U.E. Church. A motion to adopt was made by Bro. Willie B. Oliver and seconded by Elder Thomas Watson that Mt. Olive Church proposal be adopted. Elder Fred H. Moore asked that an amendment to the proposal to a 3.00 GPA instead of 4.00. After a lengthy discussion was held some members commented as to 1.) will every district be able to receive a scholarship and how will they be selected.

Jesus. The understanding lies in tradition. The word believed is discussed in Roman 10:9.

Question: During Communion, how long can you stay on your knees?

Discussion: Several churches stated that some people stand to take their Communion and others are receiving Communion in the pews.

Discussion of Proposals:

Proposal # 1: Corrections to New Discipline

Several names were not included in the new discipline.

This matter was resolved with pre-printed labels. Each church will receive the labels to place in Disciplines.

Proposal # 2: Demise of the Presiding Bishop of the R.M.U.E. Church

The present Discipline states that the presiding Bishop hold that title for life. It is therefore proposed that every four years, the Office of Presiding Bishop will come open for election.

Reason: This will allow the younger men in the ministry an opportunity to aspire to reach the glass ceiling. It is a productive move for the R.M.U.E. Denomination by providing growth within the Church. After the demise of this presiding Bishop of The R.M.U.E. Church, the office of a presiding Bishop will come AVAILABLE EVERY FOUR YEARS. Persons seeking this elected office must meet the necessary qualifications mandated by The R.M.U.E. Church.

Associate Bishop:

Proposal # 3: After, the demise of this presiding Associate Bishop of the R.M.U.E. Church, the office of Presiding Associate Bishop will come available every four years.

Persons seeking this elected office must meet the necessary qualifications must meet the necessary qualifications mandated by The R.M.U.E. Church.

Ministers to Bishopship:

Discussion: How to move our ministers to the title of Bishop?

Proposal # 4: Any minister, who has met the necessary qualification of The R.M.U.E. Church, may advance to the title of Bishop.

Pension Fund for Presiding Bishop:

Proposal #5: The General Conference elect a committee representative of the R.M.U.E. Church to develop a Pension Fund for previous Presiding Bishops.

Salary Increase for Small Churches

Proposal #6: Increase Stipend for Ministers of Small Churches Bethlehem, Bethel, St. James, Central in Savannah, and any new church, the stipend increase from \$100.00 to \$300.00 per quarter.

Accountability in the Conference
From the Chairperson, Bro. Jenkins

The Bishop is aware of the balance in each department of the church for the last four years. It is therefore the responsibilities of The Lay Delegates, because you represent the members in your church, to make sure that those departments and the person amenable to those departments, which have not grown during the last four years, are held accountable. If it means voting out those person, then that is the responsible of the Lay delegates to perform such duties.

We are asking that the Bishop and The General Office provide the Churches with a quarterly update in the form of a Newsletter. Explain what you have done during the last quarter and what are your visions for the your department. The General Officers are amenable to the members of The R.M.U.E. Church. Thus, the time is at hand that they are held to such duties. The Lay Delegates deem it necessary that you are heard from to explain your vision for The R.M.U.E. Church.

Barbara B. Clark
Post Office 745
Hardeeville, South Carolina 29927
General Secretary of the
Reformed Methodist Union Episcopal Church

COPY

October 30, 2012

Amendments Added To RMUE Discipline

General Conference 2000

General Conference 2004

General Conference 2008

General Conference 2012

After the demise of Bishop Leroy Gethers the office of Bishop will come available every 4 years.

General Conference 2008

At age 72 the Bishop will be atomically retired.

General Conference 2008

Lay Delegate for each district be elected by the General Conference

The Reformed Methodist Union Episcopal Church

Minutes from Bishop Fred H. Moore Trial

July 10, 2012

Sis. Barbara B. Clark, General Secretary

Rev. Daniel Green, General Treasurer

Evangelist Cassie Keeton, Secretary of Book Concern

Rev. Warren E. Hatcher, Secretary of Mission

Rev. Amos Hatcher, Secretary of Church Extension

Rev. Bobby Keeton, Secretary of Education

Rev. Powell Hampton Jr., Secretary of Sunday School

Rev. Ronald Wine, Secretary of Pension

Bro. James Moseley, Secretary of Security

The meeting was called to order by Rev. Amos Hatcher, Chairman of the General Board

Prayer by Rev. Warren E. Hatcher

Scripture by Rev Daniel Green

Song

As schedule the trial was held on July 10, 2012 at Greater Mount Olive Reformed Methodist Union Episcopal Church, Hardeeville, South Carolina, and the Rev. Amos Hatcher presiding. Court was called to order at 12:35 pm, because Bishop Moore (The Defendant) and two (2) Jurors (Elder Robert Dunham and Elder James Wine) were not present. Rev. Amos Hatcher ask the General Officers to call a "Special Session of the General Board" to resolve the matter.

Immediately a "Special Session" was held and a motion was made and second to suspend the rules for "Trial of Bishop" and began the trial. The motion was passed unanimously.

The trial went into session. Judge Hatcher ask for the charges to be read. The charges were read and no one was present to defend the charges. Therefore it was declared that Bishop Fred H. Moore was guilty of all charges. Judge Hatcher asks how the Court was going to dispose of the matter. A motion was made and second that Bishop Moore be suspended from all duties and barred from the RMUE Church pulpits indefinitely without pay and legal action be taken. The motion was passed.

Rev Powell Hampton wanted to know what steps should be taken if he the Bishop refuse to abide by the sanction handed down? Sis. Clark stated then the General Board would have to put a restraining order in place. A motion was made by Rev. Daniel Green and second by Rev. Hatcher that the General Board give Sis. Clark Permission to go to the attorney to get things

started (restraining order) because Bishop Moore refuses to abide by anything this board tells him to do. He has not listened since he became the presiding bishop. The motion was carried.

A motion was made by Sis. Clark and second by Rev. Green that a "Restraining Order" be taken out on Bishop Moore, and if he refuses to abide by these orders: he will immediately be expelled from office and Located in accordance of the laws of the RMUE Church. The motion was carried.

The Court ordered that a copy of this decision be given to all Presiding Elders and Pastors to inform all the Members of the RMUE Church of this ruling and action taken during the trial!

The general board ask that Sis. Clark the General Secretary send a "Letter of Notification" to all Elders, Pastors, and Officials of our churches that those who violate these orders will be held accountable.

The board asks that it be recorded that the General Officers do not take this step lightly; however, we have a duty to protect this Denomination and owe it to the members of the RMUE Church to do so.

Rev. Hatcher asks was there anything else that needed to discuss. A motion was made to adjourn.

Present

Evangelist Cassie Keeton

Rev. Bobby Keeton

Rev. Warren E. Hatcher

Rev. Daniel Green

Rev. Powell Hampton, Jr.

Rev. Amos Hatcher

Sis. Barbara B. Clark

Rev. Joseph Oliver

Sis. Ann Blandin

Sis. Barbara B. Clark, General Secretary

The Reformed Methodist Union Episcopal Church

P.O. Box 972

Summerton South Carolina 29108

Rev. Amos Hatcher, General Board Chairman

Sis. Barbara B. Clark, General Secretary

Rev. Daniel Green, General Treasurer

Evangelist Cassie Keeton, Secretary of Book Concern

Rev. Warren E. Hatcher, Secretary of Mission

Rev. Amos Hatcher, Secretary of Church Extension

Rev. Bobby Keeton, Secretary of Education

Rev. Powell Hampton Jr., Secretary of Sunday School

Rev. Ronald Wine, Secretary of Pension

October 6, 2012

To All RMUE Members,

This letter comes to inform you that Suspend and Expelled Bishop Fred Moore along with his few followers are trying to withdraw money from the **RMUE Banquet Committee Funds** to pay themselves. Rev. Robert Dunham contacted Rev. Ronald Wine to help remove this money from the bank and he refused. This money cannot be used for payroll or to pay anything. This money is for the RMUE Banquet, Pension and RMUE Scholarship. They are continuously spending the RMUE Money as they choose to. There are no reports being given to anyone. This General Board will pursue all criminals' charges that it takes to get your money back and anyone signing any papers or voting in any meeting that was not a General Officer.

Once again we are the RMUE Church; anyone leaving will not carry the RMUE name. The RMUE Conference will be held at Greater St. Phillip RMUE Church.

We are aware that some churches are not getting correspondence due to the fact that the pastor is not letting the secretary read the letters but we are trying to keep you informed as much as we can. No Money has been put back into the treasure that Suspended Bishop Moore and his followers removed and Greater St. Phillip is supporting the Annual Conference 100% along with all the other churches.

Yours in Christ,

The General Board of the RMUE Church

Barbara B. Clark, General Secretary

The Reformed Methodist Union Episcopal Church

1217 Carnegie Avenue

Charleston, South Carolina 29407

Rev. James Moseley, Secretary of Security

June 30, 2012

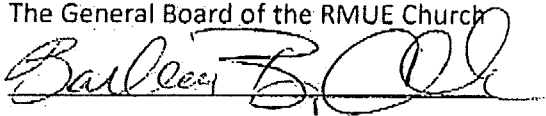
Dear Rev. James Wine,

The General Board of the RMUE Church is asking you to serve at the trial of Bishop Fred H. Moore on July 10, 2012 at Great Mount Olive RMUE Church, Hardeeville, South Carolina at 12:00 Noon.

Please advise us as soon as possible if you cannot be a part of this trial. Thanking you in advance for your service.

Yours in Christ

The General Board of the RMUE Church

A handwritten signature in cursive script, appearing to read "Barbara B. Clark", written over a horizontal line.

Sis. Barbara B. Clark

The Reformed Methodist Union Episcopal Church

1217 Carnegie Avenue

Charleston, South Carolina 29407

Rev. James Moseley, Secretary of Security

June 30, 2012

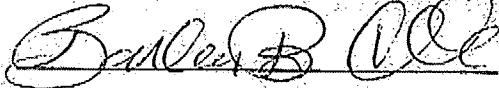
Dear Rev. Robert Dunham,

The General Board of the RMUE Church is asking you to serve at the trial of Bishop Fred H. Moore on July 10, 2012 at Great Mount Olive RMUE Church, Hardeeville, South Carolina at 12:00 Noon.

Please advise us as soon as possible if you cannot be a part of this trial. Thanking you in advance for your service.

Yours in Christ

The General Board of the RMUE Church

A handwritten signature in cursive script, appearing to read "Barbara B. Clark", written over a horizontal line.

Sis. Barbara B. Clark

The Reformed Methodist Union Episcopal Church

1217 Carnegie Avenue

Charleston, South Carolina 29407

Rev. James Moseley, Secretary of Security

July 1, 2012

To Associate Bishop and General Officers

A trial has been set for Bishop Moore July 10, 2012 at Greater Mount Olive RMUE Church 12:00 Noon.
The trial will take place with him present or not.

The following are the complaints against him:

1. Circulating inaccurate and potentially defamatory information throughout regarding Elder William Polite, Jr.
2. Unilaterally suspending General Officers of the Church without following proper procedures and without having authority to do so.
3. Unilaterally adding delegates to the General Conference.
4. Unilaterally converting church property without Board approval, by instructing Rev. Green to cash the Church's CD.
5. Refusing to appear at a scheduled meeting on April 19, 2012 in Charleston, SC which had been duly noticed by the General Officers in order to address your conduct.
6. Disregarding proper procedure in issuing the Certificates for General Conference without obtaining the requisite signatures from the general secretary.
7. On May 25, 2012, you went to Wells Fargo located at 177 Meeting Street, Charleston, SC, and provided the bank with fictitious and fraudulent information and withdrew \$8,631.26 from the RMUE Church account and open a new account excluding previous authorized signees without anyone of the General Officers' knowledge.
8. Catherine Washington was elected to be the assistant secretary operating under the discretion of the General Secretary, however, under your supervision, presently acts and

fulfills the duties of the General Secretary and has been placed on the new unauthorized account opened May 25, 2012.

9. Unilaterally writing checks on the new account that you opened without the consent of the General Officers with only your signature.

10. In Bishop Council meeting there are people voting illegally on matters. You changed the makeup and format of the Bishop Council with no authority to do so.

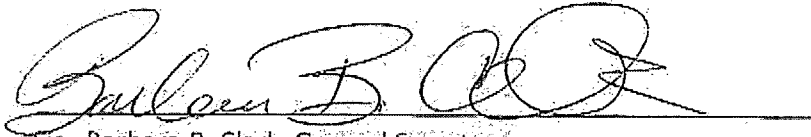
11. Refusing to stay out of the RMUE Church pulpit after being suspended from all duties of the church.

12. Unilaterally calling an unauthorized meeting June 30, 2012 at New Zion RMUE Church, Charleston, S.C.

The trial date is set for July 10, 2012 at 12:00 Noon, Greater Mount Olive RMUE Church, Hardeeville, South Carolina.

Per: The Discipline of the Reformed Methodist Union Episcopal Church. Please be advised your presence is required. Come prepared to defend yourself of these charges. The trial will be held with or without your presence.

General Board of the Reformed Methodist Union Episcopal Church



Sis. Barbara B. Clark, General Secretary

The Reformed Methodist Union Episcopal Church

1217 Carnegie Avenue

Charleston, South Carolina 29407

Rev. James Moseley, Secretary of Security

Barbara B. Clark, General Secretary

Rev. Daniel Green, General Treasurer

Evang. Cassie Keeton, Secretary of Book Concern

Rev. Warren E. Hatcher, Secretary of Mission

Rev. Amos Hatcher, Secretary of Church Extension

Rev. Bobby Keeton, Secretary of Education

Rev. Powell Hampton, Jr., Secretary of Sunday School

Rev. Ronald Wine, Secretary of Pension

Bro. Willie Oliver, General Officer, Emeritus

Rev. James Moseley, Secretary of Security

June 30, 2012

Dear Bishop Moore:

Please find enclosed a letter (notice) based upon the Doctrine and Discipline of the Reformed Methodist Union Episcopal Church page 89 section F Trial of a Bishop.

The following are the complaints against you:

1. Circulating inaccurate and potentially defamatory information throughout regarding Elder William Polite, Jr.
2. Unilaterally suspending General Officers of the Church without following proper procedures and without having authority to do so.
3. Unilaterally adding delegates to the General Conference.
4. Unilaterally converting church property without Board approval, by instructing Rev. Green to cash the Church's CD.
5. Refusing to appear at a scheduled meeting on April 19, 2012 in Charleston, SC which had been duly noticed by the General Officers in order to address your conduct.
6. Disregarding proper procedure in issuing the Certificates for General Conference without obtaining the requisite signatures from the general secretary.

7. On May 25, 2012, you went to Wells Fargo located at 177 Meeting Street, Charleston, SC, and provided the bank with fictitious and fraudulent information and withdrew \$8,631.26 from the RMUE Church account and open a new account excluding previous authorized signees without anyone of the General Officers' knowledge.

8. Catherine Washington was elected to be the assistant secretary operating under the discretion of the General Secretary, however, under your supervision, presently acts and fulfills the duties of the General Secretary and has been placed on the new unauthorized account opened May 25, 2012.

9. Unilaterally writing checks on the new account that you opened without the consent of the General Officers with only your signature.

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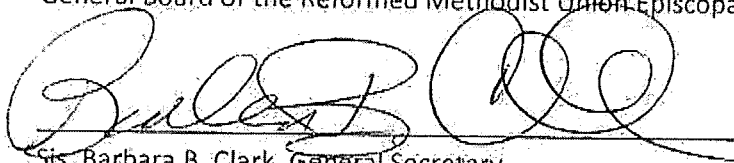
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The trial date is set for July 10, 2012 at 12:00 Noon, Greater Mount Olive RMUE Church, Hardeeville, South Carolina.

Per: The Discipline of the Reformed Methodist Union Episcopal Church. Please be advised your present is required. Come prepared to defend yourself of these charges. The trial will be held with or without your presence.

General Board of the Reformed Methodist Union Episcopal Church



Sis. Barbara B. Clark, General Secretary

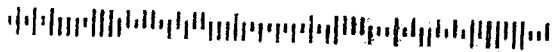
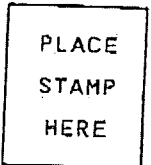
On 08/27/2012 the balance in your account ending in 6073 was too low to cover one or more of your transactions. Please refer to the list below to see if transactions were paid or returned and for the total fees charged to your account, if applicable.

Your current available balance can be obtained 24 hours a day, 7 days a week through Online Banking, any Wells Fargo ATM or by calling 1-800-225-5935.

To avoid future overdrafts, monitor your available balance, record all your transactions and consider one of our Overdraft Protection plans. For questions or inquiries, call the National Business Banking Center at 1-800-225-5935 or visit <https://www.wellsfargo.com/help/faqs/odp>. Thank you for choosing Wells Fargo.

Transaction	Amount	Action	Fee
CHECK # 01512	\$ 705.44	Returned	\$ 35.00
CHECK # 01513	\$ 610.44	Returned	\$ 35.00
Total Fee(s):			\$ 70.00

REFORM METHODIST UNION
EPISCOPAL CHURCH
7753 ROSIN DR
NORTH CHARLESTON SC 29418-2123



WELLS FARGO BANK, N.A.
P.O. BOX 5100
Sioux Falls, SD 57117-5100

hp LaserJet 3030

D.T. + W.P. JOHNSON, ESQ.
843 784 5770
Oct-30-2012 17:33



Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
848	10/30/2012	17:32:31	Send	18435712388	0:49	1	OK

Account number: 7479556073 m July 1, 2012 - July 31, 2012 m Page 2 of 3



Transaction history

Date	Check Number	Description	Deposits/Debits	Withdrawals/Debits	Ending daily balance
7/8	1004	Cashed Check		215.00	5,312.28
7/9	1005	Cashed Check		200.00	5,112.28
7/11	1006	Check		457.00	4,655.28
7/12	1007	Check		150.00	4,505.28
7/13	1010	Check		160.00	4,345.28
7/17		Merland Dallas Check/Acc. 071817 00001015152434 Refund		160.00	4,185.28
7/17		Merland Clark Check/Acc. 071817 00001015152434 Refund		160.00	4,025.28
7/18		Methodist Union		137.38	3,887.90
7/18	1008	Check		271.00	3,616.90
7/20	1009	Check		247.00	3,369.90
Ending balance on 7/31					3,369.90
Totals			10.00	\$3,460.75	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transaction period. If you had insufficient available funds when a transaction period, fees may have been assessed.

Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1004	7/8	215.00	1006	7/8	457.00	1008	7/18	271.00
1005	7/9	200.00	1010	7/12	160.00	1009	7/20	247.00
1007	7/11	150.00	1011	7/12	160.00			

* Gap in check sequence.

Account transaction fees summary

Service charge description	Units used	Units included	Excess units	Service charge per excess unit (\$)	Total service charge (\$)
Paid and deposited interest	0	300	0	0.50	0.00
Total service charge					0.00

✓ 11/11/2011

11-11-11

As the incumbent, I hereby
declare my candidacy for
re-election as Bishop of the

Rmuc (Reformed Methodist Union
Episcopal Union Episcopal Church) for
the next ensuing four (4) years. kindly
enter this in your records

Fred Henderson Moon
Fred Henderson Moon



Transaction history

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Endr.
8/2	1510	Cashed Check			
8/2	1509	Cashed Check		610.44	
8/2	1508	Check		705.44	
8/6	1506	Check		500.00	
8/15	1511	Check		300.00	
8/24	1514	Check		320.00	
8/27	1512	Check		150.00	
8/27	1513	Check		705.44	
8/28		Check Reversal		610.44	-1.1
8/28		Check Reversal	705.44		
8/28		NSF Return Item Fee for Item \$705.44 08/27 Check # 01512	610.44		
8/28		NSF Return Item Fee for Item \$610.44 08/27 Check # 01513		35.00	
8/31		Deposit Made in A Branch/Store		35.00	
Ending balance on 8/31			14,000.00		14.1
Totals			\$15,315.88	\$3,971.76	14.1

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1506	8/6	300.00	1510	8/2	610.44	1513	8/27	610.44
1508 *	8/2	500.00	1511	8/15	320.00	1514	8/24	150.00
1509	8/2	705.44	1512	8/27	705.44			

* Gap in check sequence.

Items returned unpaid

Date	Description	Amount
8/28	Non-Monetary Notation Transaction Reference # 00008308008420342498	705.44
8/28	Non-Monetary Notation Transaction Reference # 00008308008420342499	610.44

Account transaction fees summary

Service charge description	Units used	Units included	Excess units	Service charge per excess units (\$)	Total service charge (\$)
Paid and Deposited Items	6	200	0	0.50	0.00
Total service charges					\$0.00



IMPORTANT ACCOUNT INFORMATION

Effective November 7, 2012, debit or ATM card cash withdrawals made in person at non-Wells Fargo locations or in person using the cash advance feature at Wells Fargo banking locations will be subject to your daily ATM withdrawal limit.

Gold Business Services Package

Account number: **7479556073** ■ August 1, 2012 - August 31, 2012 ■ Page 1 of 4



013255 1 AV 0.350 708134



REFORM METHODIST UNION
EPISCOPAL CHURCH
7753 ROSIN DR
NORTH CHARLESTON SC 29418-2123

Questions?

Available by phone 24 hours a day, 7 days a week:

1-800-CALL-WELLS (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: wellsfargo.com/biz

Write: Wells Fargo Bank, N.A. (367)

P.O. Box 6995

Portland, OR 97228-6995

Your Business and Wells Fargo

For nine years running, Wells Fargo has loaned more money to small businesses than any other bank.* Let us help you find the right credit solutions for your business. To learn more, talk to a banker, call the number at the top of your statement, or visit us at wellsfargo.com/biz.

*2002-2010 Community Reinvestment Act government data. Equal Housing Lender.

Account options

A check mark in the box indicates you have these convenient services with your account. Go to wellsfargo.com/biz or call the number above if you have questions or if you would like to add new services.

Business Online Banking ☐
Online Statements ☐
Business Bill Pay ☐
Business Spending Report ☐
Overdraft Protection ☐

Activity summary

Beginning balance on 8/1	\$2,789.13
Deposits/Credits	15,315.88
Withdrawals/Debits	- 3,971.76
Ending balance on 8/31	\$14,133.25
Average ledger balance this period	\$1,008.60

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed at the top of your statement or visit your Wells Fargo branch.

Account number: **7479556073**

REFORM METHODIST UNION
EPISCOPAL CHURCH

South Carolina account terms and conditions apply

For Direct Deposit and Automatic Payments use
Routing Number (RTN): 053207766

For Wire Transfers use
Routing Number (RTN): 121000248

Gold Business Services Package

Account number: **7479556073** ■ July 1, 2012 - July 31, 2012 ■ Page 1 of 3



011378 1 AV 0.350 587628



REFORM METHODIST UNION

EPISCOPAL CHURCH

7753 ROSIN DR

NORTH CHARLESTON SC 29418-2123

Questions?

Available by phone 24 hours a day, 7 days a week

1-800-CALL-WELLS (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: wellsfargo.com/biz

Write: Wells Fargo Bank, N.A. (367)

P.O. Box 6995

Portland, OR 97228-6995

Your Business and Wells Fargo

For nine years running, Wells Fargo has loaned more money to small businesses than any other bank.* Let us help you find the right credit solutions for your business. To learn more, talk to a banker, call the number at the top of your statement, or visit us at wellsfargo.com/biz.

*2002-2010 Community Reinvestment Act government data. Equal Housing Lender.

Account options

A check mark in the box indicates you have these services with your account. Go to wellsfargo.com/biz the number above if you have questions or if you would like to add new services.

Business Online Banking
Rewards for Business Check Card
Online Statements
Business Bill Pay
Business Spending Report
Overdraft Protection

Activity summary

Beginning balance on 7/1	\$6,249.48
Deposits/Credits	0.00
Withdrawals/Debits	- 3,460.35
Ending balance on 7/31	\$2,789.13
 Average ledger balance this period	 \$4,060.60

Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed at the top of your statement or visit your Wells Fargo branch.

Account number: **7479556073**

REFORM METHODIST UNION
EPISCOPAL CHURCH

South Carolina account terms and conditions apply

For Direct Deposit and Automatic Payments use
Routing Number (RTN): 053207766

For Wire Transfers use:
Routing Number (RTN): 121000248

North Charleston, South Carolina
 New Zion R.M.U.E. Church
 Convened at

By Order of the General Conference

PLAINTIFF'S
 EXHIBIT # 19
 11-2-12



THE DOCTRINES
 AND
 DISCIPLINE
 of the
 Reformed Methodist
 Union Episcopal Church

Barbara Clark, et al

Officer

Fred Henderson Moore



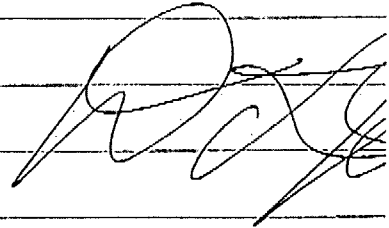
Personally appeared
Daniel Thomas Johnson, Jr.
who on oath deposes
and says:

- ① That he is attorney
of record for the
Plaintiffs
- ② That he has not
been served pursuant
to Local Federal Rule
5.05 with any plead
in this case
- ③ That his office is
under instructions to
contact him by any
means necessary if
something is received

Notary Public

(4) That as of 9:58
Nov 2, 2012 nothing has
been electronically
served, nor did a
PACER search detect
a filing.

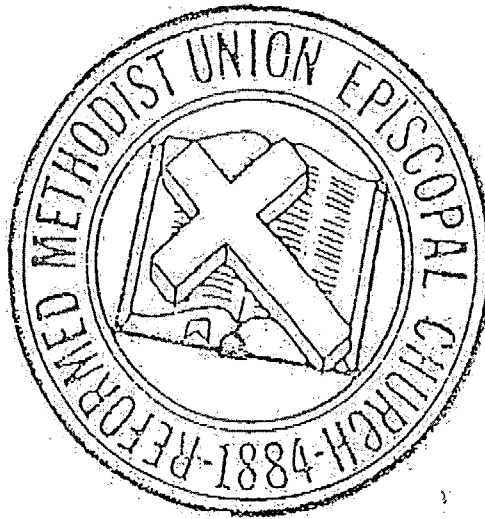
Sworn to before
me this 2nd day of
November 2012



Daniel Green Notary public South Carolina

Minutes
Of the
Reformed Methodist Union Episcopal Churches

26th General Conference



Convened at

Antioch R.M.U.E. Church
Rimini, South Carolina

Rev. William Polite, Jr., Pastor

May 8-9, 2000

Bro. Willie B. Oliver

General Secretary

Sis. Deborah N. Coleman

Episcopal Secretary

Rev. Ronald Wine

Presiding Elder, Sumter District

Rev. Thomas Watson, Jr.

Presiding Elder, Savannah District

Rev. Fred Henderson Moore

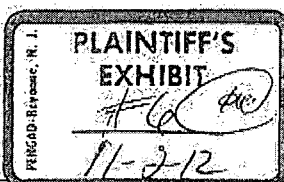
Presiding Elder, Charleston District

Rev. Jerry Devoe

Associate Bishop

Rev. Dr. Leroy Gethers

Presiding Bishop



Monday, May 8, 2000

Devotional Service conducted by Rev. Warren Hatcher and Rev. William Polite. The opening selection "Pass Me Not O Gentle Savior". The invocation was given by Rev. Polite and Scripture Reading I John 3: 1-9. The second hymn "God has Smiled on Me. The Welcome Address was given by Rev. William Polite and response by Bishop Jerry Devoe.

The 26th General Conference was called to order by Bishop Gethers. He gave God thanks to be present in the house of worship and thanked Rev. Hatcher and Rev. Polite for conducting the Devotional Service. Bishop Gethers asked that this General Conference work in unity, for the good of the Church. He stated that we are God's children working for the same God. Let us do everything in our power to up lift the Reformed Methodist Union Episcopal Church. We serve a God that sits high and looks low, His eyes are on the sparrow and I know that he watches over me. Let us have love, peace and unity. All members must work together for the church using our God given talents. Let us walk right, talk right and do what's right. We all have gifts and let us use our gift for the betterment of the Reformed Methodist Union Episcopal Church.

Altar call was held for members and prayers were offered by Rev. Joseph Powell, Rev. Warren Hatcher, Rev. Robert Dunham and Bishop Gethers.

The roll call of the 25th General Conference was called by the General Secretary. Memorial Service was conducted by Bishop Gethers for our deceased members. They are Bro. William Parker, Rev. Theodore Wrighten and Sis. Helen Brown.

The names of the 2000 General Conference Delegates were recorded and called as listed below:

GENERAL OFFICERS

Rev. William Polite, Jr., Secretary of Education Department
Rev. Dan Green, General Treasure
Bro. Willie B. Oliver, General Secretary
Rev. Warren Hatcher, Secretary of Mission Department
Rev. Powell Hampton, Secretary of Sunday School Union
Sis. Barbara B. Clark, Secretary of Church Extension
Sis. Ann Blandin, Secretary of Book Concern

MINISTERIAL DELEGATES

Elder Fred Henderson Moore, Presiding Elder Charleston District
Elder Thomas Watson, Presiding Elder Savannah District
Elder Ronald Wine, Presiding Elder Sumter District
Rev. Robert L. Dunham, Pastor Savannah District
Rev. Melvin Bolds, Pastor, Sumter District
Rev. William Watson, Conference Missionary Charleston District
Rev. Wesley Moore, Pastor Charleston District

CHARLESTON DISTRICT LAY DELEGATES

Sis. Deborrah N. Coleman, Mt. Hermon

Sis. Emogene Backman, Sis. Janet Williams, Bro. Ceasar Jenkins,
Bro. Herman Bolds, and Bro. George Richardson, Payne

Sis. Ruth Mitchell and Sis. Viola Chisolm, Central

Bro. David Pender, Jerusalem

Sis. Alice Davis and Sis. Rena Davis, New Zion

Bro. Charlie Gadsden, Bethlehem

Sis. Anna Adams, St. James (not present)

SAVANNAH DISTRICT LAY DELEGATES

Sis. Elizabeth Taylor, Central

Sis. Catherine Taylor, St. Stephen

Bro. Jimmie L. Woods, Emmanuel

Sis. Theresa Golden, Mt. Olive

Bro. Samuel Smalls, Bethel

SUMTER DISTRICT LAY DELEGATES

Sis. Willie Mae Hardy and Sis. Matline Junious, St. Phillip

Sis. Mary Ann Shannon, Mt. Pleasant

Sis. Magalene Thomas and Sis. Katy Coaxum, Orangehill

Sis. Joyce Raiford, Mt. Sinai

Sis. Inez Parker and Bro. James, Antioch

A motion was made by Rev. William Polite and seconded by Rev. Melvin Bolds that the seventh be the bound of the conference. The motion was carried.

A motion was made by Rev. William Polite and seconded by Rev. Powell Hampton to have Eld. Ronald Wine and Rev. Robert Dunham serve as Marshalls. The motion carried.

A motion was made by Sis. Barbara B. Clark and seconded by Rev. Dan Green to have Sis. Deborra Coleman serve as recording secretary. The motion was carried.

Commissioning Service was held for General Officers by Bishop Gethers, assisted by Elder Fred H. Moore. During the service, Rev. Melvin Bolds intervened and wanted to know whether these General Officers were being installed because he wanted to run for an office. Bishop Gethers announced that the procedure is that you must make your declaration in the Annual Conference.

After a lengthy discussion it was decided that the floor was now open for nominees for any one seeking a General Office position. At this point Rev. Bolds made his declaration for Secretary of Church Extension. Sis. Katy Coaxum asked that the candidates give a statement indicating the reason why they are running for the position and what plans do they anticipate. Remarks were given by Sis. Barbara B. Clark and Rev. Melvin Bolds candidates seeking the office of Secretary of Church Extension.

Bro. Jenkins made a motion and it was seconded by Bro. Richardson that we use the two (2) Tellers elected in the Lay Delegates meeting. The motion was carried. The Tellers are: Sis. Emoger Backman and Sis. Elizabeth Taylor. The election was held by ballot voting and Rev. Melvin Bolds defeated Sis. Barbara B. Clark by a vote of 27 to 15. Bishop Gethers preceded in the Commissioning of General Officers for the years 2000-2004 with the newly elected Secretary of Church Extension being installed along with the other General Officers who were unopposed.

The following Committees were appointed by Bishop Gethers:

PRESIDING ELDER'S SALARY

Sis. Emogene Backman
Bro. David Pender
Sis. Willie Mae Hardy

Sis. Catherine Taylor
Sis. Rena Davis
Rev. Joseph Powell

PASTOR'S SALARY

Sis. Alice Davis
Rev. Melvin Bolds
Rev. William Polite

Sis. Matline Junious
Bro. Willie B. Oliver
Sis. Theresa Golden

MISSIONARY, AUXILIARY, SENIOR & JUNIOR CONFERENCE WORKERS BOARDS

Sis. Ruth Mitchell
Sis. Joyce Raiford
Rev. Robert L. Dunham

Sis. Inez Parker
Rev. Dan Green
Sis. Deborrah Coleman

CHURCH ASSESSMENT AND GENERAL CONFERENCE

Sis. Barbara B. Clark
Bro. Jimmie L. Woods
Elder Thomas Watson

Sis. Inez Parker
Bro. Robert James
Bro. Ceasar Jenkins

Sis. Janet Williams
Sis. Katy Coaxum
Sis. Ann Blandin

Sis. Viola Chisolm
Rev. Wesley Moore
Bro. Charlie Gadsden

CHURCH EXTENSION AND EASTER DAY

Bro. Hernan Bolds
Sis. Magalene Thomas
Rev. Powell Hampton

Bro. Samuel Smalls
Rev. William Watson

EDUCATION AND CHILDREN'S DAY

Rev. Warren Hatcher
Elder Fred. H. Moore
Sis. Mary Shannon

Bro. George Richardson
Elder Ronald Wine

Sis. Ann Blandin asked the General Conference for permission to organize a Nurse's Unit in District. A motion was made by Rev. William Watson and seconded by Rev. Wesley Moore that the Nurse's Unit be organized. The motion was carried.

Bishop Gethers asked for reports from General Officers for the years commencing 1992 - 1996.

GENERAL TREASURE'S REPORT

General Treasure's report was given by Rev. Dan Green. A motion was made by Rev. William Watson and seconded by Bishop Devoe. After the unreadiness by Elder Thomas Watson, unreadiness was the amount in checking account. Rev. Green felt that amount was necessary to expenses. After a lengthy discussion a motion was made by Sis. Janet Williams and seconded by Emogene Backman that the General Treasurer look at other ways of investing the money to more interest. The motion was carried. The accounts and balances for the General Treasurer listed below:

Balances are as of May 2, 2000:

Checking Account	\$18,630.50
Savings Account	56,767.35
Certificate	<u>11,101.30</u>
Total	\$86,499.15

Bishop Gethers announced that he remembered when the Denomination had nothing. We were to lend out \$52,000 in one year. Thank God for the distance he has brought us.

Rev. William Watson announced that he is seeking the office of Associate Bishop because it is so that we can have two (2) Associate Bishops. Elder Moore stated that according to the new Discipline the Associate Bishop office is not open.

The conference was adjourned for lunch break.

MONDAY, MAY 8, 2000 – 2:30 P.M.

Devotional Service was conducted by Rev. Dan Green and Rev. Powell Hampton. The opening selection was "Jesus Keeps Me Near the Cross" and invocation by Rev. Dan Green. The Scripture Reading Psalm 27 was read by Rev. Powell Hampton. The second hymn "Pass Me Not O Gentle Savior".

The conference was called to order by Bishop Gethers.

The roll was called by the General Secretary and minutes read by Recording Secretary. A motion to accept the minutes was made by Rev. William Watson and seconded by Rev. Powell Hampton. The motion was carried.

Bishop Gethers asked that we continue with the General Officer's Reports.

GENERAL SECRETARY REPORT

The General Secretary report given made by Bro. Willie B. Oliver. The total expenditures for the period May 1996 – May 2000 was \$221,454.26. A motion to accept the report was made by Rev. William Watson and seconded by Bishop Devoe. The motion was carried.

SECRETARY OF PENSION DEPARTMENT REPORT

The Pension Department Report was given by Rev. Joseph Powell. A motion was made by Rev. William Polite and seconded by Sis. Emogene Backman to have the report received. Elder Thomas Watson had an unreadiness. His unreadiness was why were two (2) names deleted from receiving pension. Elder Powell stated that the names of Rev. William Jefferson and Sis. Celia Cummings was deleted because they are not members of the Denomination. Bishop Jerry Devoe, stated that's correct because they are attending other churches in other denomination and they are no longer eligible to receive a pension from the R.M.U.E. Church. Sis. Janet Williams referred the conference to page 166 of the Discipline last sentence "The Preacher shall be a member of the quarterly conference" and that statement would make them ineligible to receive a pension. Some members felt that that if they left, it should have followed them. It was reported that they did not contribute anything to the fund. The Balance in this account is \$46,772.76.

SECRETARY OF EDUCATION REPORT

The Secretary of Education Department Report was given by Rev. William Polite. A motion to accept the report was made by Rev. Melvin Bolds and seconded by Rev. Powell Hampton. The motion was carried. The balance in this account is \$13,866.32.

SECRETARY OF CHURCH EXTENSION REPORT

The Secretary of Church Extension Report was given by Sis. Barbara B. Clark. A motion to accept the report was made by Rev. William Watson and seconded by Rev. William Polite. The motion was carried. The balance in this account is \$20,206.32.

SECRETARY OF SUNDAY SCHOOL UNION REPORT

The Secretary of Sunday School Union report was given by Rev. Powell Hampton. A motion to accept the report was made by Rev. Joseph Powell and seconded by Rev. Warren Hatcher. The motion was carried. The balance in this account \$ 8,415.68.

SECRETARY OF MISSION REPORT

The Secretary of Mission Report was given by Rev. Warren Hatcher. A motion to accept the report was made by Bishop Devoe and seconded by Rev. Powell Hampton. The motion was carried. The balance in this account \$ 7,897.60.

SECRETARY OF BOOK CONCERN REPORT

The Secretary of Book Concern Report was given by Sis. Ann Blandin. A motion to accept the report was made by Sis. Viola Chisolm and seconded by Rev. William Watson. The motion was carried. Sis. Blandin reported \$2,340 to the General Treasurer for Disciplines. The balance in this account \$2,120.

The Committee on Presiding Elder's Salary gave their report. This committee recommended an increase of \$1.00 per member. The new rate yearly will be \$9.60 per member. A motion to accept was made by Bro. David Pender and seconded by Rev. Melvin Bolds. The motion was carried.

Committee on Pastor's Salary gave their report. This committee recommended an increase for Pastor's. The new rate ranges from 20% to 25%. The new monthly salaries are:

Mt. Hermon	\$ 500.00	Mt. Pleasant	\$ 625.00
Payne	1,300.00	Orangehill	550.00
Central (Charleston)	1,000.00	Antioch	625.00
Jerusalem	500.00	Mt. Sinai	400.00
New Zion	800.00	St. James	250.00
Bethlehem	250.00	Central (Savannah)	250.00
St. Phillip	850.00	St. Stephen	125.00
Emmanuel	250.00	Bethel	200.00
Mt. Olive	500.00		

A motion to adopt this report was made by Rev. Joseph Powell and seconded by Rev. Powell Hampton. Elder Thomas Watson stated that he had an unreadiness. His question was why increases are 20% to 25% and not an equal amount across the board. Bro. Ceasar Jenkins felt they should not receive a 20% to 25% increase when most people who receive social security receive a 3% increase from the government. After a lengthy discussion many of the members gave their comments: Elder Fred Moore stated, we were born out of paying cheap wages and we must be persuaded to pay our tithes. Sis. Ann Blandin stated that, she doesn't mind paying but we are paying for what we get, we must have ministers that are better equipped. Sis. Barbara Clark stated, the only way we will be able to attract more and better-equipped ministers, we must have a decent salary in place. Bro. Samuel Smalls stated that whatever increase is decided here he will be happy to give it to the pastor because of the good work he is doing.

He also talked about how he has begun to pay his tithes and what a difference it has made in his life. Sis. Chisolm stated that all ministers should get a raise of equal value. It was decided that this issue is voted on. It was passed by a vote of 28 to 13 all Pastors will receive their new increases effective immediately.

Committee on Missionary, Auxiliary, Senior and Junior Conference Workers Boards gave their report. This committee recommended an increase of .25 per member. The new rate will be .50 per member at each local convention. A motion to adopt was made by Rev. Powell Hampton and seconded by Rev. Wesley Moore. The motion was carried.

Committee on Church Assessment and General Conference gave their report. This committee recommended that no increase be made at this time. The motion to adopt was made by Rev. Warren Hatcher and seconded by Bro. George Richardson. The motion was carried.

Committee on Richardson Day, Fifth Sunday, and Easter Day gave their report and offered the following recommendations:

Widows be increased from \$1.50 to \$2.50 per member
Richardson Day be increased from \$1.25 to \$1.75 per member
Fifth Sunday remains the same \$1.50 per member

A motion to adopt was made by Bro. George Richardson and seconded by Bro. Ceasar Jenkins. The motion was carried.

Committee on Church Extension and Easter Day gave their report. This committee recommended that no changes be made at this time. A motion to adopt was made by Bro. Jimmie L. Woods and seconded by Sis. Viola Chisolm. The motion was carried.

Committee on Education and Children's Day gave their report. This committee offered the following recommendations:

Increase Education from \$3.00 to \$4.00 per member annual
Increase Children's Day from \$1.25 to \$1.50 per member annual

A motion to adopt was made by Bro. Caesar Jenkins and seconded by Rev. Wesley Moore. Rev. Polite stated that he had an unreadiness and he was not concerned about the increase but felt like he was being badgered. He is always concern and willing to do whatever with the Education Department. A committee was formed to assist with additional funds but the group met a few times and had a few programs but that was it.

Bishop Gethers asked for a raise for the Youth Congress. A motion was made by Sis. Emogene Backman and seconded by Rev. Warren Hatcher to increase the amount given to Youth Congress from \$700 to \$900 per year. The motion was carried.

Elder Ronald Wine wanted to know when will all of these increases become effective? All increases and changes made are effective on the date changes were made.

and suggestions from the members on ways he can improve this department.

The Delegates were disbursed \$30.00 for food.

Since there was no further business, the General Conference was adjourned until Tuesday, May 9, 2000 at 10:00 a.m.

TUESDAY, MAY 9, 2000 – 10:00 a.m.

Devotional service was conducted by Elder Ronald Wine and Rev. Rev. Robert L. Dunham. The opening selection was "I'm Going to Hide Behind the Mountain". The invocation was given by Elder Ronald Wine. The Scripture Reading Revelation 22: 1-18 read by Rev. Dunham.

Bishop Gethers gave thanks to be present in the house of worship on the second day of our General Conference. He stated that God has been good to us and hope that we can meet together in love, peace and unity for the good of our church. If we love the church we should give it our time, talent and money. The Lord loves a cheerful giver. We should pay our tithes and offering to our church. Let us listen to God's word and be governed by God's word, because we can't beat God's giving, the more we give, and the more he gives to you.

The conference was called to order by Bishop Gethers. The roll was called by the General Secretary and minutes read by the recording secretary. A motion to accept the minutes with the necessary correction was made by Rev. Powell Hampton and seconded by Rev. Warren Hatcher. The motion was carried. The correction is the checking account balance in Sunday School Union Department is \$8,415.68.

Sis. Blandin stated that we have agreed not to lend any more money until we receive some of the money back that was loaned out. She feels we need to have a procedure in place and charge an interest fee of at least 1%. Bishop Gethers commented that he has pastored many churches and they have never come to the Denomination to borrow money. They have always gone to the bank to apply for their loan.

After a lengthy discussion the body was asked to vote on the percentage for any church requesting a loan. The results are:

3% - 17

5% - 1

1% - 14

The loans will be at a 3% interest.

A motion was made by Rev. Warren Hatcher and seconded by Sis. Deborah Coleman that an amendment to the Discipline state that any one wishing to run for general office must make their declaration in the annual conference preceding the general conference and it will be included on the annual conference program. This amendment was approved by a vote of 27. The motion was carried.

It was also decided that if a vacancy is created by (death, incapacitation, expulsion, etc.) the Presiding Bishop has the authority to appoint a person to fill the position until General Conference, after that, someone can make their declaration to run for that office.

Bro. Caesar Jenkins read the proposals from the lay delegates.

Item # 1 - ok already corrected

Item # 2 - adopted

Item # 3 - adopted

Item # 4 - adopted

Item # 5 - adopted

Item # 6 - A motion to adopt was made by Bro. Richardson and seconded by Rev. Powell Hampton that the Ministers with a small church receive a \$300.00 per quarter instead of \$150.00 per quarter. The motion was carried

Elder Ronald Wine asked what happens after a presiding Bishop has served his four years? Bro. Caesar Jenkins stated that after demise of the present presiding Bishop any one who is qualified and seeks that office will be elected to a term of four years. After the (4) four years expires, that position is open for election. If that person is defeated, he will be sent to pastor a church. There will only be one presiding Bishop.

Sis. Coleman felt that we should have procedures in place for those ministers receiving assistance from the Denomination. She further stated that it's the church along with the Stewards to see that a pastor is receiving his salary. All churches have Pastor's Anniversary etc. wherein the pastor's receive monies from the church. If the members were to pay their tithes and offering, it would not be a problem. At some point, those pastor's receiving assistance can eventually be weaned out if there membership changes. Rev. Robert Dunham felt that we are our brother's keeper and we should help. It is our responsibility to help the smaller church. It would not be right if the Denomination does not assist these churches. We should help as long as we are able to do so.

Rev. Powell Hampton asked if the Youth Congress can be changed from the 3rd Saturday in July to the 1st Saturday in September. After a lengthy discussion a substitute motion was made by Rev. William Watson and seconded by Sis. Janet Williams that the Youth Congress be held on the 3rd Saturday in September effective this year. The motion was carried.

Sis. Theresa Golden read the Proposal from Savannah District. Sis. Elizabeth Taylor stated that she is on the Savannah District and was not aware of this Proposal. Sis. Golden asked that the proposal be submitted from Mt. Olive R.M.U.E. Church. A motion to adopt was made by Bro. Willie B. Oliver and seconded by Elder Thomas Watson that Mt. Olive Church proposal be adopted. Elder Fred H. Moore asked that an amendment to the proposal to a 3.00 GPA instead of 4.00. After a lengthy discussion was held some members commented as to: 1.) will every district be able to receive a scholarship and how will they be selected.

Sis. Katy Coaxum said the Sumter District has a scholarship fund and they get a letter from the Sunday School, copy of transcript and the student must write an essay. After a lengthy discussion, it was decided that one scholarship be given per year.

A motion to adopt that at this time was made by Rev. William Polite and seconded by Bro. Caesar Jenkins that the R.M.U.E. Church will give (1) one \$500.00 scholarship a year and the proceeds will be coming from the R.M.U.E. Banquet Committee. The motion was carried.

Sis. Barbara B. Clark felt that the R.M.U.E. Banquet Committee should give the pension department more than a \$1,000.00 per year. Bro. Caesar Jenkins made a motion and it was seconded by Sis. Barbara B. Clark that the R.M.U.E. Banquet Committee give the pension \$1,500 per year. The motion was carried.

Bishop Gethers asked for a report from the League of Stewards and the R.M.U.E. Banquet Committee. The Banquet Committee did not have a written report. The League of Stewards report was given by Sis. Ann Blandin. The balance in the League of Stewards Treasure is \$88,335.32. A motion to accept the report was made by Rev. Melvin Bolds and seconded by Sis. Viola S. Chisolm. The motion was carried.

Bro. George Richardson stated that he went to Bishop Gethers for his blessing to purchase a piece of property for the R.M.U.E. Conference Center. The General officers met and voted 6-2 to give the League of Stewards permission to buy the property. Afterward he was notified and was told not to purchase the property. Sis. Barbara B. Clark stated that the conference center is suppose to be at a central location.

Rev. William Polite asked that we continue to have a central location when we decide to purchase the property. A motion was made by Elder Thomas Watson and seconded by Rev. Wesley Moore that the R.M.U.E. Conference Center be located at a central location. This central location will be in Walterboro, SC. The motion was carried.

Bro. George Richardson wanted to know if the delegates who were not staying would receive their hotel money. Bishop Gethers stated that the General Conference has paid for the lodging and the rooms have already been reserved, if you are not staying you will only receive the stipend that will be given to all delegates.

Elder Fred H. Moore announced that he had the concept of a cluster meeting during the last quarter. It was voted on at the District Meeting and agreed by the majority of the members. However, some member's felt that this body was not authorized to give the district the option of having a cluster quarter, but that approval must be granted by the General Conference. Therefore, he is asking this General Conference for approval for a cluster fourth quarter. A motion was made by Rev. Powell Hampton and seconded by Rev. Joseph Powell for approval of cluster 4th quarterly conference. Rev. Dan Green had an unreadiness and it was that the members of New Zion R.M.U.E. Church do not want a cluster meeting. The members feel that there may be matters that are confidential that need to be dealt with by their church only. It was agreed upon that if a church had confidential matters then the Presiding Elder must accommodate the church request. The motion was carried.

A motion was made by Elder Fred H. Moore and seconded by Sis. Viola S. Chisolm that the passing of character be made only at the first quarterly conference and does not have to be made at each quarterly conference. The motion was carried.

The committee on Bishop Salary gave their report. This committee recommended that the Bishop salary be increased \$1,000 per year. A motion to adopt the increase in Bishop salary was made by Bro. Ceasar Jenkins and seconded by Sis. Viola Chisolm. The motion was carried.

A motion was made by Sis. Catherine Taylor, seconded that the next General Conference be held at St. Stephen R.M.U.E. church. The motion was carried.

The following disbursements were made:

Charleston and Savannah District Delegates	\$175.00
Sumter District Delegates	150.00
Recording Secretary	200.00
Bishop Gethers	600.00
Bishop Devoe	300.00

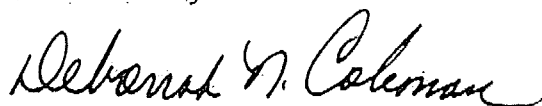
Elder Moore asked for a Lay delegate from each district to be represented at the Bishop's Council. A motion was made by Rev. Warren Hatcher and seconded by Rev. Powell Hampton that the following lay delegates be elected to be present at the Bishop Council meeting that will be held in September. The delegates are: Sis. Emogene Backman, Charleston District, Sis. Katy Coaxum, Sumter District and Sis. Barbara B. Clark, Savannah District. The motion carried.

Bro. Ceasar Jenkins requested a letter or newsletter from the Bishop's Office on a quarterly basis.

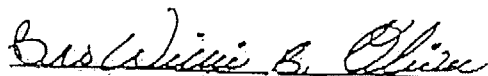
Elder Fred H. Moore asked for a note of commendation for Pastors, Churches and Bishop Gethers for the way he presided over this General conference.

There being no further business, the General Conference was adjourned.

Transcribed by



Sis. Deborah N. Coleman
Episcopal Secretary


Bro. Willie B. Oliver, General Secretary
Rt. Rev. Leroy Gethers, Presiding Bishop

May 8, 2000

Lay Delegates Proposals:

Proposal # 1: Corrections to New Discipline

Several names were not included in the new discipline.

This matter was resolved with pre-printed labels. Each church will receive the labels to place in Disciplines.

Proposal # 2: Demise of the Presiding Bishop of the R.M.U.E. Church

The present Discipline states that the presiding Bishop hold that title for life. It is therefore proposed that every four years, the Office of Presiding Bishop will come open for election.

Reason: This will allow the younger men in the ministry an opportunity to aspire to reach the glass ceiling. It is a productive move for the R.M.U.E. Denomination by providing growth within the Church. After the demise of this presiding Bishop of The R.M.U.E. Church, the office of a presiding Bishop will come AVAILABLE EVERY FOUR YEARS. Persons seeking this elected office must meet the necessary qualifications mandated by The R.M.U.E. Church.

Associate Bishop:

Proposal # 3: After, the demise of this presiding Associate Bishop of the R.M.U.E. Church, the office of Presiding Associate Bishop will come available every four years. Persons seeking this elected office must meet the necessary qualifications must meet the necessary qualifications mandated by The R.M.U.E. Church.

Ministers to Bishopship:

Discussion: How to move our ministers to the title of Bishop?

Proposal # 4: Any minister, who has met the necessary qualification of The R.M.U.E. Church, may advance to the title of Bishop.

Pension Fund for Presiding Bishop:

Proposal #5: The General Conference elect a committee representative of the R.M.U.E. Church to develop a Pension Fund for previous Presiding Bishops.

Salary Increase for Small Churches

Proposal #6: Increase Stipend for Ministers of Small Churches Bethlehem, Bethel, St. James, Central in Savannah, and any new church, the stipend increase from \$100.00 to \$300.00 per quarter.

150

Brother Ceasar Jenkins,
Chairman, Lay Delegates

THE REFORMED METHODIST UNION EPISCOPAL CHURCH
FINANCIAL ASSESSMENT
EFFECTIVE DATE: May 8, 2000 - September 2000



25.00

10

18.00

300

700

100

100

Charleston District	Number of Members	Pastors Salary	Presiding Elders Salary	Church Assessment	Fifth Sunday	First Day	Easton Day	Childrens Church	Extension	Education	Widows	Richardson Day	Founders	General Conference	Missionary	Auxiliary	Workers	Sr. Conf.	Jr.
ML Harmon	60	500.00	576.00	210.00	90.00	90.00	90.00	60.00	240.00	150.00	105.00	120.00	180.00	30.00	30.00	30.00	30.00	30.00	30.00
Payne	450	1,300.00	4,320.00	1,575.00	675.00	675.00	675.00	450.00	1,800.00	1,125.00	787.50	900.00	1,350.00	225.00	225.00	225.00	225.00	225.00	225.00
Central	205	1,000.00	1,968.00	717.50	307.50	307.50	307.50	205.00	820.00	512.50	358.75	410.00	615.00	102.50	102.50	102.50	102.50	102.50	102.50
Jerusalem	67	500.00	643.20	234.50	100.50	100.50	100.50	67.00	268.00	167.50	117.25	134.00	201.00	33.50	33.50	33.50	33.50	33.50	33.50
New Zion	186	800.00	1,785.60	651.00	279.00	279.00	279.00	186.00	744.00	465.00	232.50	372.00	558.00	93.00	93.00	93.00	93.00	93.00	93.00
Bethlehem	24	250.00	230.40	84.00	36.00	36.00	36.00	24.00	96.00	60.00	42.00	48.00	72.00	12.00	12.00	12.00	12.00	12.00	12.00
St. James	35	250.00	336.00	122.50	52.50	52.50	52.50	35.00	140.00	87.50	61.25	70.00	105.00	17.50	17.50	17.50	17.50	17.50	17.50
Savannah District																			
Central	17	250.00	163.20	59.50	25.50	25.50	25.50	17.00	68.00	42.50	29.75	70.00	105.00	8.50	8.50	8.50	8.50	8.50	8.50
St. Stephen	12	125.00	115.20	42.00	18.00	18.00	18.00	12.00	48.00	30.00	21.00	34.00	36.00	6.00	6.00	6.00	6.00	6.00	6.00
Emmanuel	30	250.00	288.00	105.00	45.00	45.00	45.00	30.00	120.00	75.00	52.50	24.00	7.50	15.00	15.00	15.00	15.00	15.00	15.00
Bethel	12	200.00	115.20	42.00	18.00	18.00	18.00	12.00	48.00	30.00	21.00	34.00	36.00	6.00	6.00	6.00	6.00	6.00	6.00
Mt. Olive	84	500.00	806.40	294.00	126.00	126.00	126.00	84.00	336.00	210.00	147.00	24.00	252.00	42.00	42.00	42.00	42.00	42.00	42.00
Sunstar District																			
St. Phillip	188	650.00	1,804.50	658.00	282.00	282.00	282.00	188.00	752.00	470.00	329.00	168.00	564.00	44.00	44.00	44.00	44.00	44.00	44.00
ML Pleasant	74	525.00	710.40	259.00	111.00	111.00	111.00	74.00	296.00	185.00	129.5	376.00	222.00	37.00	37.00	37.00	37.00	37.00	37.00
Orangehill	107	550.00	1,027.20	374.50	160.50	160.50	160.50	107.00	428.00	267.50	187.25	148.00	321.00	53.50	53.50	53.50	53.50	53.50	53.50
Antioch	124	625.00	1,190.40	434.00	186.00	186.00	186.00	124.00	496.00	310.00	217.00	214.00	372.00	62.00	62.00	62.00	62.00	62.00	62.00
Mt. Sinai	60	400.00	576.00	210.00	90.00	90.00	90.00	60.00	240.00	150.00	105.00	248.00	180.00	30.00	30.00	30.00	30.00	30.00	30.00

Bro. Willie B. Oliver
Bro. Willie B. Oliver, General Secretary

Rt. Rev. Dr. Leroy Gethers
Rt. Rev. Dr. Leroy Gethers

STATE OF SOUTH CAROLINA)
)
COUNTY OF JASPER)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

BARBARA B. CLARK,)

Plaintiff,)

vs.)

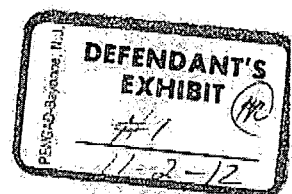
REFORMED METHODIST UNION)
EPISCOPAL CHURCH and)
FRED HENDERSON MOORE.)

Defendants.)

DEFENDANTS' RESPONSE TO
PLAINTIFF'S REQUEST FOR TEMPORARY
RESTRAINING ORDER and/or
INJUNCTIVE RELIEF

This matter was initially filed in the Court of Common Pleas for Jasper County under the caption of Barbara B. Clark, Plaintiff v. Reformed Methodist Union Episcopal Church and Fred Henderson Moore. As is evidenced by **Exhibit 1** attached hereto, the Plaintiff sought and secured a hearing before the Honorable Carmen T. Mullen, Circuit Court Judge for the Fourteenth Judicial Circuit. The hearing was held at the Beaufort County Courthouse before Judge Mullen.

In that action as evidenced by Exhibit 2 attached hereto, the Plaintiff sought injunctive relief, namely a Temporary Restraining Order, requesting that, *"the Plaintiff seeks a declaratory judgment as the legality and the validity of the Defendants' recent dictatorial acts especially a declaratory judgment that the Plaintiff and other officers will be allowed to participate and their votes are counted: (b) illegally appointed delegates will not be seated or their votes counted and the election of a Bishop be held as scheduled."*



Plaintiff further requested in allegation eleven (11) of that Complaint, that the Defendant, Moore, should be restrained and enjoined from purporting to handle church matters."

The Court advised the Plaintiff that essentially, that the Circuit Court had no jurisdiction to enter into these matters in that they were essentially ecclesiastical matters. Therefore, the Plaintiff's request for the injunctive relief by that Court was affectively denied.

The Amended Complaint filed by the Plaintiffs that now includes Ms. Clark as well as others, mirrors the Complaint that was filed on May 5, 2012 and that was the subject matter of the May 7, 2012 hearing before Judge Mullen. This is the Plaintiff's second attempt to secure from this Court, what the Court cannot grant. This is not a matter that involves whether the Plaintiff or the Defendant is entitled to church property.

Essentially, the Plaintiffs, in their request for injunctive relief, have asked this Court to, in part, *"a declaration of the party's obligation to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules."* To put differently, the Plaintiff is asking this Court to interject itself into purely ecclesiastical matters, a controversy that the United States Supreme Court as well as many other state courts have said, civil courts cannot mediate or enter into

ARGUMENT AND AUTHORITIES

In Watson v. Jones, 13 Wall. 679, the South Carolina Supreme Court held,

'In this country the full and free right to entertain any religious belief, to practice any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property, and which does not infringe personal rights, is conceded to all. The law knows no heresy, and is committed to the support of no dogma, the establishment [229 S.C. 545] of no sect. The right to organize voluntary religious associations to assist in the expression and dissemination of any religious doctrine, and to create tribunals for the decision of

controverted questions of faith within the association, and for the ecclesiastical government of all of the individual members, congregations and officers within the general association, is unquestioned. All who unite themselves to such a body do so with an implied consent to this government, and are bound to submit to it. But it would be a vain consent and would lead to the total subversion of such religious bodies, if anyone aggrieved by one of their decisions could appeal to the secular courts and have them reversed. It is of the essence of these religious unions, and of their right to establish tribunals for the decision of questions arising among themselves, that those decisions should be binding in all cases of ecclesiastical cognizance, subject only to such appeal as the organism itself provided for.'

In Harmon v. Dreher, 17 S.C. Eq 87, "two factions claimed that they constituted the true congregation of St. Peter's Church in Lexington County, a Lutheran congregation and a member of the Synod of that church. The schism and division arose over the expulsion of the minister by the Synod. The adherents of the minister undertook to close the church against that portion of the congregation that adhered to the Synod, and executed a deed attempting to vest the title of the property in their own faction. The question for determination was which of the parties constituted the true church of St. Peter's." Against that factual backdrop the Court held that, "It belongs not to the civil power to enter into or review the proceedings of a Spiritual Court. The structure of our government has, for the preservation of Civil Liberty, rescued the Temporal Institutions from religious interference. On the other hand, it has secured Religious liberty from the invasion of the Civil Authority. The judgments, therefore, of religious associations, bearing upon their own members, are not examinable here;

In the case of Turbeville v. Morris, 26 S.E. 2d 821, 827, the South Carolina Supreme Court gives a clear definition of the authority of Civil Courts in regards to church controversy in that it states,

"Civil Courts will not enter into the consideration of the church doctrine or church discipline, nor will they inquire into the regularity of proceedings of the church Judicatoris having cognizance of such matters. To assume such jurisdiction will not only be an attempt by the Civil Court to deal with matters of which they have no special

knowledge, but it would be inconsistent with complete religious liberty, untramable by state authority. On this principle the action of the church authority in the disposition of a pastor and/or the expulsion of its member is final. Where, however, a church controversy necessarily involves rights growing out of a contract recognized by civil law are the rights to the possession of property, a civil tribunal cannot avoid adjudicating these rights under the law of the land, having in view, nevertheless, the implied obligation imputed to the controversy who have voluntarily submitted themselves to the authority of the church by connecting themselves with it". (See also Morris Street Baptist Church v. Bart, 45 S.E. 753).

As the South Carolina Supreme Court held also in Bramlett v. Young, 93 S.E. 2d 873, 882 (S.C. 1956), ... "civil courts have no jurisdiction of ecclesiastical questions and controversies, but it does have jurisdiction as to civil contract and property rights which are involved in church controversy."

In the year 1846 in Wilson v. Presbyterian Church of John's Island, 19 S.C. Eq. 192, 2 Rich.Eq. 192,

The Court, in discussing the case said:

"The Court disclaims, altogether, any authority to decide on questions of religious faith, or on the fitness and propriety of the forms of government which a church or congregation may adopt, if it inculcates nothing that is prohibited by law or subversive of good morals."

Further, in Boyles v. Roberts 121 S.W. 185 the Court held "That law is well settled that when a church splits, the courts will not undertake to inquire into the ecclesiastical acts of the several parties, but will determine the property rights in favor of the party or division maintaining the church organization as it previously existed. Bramlett v. Young, 229 S.C. 519, 93 S.E. 2d 873 (1956);

Therefore, based on the above case law, Defendant asserts that the relief prayed for by the Plaintiff's be denied with all costs to the Plaintiff's.



Edward M. Brown, Esquire
Attorney for the Defendant
P.O. Box 20261
Charleston, South Carolina 29413
(843) 577-7363
(843) 577-3079 (fax)

Charleston, South Carolina

Dated: November 2, 2012

COPY

November 1, 2012

Fax Transmittal & U.S. Mail (843) 726-7711

The Honorable Margaret Bostick
Clerk of Court
Jasper County
P.O. Box 248
Ridgeland, SC 29936

RE: Barbara B. Clark

vs.

**Reformed Methodist Union Episcopal Church & Fred H. Moore
Case #2012-CP-27-291**

Dear Ms. Bostick:

You will find enclosed herein for filing, the original and two (2) copies of a Notice of Removal to the United States District Court, together with and accompanying Summons and Complaint, an Amended Summons and Complaint, Order of Reference and other pleadings relative to the above-referenced matter.

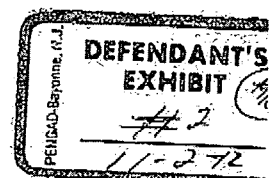
In that connection, subsequent to filing the enclosed pleadings, kindly return filed copies of said pleadings, including but not limited to the Notice of Removal to this writer's office by way of the self-addressed enclosed envelope.

Yours very truly,

Edward M. Brown

EMB/aw
Enclosures

Cc: Darrell Thomas Johnson, Jr., Esquire
P. O. Box 1125
300 Main Street
Hardéeville, SC 29927



EDWARD M. BROWN
Attorney At Law
146 Spring Street
P. O. Box 20261
Charleston, South Carolina 29413
Telephone: (843) 577-7363 Facsimile: (843) 577-3079

TO: _____ The Honorable Margaret Bostick _____
COMPANY: _____ Clerk of Court – Jasper County _____
FAX NUMBER: _____ (843) 726-7711 _____
FROM: _____ Edward M. Brown, Esquire _____
DATE: _____ November 1, 2012 _____
PAGES including cover page: _____ 11pgs. _____

MESSAGE:

RE: Clark vs. RMUE Church & Fred H. Moore
Case #2012-CP-27-291

Letter dated 11-01-2012 with Notice of Removal and
Amended Complaint.

(The original of all documents are being mailed)

The Information Contained In This Facsimile Is Confidential And Is Intended Only For The Use Of The Individual Or Entry To Whom It Is Addressed. If You Are Not The Intended Recipient or The Person Responsible For Delivering It To The Intended Recipient, DO NOT USE OR DISCLOSE THIS FACSIMILE. If You Have Received This Facsimile In Error, Please Immediately Notify Us By Telephone, And Return The Original to EDWARD M. BROWN Via The U.S. Postal Service. THANK YOU!

HP Officejet 6700 Premium e-All-In-One Series

Fax Log for
Edward Brown Law Office
(843) 577-3079
Nov 01 2012 4:51PM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
Nov 1	4:47PM	Fax Sent	18437267711	4:36 N/A	11	OK

EDWARD M. BROWN
Attorney At Law
146 Spring Street
P. O. Box 20261
Charleston, South Carolina 29413
Telephone: (843) 577-7363 Facsimile: (843) 577-3079

TO: Darrell Thomas Johnson, Jr., Esquire

COMPANY: Attorney At Law

FAX NUMBER: (843) 784-5770

FROM: Edward M. Brown, Esquire

DATE: November 1, 2012

PAGES including cover page: 11pgs.

MESSAGE:

RE: Clark vs. RMUE Church & Fred H. Moore
Case #2012-CP-27-291

Copy of letter dated 11-01-2012 to Jasper County
Clerk of Court with Notice of Removal.

The Information Contained In This Facsimile Is Confidential And Is Intended Only For The Use Of The Individual Or Entry To Whom It Is Addressed. If You Are Not The Intended Recipient or The Person Responsible For Delivering It To The Intended Recipient, DO NOT USE OR DISCLOSE THIS FACSIMILE. If You Have Received This Facsimile In Error, Please Immediately Notify Us By Telephone, And Return The Original to EDWARD M. BROWN Via The U.S. Postal Service. THANK YOU!

HP Officejet 6700 Premium e-All-in-One Series

Fax Log for
Edward Brown Law Office
(843) 577-3079
Nov 01 2012 5:07PM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
Nov 1	5:01PM	Fax Sent	18437845770	5:13 N/A	11	OK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

BARBARA B. CLARK,

Plaintiff,

vs.

REFORMED METHODIST UNION)
EPISCOPAL CHURCH and
FRED HENDERSON MOORE,

Defendants.

CIVIL ACTION NO.: 9:12-cv-3169-SB

NOTICE OF REMOVAL

COMES NOW the Defendant, Fred Henderson Moore (hereinafter "Defendant"), who hereby files its Notice of Removal of the above-entitled action from the Court of Common Pleas for Jasper County, State of South Carolina, to the United States District Court for the District of South Carolina, Charleston Division.

1. The above entitled action was instituted by the Plaintiff against the Defendant by the service of a Summons and Complaint on or about May 2, 2012, and this action is now pending in the Court of Common Pleas for Jasper County, State Court of South Carolina as Case Number 2012-CP-27-0291. Subsequent thereto, an Amended Complaint with additional Plaintiffs was filed on or about October 12, 2012 against the Defendant.
2. Upon information and belief, at the time of the commencement of this action, the Plaintiff was and still is a citizen of the State of South Carolina, County of Jasper.

3. The Defendant is now and at all times intervening, a citizen of the State of South Carolina, County of Charleston.
4. This action is removable pursuant to 22 U.S.C. 1446(a), et seq. It appears from the allegations contained in Plaintiff's Complaint and the Amended Complaint that said action is one over which the District Court of the United States has original jurisdiction pursuant to 28 U.S.C. §1331 for the following reasons:
 - a. That the Defendant verily believes that his constitutional rights as set out and embodied in the First Amendment to the United States Constitution, that is the right to religious association and/or Freedom of Religion along with his right to Freedom of Religion under the United States Constitution, is being abridged and that he is being restrained from exercising that most revered and constitutionally enshrined right, that is the right to worship free from interference by governmental authorities.
 - b. The Defendant is also being denied his right to be tried in the County of his residence in the pending action, in that the action has been filed in the Circuit Court for Jasper County and the Defendant is a resident of and domicile in the County of Charleston, State of South Carolina.
 - c. Under no circumstances can a Defendant, under the laws of South Carolina, be sued in a County other than in the County in which he is a resident.

5. A copy of this Notice of Removal is being served on all adverse parties and filed with the Clerk of Court, Jasper County Courthouse, where this case was originally filed.
6. The Defendant files herewith a copy of all process pleadings and Orders served upon it in this action as a part of this Notice, being the Summons and Complaint (**Exhibit A**), Notice of Hearing (**Exhibit B**), Order of Reference (**Exhibit C**), Voluntary Dismissal (**Exhibit D**), Answer (**Exhibit E**), Amended Summons and Complaint (**Exhibit F**).
7. That a hearing before a Circuit Court Judge on matters similarly set forth in this Complaint has been held.

WHEREFORE, the Defendant respectfully requests that this Court consider this Notice of Removal as provided by law governing the removal of this case; that this Court make the proper Order to effect the removal of this case from the Court of Common Pleas for Jasper County to this Court; and that this Court will make such Orders as may be appropriate to effect the preparation and filing of a true record of all proceedings that may have been had in the Circuit Court; and for such other relief as this Court may deem just, equitable and proper.

BY: *s/Edward M. Brown, Esquire*
EDWARD M. BROWN, ESQUIRE
Attorney for the Defendant
P. O. Box 20261
Charleston, SC 29413
(843) 577-7363
Federal I. D. #1510

Charleston, South Carolina

Dated: November 1, 2012

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

BARBARA B. CLARK

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

Plaintiff(s)

vs.

Defendant(s)

REFORMED METHODIST UNION EPISCOPAL
CHURCH and FRED HENDERSON MOORE

(Please Print)

Submitted By: DARRELL THOMAS JOHNSON, JR.

Address: POST OFFICE BOX 1125

HARDEEVILLE, SOUTH CAROLINA 29927

SC Bar #: 3010

Telephone #: 843-784-2142

Fax #: 843-784-5770

Other:

E-mail: tdjohnson1@hargray.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this cover sheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☐ JURY TRIAL demanded in complaint. ☒ NON-JURY TRIAL demanded in complaint.
☐ This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☒ This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | |
|--|--|---|---|
| ☐ Contracts
☐ Constructions (100)
☐ Debt Collection (110)
☐ Employment (120)
☐ General (130)
☐ Breach of Contract (140)
☐ Other (199) | ☐ Torts - Professional Malpractice
☐ Dental Malpractice (200)
☐ Legal Malpractice (210)
☒ Medical Malpractice (220)
☐ Previous Notice of Intent Case #
20 - CP -
☐ Notice/ File Med-Mal (230)
☐ Other (299) | ☐ Torts - Personal Injury
☐ Assault/Slander/Libel (300)
☐ Conversion (310)
☐ Motor Vehicle Accident (320)
☐ Premises Liability (330)
☐ Products Liability (340)
☐ Personal Injury (350)
☐ Wrongful Death (360)
☐ Other (399) | ☐ Real Property
☐ Claim & Delivery (400)
☐ Condemnation (410)
☐ Foreclosure (420)
☐ Mechanic's Lien (430)
☐ Partition (440)
☐ Possession (450)
☐ Building Code Violation (460)
☐ Other (499) |
| ☐ Inmate Petitions
☐ PCR (500)
☐ Mandamus (520)
☐ Habeas Corpus (530)
☐ Other (599) | ☐ Judgments/Settlements
☐ Death Settlement (700)
☐ Foreign Judgment (710)
☐ Magistrate's Judgment (720)
☐ Minor Settlement (730)
☐ Transcript Judgment (740)
☐ Lis Pendens (750)
☐ Transfer of Structured Settlement Payment Rights Application (760)
☐ Other (799) | ☐ Administrative Law/Relief
☐ Reinstate Driver's License (800)
☐ Judicial Review (810)
☐ Relief (820)
☒ Permanent Injunction (830)
☐ Forfeiture-Petition (840)
☐ Forfeiture-Consent Order (850)
☐ Other (899) | ☐ Appeals
☐ Arbitration (900)
☐ Magistrate-Civil (910)
☐ Magistrate-Criminal (920)
☐ Municipal (930)
☐ Probate Court (940)
☐ SCDOT (950)
☐ Worker's Comp (960)
☐ Zoning Board (970)
☐ Public Service Commission (990)
☐ Employment Security Comm (991)
☐ Other (999) |
| ☐ Special/Complex/Other
☐ Environmental (600)
☐ Automobile Arb. (610)
☐ Medical (620)
☐ Other (699) | ☐ Pharmaceuticals (630)
☐ Unfair Trade Practices (640)
☐ Out-of-State Depositions (650)
☐ Motion to Quash Subpoena in an Out-of-County Action (660)
☐ Sexual Predator (610) | | |

Submitting Party Signature:

Date:

5-1-2012

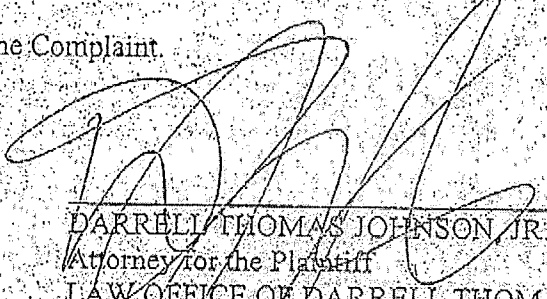
Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Civil Proceedings Sanctions Act, S.C. Code Ann. §19-36-10 et. seq.



STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF JASPER) 14th JUDICIAL CIRCUIT
BARBARA B. CLARK,) CIVIL ACTION NO: 2012-CP-27-291
Plaintiff,)
vs.) SUMMONS
REFORMED METHODIST UNION) (Non-Jury)
EPISCOPAL CHURCH and)
FRED HENDERSON MOORE,)
Defendant(s).)

TO THE DEFENDANT 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 subscribers at 300 Main Street (Post Office Box 1125) Hardeeville, South Carolina 29927, within thirty (30) days after the service hereof, exclusive of the date of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiffs will apply to the Court for the relief demanded in the Complaint.


DARRELL THOMAS JOHNSON, JR.
Attorney for the Plaintiff
LAW OFFICE OF DARRELL THOMAS
JOHNSON, JR., LLC
Post Office Box 1125
HARDEEVILLE, SC 29927
(843) 784-2142
(843) 784-5770 facsimile

May 1, 2012

Hardeeville, South Carolina

COUNTY OF JASPER

Plaintiff,

vs.

Defendant(s).

14th JUDICIAL CIRCUIT

CIVIL ACTION NO: 2012-CP-27-291

FOR FIRST CAUSE OF ACTION

- 209

7. That the Plaintiff is entitled to injunctive relief both pendente lite and permanently, in order to mitigate irreparable harm.

8. That the Plaintiff seeks a declaratory judgment as the legality and validity of Defendant's recent dictatorial acts especially a declaratory judgment that:

- a. The Plaintiff and the other General Officers will be allowed to participate and their votes are counted;
- b. The illegally appointed delegates will not be seated or their votes counted; and
- c. The election for Bishop be held as scheduled.

FOR SECOND CAUSE OF ACTION

9. The Plaintiff reiterates all of the allegations of the First Cause of Action above, as fully as if repeated.

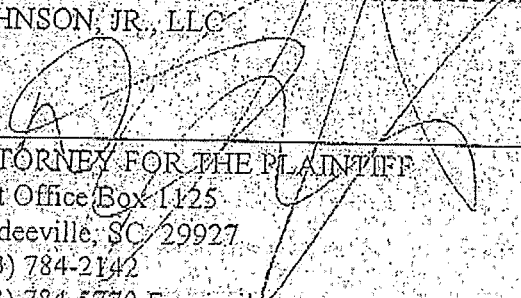
10. That the Defendant Moore was removed from office by the attached letter.

11. That the Defendant should be restrained and enjoined from purporting to handle Church matters.

WHEREFORE, Plaintiff prays for judgment against the Defendant

- a. Temporary restraining order;
- b. Temporary injunction;
- c. Permanent injunction;
- d. Declaration of the parties' obligations to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules; and
- e. Such other relief as may be just and proper.

THE LAW OFFICES OF DARRELL THOMAS
JOHNSON, JR., LLC

By: 
ATTORNEY FOR THE PLAINTIFF
Post Office Box 1125
Hardeeville, SC 29927
(843) 784-2142
(843) 784-5770 Facsimile
tdjohnson1@hargray.com

May 1, 2012
Hardeeville, South Carolina

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

) 14th JUDICIAL CIRCUIT

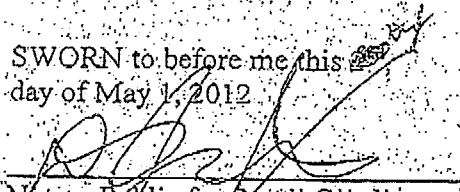
COUNTY OF JASPER

) CIVIL ACTION NO. 2012-CP-27-291

BARBARA B. CLARK, being duly sworn that she is the Plaintiff, herein, and that she has read the foregoing Complaint and knows the contents therein; that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief, and to those matter she believes them to be true.


BARBARA B. CLARK

SWORN to before me this 25th
day of May 1, 2012


Notary Public for South Carolina

My Commission Expires: 4/29/2015

05/04/2012 15:52 FAX 843-784-5770

JOHNSON

002

STATE OF SOUTH CAROLINA)

COUNTY OF JASPER)

BARBARA B. CLARK,)

PLAINTIFF,)

vs.)

REFORMED METHODIST UNION)

EPISCOPAL CHURCH and)

FRED HENDERSON MOORE,)

DEFENDANT(S))

IN THE COURT OF COMMON PLEAS

FOURTEENTH JUDICIAL CIRCUIT

CASE NO.: 2012-CP-27-291

NOTICE OF HEARING

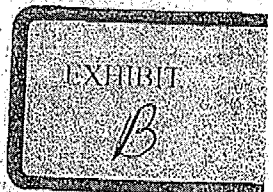
TO: DEFENDANT(S) ABOVE NAMED:

YOU WILL PLEASE TAKE NOTICE that a hearing has been set in the above entitled action on Monday, May 7, 2012 at 12:00 o'clock p.m. You hereby notified to be present at the Beaufort County Courthouse, 2nd Floor, Room # 212, 102 Ribaut Road, Beaufort, South Carolina 29901, at that time.

LAW OFFICE OF
DARRELL THOMAS JOHNSON, JR., LC

By: *[Signature]*
FOR Darrell Thomas Johnson, Jr., Esquire
300 Main Street
Post Office Box 1125
Hardeeville, South Carolina 29927
843-784-2142
843-784-5770 (facsimile)
Attorney for Plaintiff

May 4, 2012



STATE OF SOUTH CAROLINA)

COUNTY OF JASPER)

BARBARA B. CLARK,)

Plaintiff,)

vs.)

REFORMED METHODIST UNION)

EPISCOPAL CHURCH and)

FRED HENDERSON MOORE,)

Defendants.)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

ORDER OF REFERENCE

This matter is before me on motion below by the Plaintiff's attorney and consent by Defendant's attorney for an Order of Reference with Finality to the Honorable Richard E. Fields.

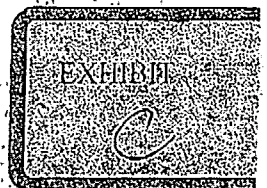
It is hereby ORDERED that this matter is referred to the Honorable Richard E. Fields, to conduct such hearings, to consider such evidence and to issue such Orders, pendent lite or permanently, as he deems advisable with direct appeal of any final order directly to the Supreme Court of South Carolina. Judge Fields shall also retain jurisdiction to hear any post-judgment issues which may come before the Court.

SO ORDERED

Dated: July 18 2012

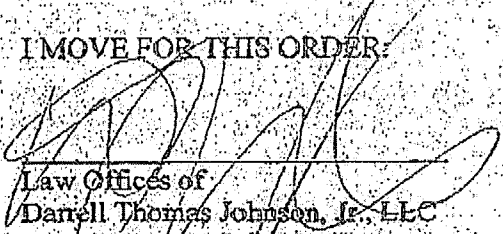
Hardeeville, South Carolina

Margaret Bostick
Honorable Margaret Bostick
Jasper County, South Carolina
Or
Judge, 14th Judicial Circuit



Clark vs. Reformed Methodist Union Episcopal Church, et. al.
Case No. 2012-CP-27-291
Order of Reference to Honorable Richard E. Fields

I MOVE FOR THIS ORDER:



Law Offices of
Darrell Thomas Johnson, Jr., LLC
Darrell Thomas Johnson, Jr.
Post Office Box 1425
Hardeeville, South Carolina 29927
(843) 784-2142
Attorney for Plaintiff

I CONSENT TO THIS ORDER:



Richard E. Fields
Retired Circuit Court Judge
1707 Heritage Park Rd.
Charleston, South Carolina 29407
(843) 571-2381



Edward M. Brown
146 Spring Street
Post Office Box 20261
Charleston, SC 29413-0261
(843) 577-7363
Attorney for Defendant

) IN THE COURT OF COMMON PLEAS

14th JUDICIAL CIRCUIT

2) CIVIL ACTION NO. 2012-CP-27-291

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A rectangular stamp with a decorative border. The word "EXHIBIT" is at the top, and a large, stylized letter "D" is in the center.

I hereby certify that I have this 6th day of July, 2012, placed a copy of Voluntary Dismissal in the US Mail, with sufficient postage attached, and addressed to the following:

Edward M. Brown
Attorney at Law
Post Office Box 20261
Charleston, South Carolina 29413



Leanne Motes

STATE OF SOUTH CAROLINA)

COUNTY OF JASPER)

BARBARA B. CLARK)

Plaintiff,)

vs.)

REFORMED METHODIST UNION)

EPISCOPAL CHURCH and)

FRED HENDERSON MOORE,)

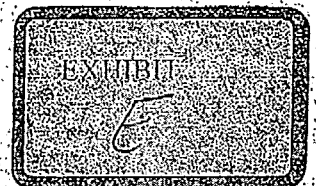
Defendants.)

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2012-CP-27-291

ANSWER

Comes now the Defendants, by and through undersigned counsel, answering the Complaint of the Plaintiff as follows:

1. The Defendants deny each and every allegation of the Plaintiff's Complaint, not hereinafter specifically admitted and demands strict proof of said denied allegation.
2. The Defendants deny allegations three (3), 3(a), 3(b), 3(c), five (5), six (6), seven (7), eight (8), 8(a), 8(b), 8(c), ten (10), and eleven (11) of the Plaintiff's Complaint and demands strict proof of said denied allegations.
3. In further answering the Plaintiff's Complaint by way of affirmative defenses and/or special matters, the Defendant, the Reformed Methodist Union Episcopal Church is a religious organization in which Fred Henderson Moore has been duly appointed and/or elected the Bishop thereof.
4. That this church is governed by a Book of Discipline and the matters that are set out in the Plaintiff's Complaint are strictly and quintessentially ecclesiastical and cannot be the subject of a judicial proceeding.



5. That the Defendants assert that this matter is a matter of which the court lacks jurisdiction over the subject matter and/or the over the person, Fred Henderson Moore.

6. That the matters asserted in the Plaintiff's Complaint does not state facts sufficient to constitute a cause of action against either Defendant.

7. That the matters asserted in the Plaintiff's Complaint is a matter that involves church doctrine and cannot be the subject matter of a legal proceeding in a civil court.

8. That the Defendants rely, in further crystallizing the defenses hereinabove enumerated, on Rule 12(b)(1), 12(b)(2), and 12(b)(6) of the South Carolina Rules of Civil Procedure.

WHEREFORE, after having fully answering the Plaintiff's Complaint, the Defendants pray that the same be dismissed without cost to the Defendants.

And for such other relief as this Court may deem just, equitable and proper.


EDWARD M. BROWN, ESQUIRE
Attorney for the Defendants
P. O. Box 20261
Charleston, SC 29413
(843) 577-7363

Charleston, South Carolina

Dated: July 11, 2012

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

Barbara B. Clark, Warren E. Hatcher,
Cassie Kecton, Daniel Green, Powell
Hampton, Arnos Hatcher, Bobby Kecton,
James Moseley, Wille B. Oliver,
Individually and as General Officers of
the RMUE,

Plaintiffs,

VS.

Fred Henderson Moore,

Defendant(s).

IN THE COURT OF COMMON PLEAS
14th JUDICIAL CIRCUIT
CIVIL ACTION NO. 2012-CP-27-291

AMENDED COMPLAINT
(Non-Jury)

FOR FIRST CAUSE OF ACTION

1. That the Defendant, the Reformed Methodist Union Episcopal Church is a hierarchal church, owning property, doing business, and maintaining agents in Jasper County.
2. That the Plaintiff Clark, is a resident of Jasper County and a duly elected representative General Secretary, a voting officer of the Reformed Methodist Union Episcopal Church. She is steward, finance and recording secretary of her member church in Jasper County, and the other Plaintiffs are General Officers residing in various counties.
3. That the Defendant Moore under color of authority of the Reformed Methodist Union Episcopal Church has recently taken numerous ultra vires acts, the most egregious of which:
 - a. Unilaterally "suspending" the Plaintiff and all other General Officers from their position;
 - b. Unilaterally, appointing other delegates and/or officers, and
 - c. Canceling the election for the Bishop and declaring himself Bishop-for-life.
 - d. Misappropriating monies from various accounts, including the Pension Fund.



4. That the Reformed Methodist Union Episcopal Church 29th General Conference with elections was scheduled for May 7th through 9th, 2012, and included an election for Bishop.
5. That the Plaintiff, and those she represents, are being irreparably harmed by being deprived of their voice on Church matters.
6. That the Plaintiff has no adequate remedy at law.
7. That the Plaintiff is entitled to injunctive relief both pendente lite and permanently, in order to mitigate irreparable harm.
8. That the Plaintiff seeks a declaratory judgment as the legality and validity of Defendant's recent dictatorial acts especially a declaratory judgment that:
 - a. The Plaintiff and the other General Officers will be allowed to participate and their votes are counted;
 - b. The illegally appointed delegates will not be seated or their votes counted; and
 - c. The election for Bishop he held at a reconvened, or specifically called General Conference pursuant to Chapter IX Section 1.D.6.

FOR SECOND CAUSE OF ACTION

9. The Plaintiff reiterates all of the allegations of the First Cause of Action above, as fully as if repeated.
10. That the Defendant Moore was removed from office by the attached letter.
11. That there were some admitted deviations from the Church Discipline, but those deviations were arranged by Defendant to thwart the proceeding.
12. That the Defendant should be restrained and enjoined from purporting to handle Church matters.
13. That the Defendant did not appeal the decision to remove him as Bishop, thereby waiving any alleged procedural defects.

WHEREFORE, Plaintiff prays for judgment against the Defendant

- a. Temporary restraining order;
- b. Temporary injunction;
- c. Permanent injunction;
- d. Declaration of the parties' obligations to conduct themselves in accordance with the Reformed Methodist Union Episcopal Church rules;

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

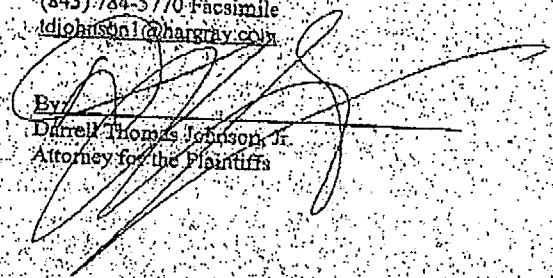
) IN THE COURT OF COMMON PLEAS
) 14th JUDICIAL CIRCUIT
) CIVIL ACTION NO: 2012-CP-27-291

BARBARA B. CLARK, being duly sworn that she is the Plaintiff, herein, and that she has read the foregoing Complaint and knows the contents therein; that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief, and to those matters she believes them to be true.



specifically recognizing the removal of the Defendant as Bishop and/or
convening an election for Bishop; and
e. Such other relief as may be just and proper.

THE LAW OFFICES OF DARRELL THOMAS
JOHNSON, JR., LLC
Post Office Box 1125
Hardeeville, SC 29927
(843) 784-2142
(843) 784-5770 Facsimile
djohnson1@hargray.com

By 
Darrell Thomas Johnson, Jr.
Attorney for the Plaintiffs

October 10, 2012
Hardeeville, South Carolina

STATE OF SOUTH CAROLINA)
) VERIFICATION
COUNTY OF CHARLESTON)

PERSONALLY APPEARED before me, Fred Henderson Moore, who being duly sworn, deposes and states that he is the Defendant in the foregoing action; and he has read the allegations of the foregoing Notice and/or Petition for Removal; and the same are true and correct to the best of his knowledge.

Fred Henderson Moore
FRED HENDERSON MOORE

Sworn to before me this 1st

Day of November, 2012.

Deborah J. Robinson
Notary Public for South Carolina

My commission expires: 3-22-2021

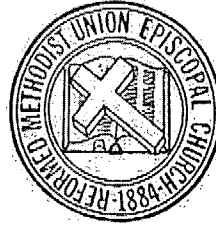


THE DOCTRINES
AND
DISCIPLINE

of the
Reformed Methodist
Union Episcopal Church



By Order of the General Conference
Convened at
New Zion R.M.U.E. Church
North Charleston, South Carolina



The Reformed Methodist Union Episcopal Church

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- 16) Number of Deaths
- 17) Number of Missionary Societies
- 18) Number of Young People Leagues

b. Local Finance of Church

- 1) How much money has been collected for the Presiding Elder?
- 2) For the Pastor?
- 3) For the Churches?
- 4) For the Sunday School?
- 5) For The Young People League?
- 6) For Benevolence?
- 7) What is the value of the Church and Property?

c. Questions by the Bishop/Answered by the Secretary

- 1) What preachers are admitted on trial?
- 2) Who remains on trial?
- 3) Who are the Deacons?
- 4) Who have been elected and ordained Deacons and Elders this year?
- 5) Who have located this year?
- 6) Who are the supernumerary preachers?
- 7) Who are the superannuated preachers?
- 8) Who have been expelled from the connection by this Conference?
- 9) Who have withdrawn this year from this Conference and the connection?
- 10) What members of the Conference have died this year?
- 11) Where shall our next Annual Conference be held?

D. General Conference

1. Composition

The General Conference shall be composed of all the Bishops, all the General Officers, the head of all institutions and five Ministerial Delegates from each Annual Conference, Lay Delegates for every church, one delegate per 100 members.

2. Qualifications of Delegates

Every Minister elected delegate by an Annual Conference shall have traveled four (4) full consecutive years and in good and regular standing in an Annual Conference of the Reformed Methodist Union Episcopal Church, and at the time of his/her election, shall be a member of the Conference that elects him/her.

Every Layman elected delegate shall by an electoral college shall be a member of said college and any person of good natural and acquired ability, who knows and loves the R.M.U.E. doctrines and discipline, and has maintained a full, good and regular membership in said Church four (4) consecutive years.

3. Election

Ministerial Delegates are appointed by the Presiding Bishop before the General Conference.

A delegate elected by the Annual Conference in General Conference, though he may have been transferred to another Annual Conference after his election.

The Annual Conference shall give a certificate of election, signed by the Bishop and Secretary to every delegate elected, both Ministerial and Lay.

4. Electoral College

The Electoral College shall be composed of one Layman from each Station, Circuit and Mission in the Annual Conference District. Every pastor shall publish the meeting that is to elect a representative from his charge to the Electoral College two (2) weeks before it is to take place, and shall preside at that meeting, and only full members of said charge shall vote or be elected delegates; the place and time designated by the Annual Conference.

The law shall strictly be observed. The organization shall be according to the custom of delegate body: one delegate moving that another delegate be Temporary Chairman, another temporary secretary. After devotional service the college will affect a permanent organization, electing a chairman, secretary, two (2) tellers, two (2) clerks of election and then proceed to elect the required number by ballot.

5. Sessions

The General Conference shall meet once in for four (4) years on the first Monday in May, and shall be in session not less than one week, and not more than two (2) weeks. It shall be the duty of the Bishop in conjunction with the General Officers, as the entertainment commission to call or make the necessary arrangement for the General Conference. The traveling expenses of the delegates to the General Conference and the entertainment of the General Conference shall be duly considered and arranged. Any failure on the part of the Bishop to call the commission and arrange for the General Conference, the General Officers shall proceed to make the necessary arrangements.

The assessment for each Annual Conference for traveling expenses of delegates and entertainment of the General Conference shall be made and forwarded to each pastor of the Annual Conference, who shall collect the same and report it at the Annual Conference or forward it to the General Treasurer, known as the General Conference Fund.

6. Extra Sessions

The Bishop, with the advice of two-thirds of the Annual Conference, when necessary, shall call an extra session of the General Conference, but if there be no Bishop, the General Officers, with the advice of two-thirds of the Annual Conference, shall call it.

The Bishops or the said General Officers, with the advice of two-thirds of the Annual Conference, shall call the extra session.

The Bishops or the said General Officers shall then, in writing, notify the preachers in charge of the circuits and stations to inform all the delegates in good standing as members of the last General Conference session to attend the extra session at the time and place appointed by the Bishop or the said General Conference after notice being thus duly given, if two thirds of the delegates be present at the appointed time and place, they shall proceed to business and their proceedings shall be lawful.

7. Expenses of Delegates

The traveling expenses of the delegate to the General Conference shall be fixed by the General Conference per mile, going and coming. The Bishop's traveling expenses shall be paid from the General Treasurer.

All members of the R.M.U.E. Church is assessed per year for General Conference claim.

8. Restriction of the General Conference

The General Conference shall have full powers to make rules and regulations for the Church, but they shall not repeal or change the Article of Religion or establish any new rules of doctrine. They shall not alter any rule of government to the effect of doing away with the Episcopacy of General Superintendency.

They shall not do away with the privilege of our Minister or Preachers by trial by a committee, of trial and appeal. Neither shall they do away with the privilege of our members on trial before the society of which they are members, or by a committee and of an appeal.

Section II. Conventions

A. Sunday School Convention

Each District is responsible for their Sunday School Convention. Each Sunday School Convention in a Presiding Elder District shall be composed of the Presiding Elder, the District Superintendent, all pastors, local preachers, exhorters, superintendents, officers and teachers in the Presiding Elder District, and at least one delegate from each school who shall be elected by said school.

B. Conference Workers Convention

Each District is responsible for their Conference Workers Convention. This convention is held once a conference year. Its purpose is to enhance the spiritual and financial conditions of the church and Annual Conference.

C. Auxiliary Convention

Each District is responsible for their Auxiliary Convention. This convention is held once a conference year. This board was organized to support the Annual Conference.

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Richard E. Fields, Special Referee

Appellate Case No. 2012-213391

Lower Court Case No. 2012-CP-27-291

Barbara B. Clark, Warren E. Hatcher, Cassie Keeton, Daniel Green,
Powell Hampton, Amos Hatcher, Bobby Keeton, James Moseley,
Willie B. Oliver, Individually and as General Officers of the
RMUE Church.....Respondents

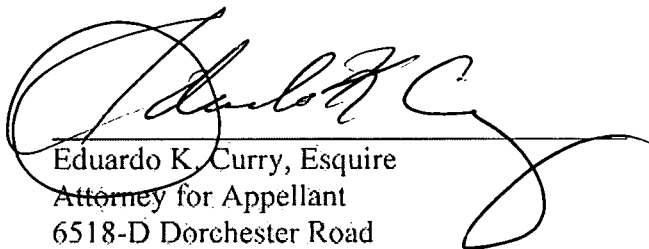
v.

Fred Henderson Moore.....Appellant

CERTIFICATE OF COUNSEL

The undersigned certified that this Record on Appeal complies with Rule 210(g),
SCACR.

January 13, 2014



Eduardo K. Curry, Esquire
Attorney for Appellant
6518-D Dorchester Road
Post Office Box 42270
North Charleston, South Carolina 29423
Telephone: (843) 767-5284
Fax: (843) 767-5286