

STATE OF SOUTH CAROLINA

COUNTY OF UNION

IN THE COURT OF COMMON PLEAS

Rev. Judy Richardson as Presiding Elder of the Greenville District of the AME Church

FILE FOR RECORD

CIVIL ACTION COVERSHEET

2012/JUN 11 PM 3:36

vs.

WILLIAM F. GAULT  
CLERK OF COURT  
UNION, SC

2012-CP-44-00241

Macedonia Christian Community Church, Et., Al

Defendant(s)

Submitted By: Randall R. Williams  
Address: P.O. Box 3461, Greenwood, SC 29648

SC Bar #: 66573  
Telephone #: (864) 227-9156  
Fax #: (864) 946-1898

Other:  
E-mail: randall.william@randallwilliamsllc.com

NOTE: The coversheet 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 coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

- 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)

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FEB 27 2017

SC Court of Appeals

NATURE OF ACTION (Check One Box Below)

- |   |  |   |  |
|---|--|---|--|
| <p><b>Contracts</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Constructions (100)</li> <li><input type="checkbox"/> Debt Collection (110)</li> <li><input type="checkbox"/> Employment (120)</li> <li><input type="checkbox"/> General (130)</li> <li><input type="checkbox"/> Breach of Contract (140)</li> <li><input type="checkbox"/> Other (199)</li> </ul>  | <p><b>Torts - Professional Malpractice</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Dental Malpractice (200)</li> <li><input type="checkbox"/> Legal Malpractice (210)</li> <li><input type="checkbox"/> Medical Malpractice (220)</li> <li>Previous Notice of Intent Case #<br/>20___-CF-___</li> <li><input type="checkbox"/> Notice/ File Med Mal (230)</li> <li><input type="checkbox"/> Other (299)</li> </ul>   | <p><b>Torts - Personal Injury</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assault/Slander/Libel (300)</li> <li><input type="checkbox"/> Conversion (310)</li> <li><input type="checkbox"/> Motor Vehicle Accident (320)</li> <li><input type="checkbox"/> Premises Liability (330)</li> <li><input type="checkbox"/> Products Liability (340)</li> <li><input type="checkbox"/> Personal Injury (350)</li> <li><input type="checkbox"/> Wrongful Death (360)</li> <li><input type="checkbox"/> Other (399)</li> </ul>   | <p><b>Real Property</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Claim &amp; Delivery (400)</li> <li><input type="checkbox"/> Condemnation (410)</li> <li><input type="checkbox"/> Foreclosure (420)</li> <li><input type="checkbox"/> Mechanic's Lien (430)</li> <li><input type="checkbox"/> Partition (440)</li> <li><input checked="" type="checkbox"/> Possession (450)</li> <li><input type="checkbox"/> Building Code Violation (460)</li> <li><input type="checkbox"/> Other (499)</li> </ul>   |
| <p><b>Inmate Petitions</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> PCR (500)</li> <li><input type="checkbox"/> Mandamus (520)</li> <li><input type="checkbox"/> Habeas Corpus (530)</li> <li><input type="checkbox"/> Other (599)</li> </ul>  | <p><b>Administrative Law/Relief</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reinstite Div. License (800)</li> <li><input type="checkbox"/> Judicial Review (810)</li> <li><input type="checkbox"/> Relief (820)</li> <li><input type="checkbox"/> Permanent Injunction (830)</li> <li><input type="checkbox"/> Forfeiture-Petition (840)</li> <li><input type="checkbox"/> Forfeiture-Consent Order (850)</li> <li><input type="checkbox"/> Other (899)</li> </ul> | <p><b>Judgments/Settlements</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Death Settlement (700)</li> <li><input type="checkbox"/> Foreign Judgment (710)</li> <li><input type="checkbox"/> Magistrate's Judgment (720)</li> <li><input type="checkbox"/> Minor Settlement (730)</li> <li><input type="checkbox"/> Transcript Judgment (740)</li> <li><input type="checkbox"/> Lis Pendens (750)</li> <li><input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760)</li> <li><input type="checkbox"/> Confession of Judgment (770)</li> <li><input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780)</li> <li><input type="checkbox"/> Other (799)</li> </ul> | <p><b>Appeals</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Arbitration (900)</li> <li><input type="checkbox"/> Magistrate-Civil (910)</li> <li><input type="checkbox"/> Magistrate-Criminal (920)</li> <li><input type="checkbox"/> Municipal (930)</li> <li><input type="checkbox"/> Probate Court (940)</li> <li><input type="checkbox"/> SCDOT (950)</li> <li><input type="checkbox"/> Worker's Comp (960)</li> <li><input type="checkbox"/> Zoning Board (970)</li> <li><input type="checkbox"/> Public Service Comm. (990)</li> <li><input type="checkbox"/> Employment Security Comm (991)</li> <li><input type="checkbox"/> Other (999)</li> </ul> |
| <p><b>Special/Complex /Other</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmental (600)</li> <li><input type="checkbox"/> Automobile Arb. (610)</li> <li><input type="checkbox"/> Medical (620)</li> <li><input type="checkbox"/> Other (699)</li> <li><input type="checkbox"/> Pharmaceuticals (630)</li> <li><input type="checkbox"/> Unfair Trade Practices (640)</li> <li><input type="checkbox"/> Out-of-State Depositions (650)</li> <li><input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660)</li> <li><input type="checkbox"/> Sexual Predator (670)</li> </ul> |  |   |  |

Submitting Party Signature: 

Date: 5-24-12

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

STATE OF SOUTH CAROLINA FILE FOR RECORD IN THE COURT OF COMMON PLEAS  
COUNTY OF UNION SIXTEENTH JUDICIAL CIRCUIT

2012 JUN -1 PM 3:36

Rev. Judy Richardson as Presiding Elder of the  
Greenville District of the African Methodist Episcopal Church,  
WILLIAM F. GAULT  
CLERK OF COURT  
UNION, SC

CASE NO.: 2012-CP-44-00341

Episcopal Church,  
Plaintiff,

vs.

SUMMONS

Macedonia Christian Community Church and  
The Board of Directors, Board of Stewards and  
Board of Trustees and Members of Macedonia  
Christian Community Church. All Jointly and  
Severally,  
Defendants.

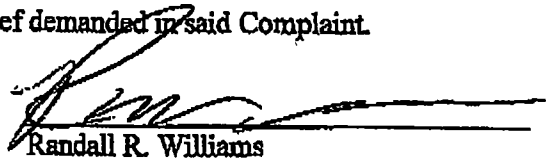
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SC Court of Appeals

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to Answer the Complaint in the above  
entitled action, a copy of which is herewith served upon you, and to serve a copy of your Answer  
to the same on the same on the subscriber hereto, at this office, 110 Riley Ave., P.O. Box 3461,  
Greenwood, South Carolina 29648, within Thirty (30) DAYS after the service thereof, exclusive  
of the date of such service, and if you fail to Answer the Complaint within the time aforesaid, the  
Plaintiff will apply to the Court for the relief demanded in said Complaint.



Randall R. Williams  
Attorney for Plaintiff  
110 Riley Avenue  
P.O. Box 3461  
Greenwood, SC 29648-3461  
(864) 227-9156

Greenwood, South Carolina  
5-24, 2012

FILE FOR RECORD  
STATE OF SOUTH CAROLINA  
2012 JUN -1 PM 3: 36  
COUNTY OF UNION

WILLIAM F. GAULT  
CLERK OF COURT  
UNION, SC

IN THE COURT OF COMMON PLEAS  
SIXTEENTH JUDICIAL CIRCUIT

CASE NO.: 2012-CP-44-00241

Rev. Judy Richardson as Presiding Elder of the  
Greenville District of the African Methodist  
Episcopal Church,

Plaintiff,

vs.

Macedonia Christian Community Church and  
The Board of Directors, Board of Stewards and  
Board of Trustees and Members of Macedonia  
Christian Community Church. All Jointly and  
Severally,

Defendants.

COMPLAINT

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SC Court of Appeals

The Plaintiff, complaining of the Defendants herein would respectfully show unto this Honorable Court:

1. That Plaintiff is the Presiding Elder of the Greenville District of the 7<sup>th</sup> Episcopal District of the African Methodist Episcopal Church (AME) in South Carolina.
2. That Defendants Macedonia Christian Community Church along with the Board of Directors, Board of Stewards, Board of Trustees, and members operate as an ecclesiastical organization in Union County, South Carolina.
3. That Macedonia Christian Community Church is located in Union County, South Carolina and all or a substantial portion of the acts giving rise to the complaint occurred or will occur or arise in Union County, South Carolina.

4. That the Defendants as officers and members of Macedonia AME Church changed the name of the church to Macedonia Christian Community Church.

5. That the AME Church is a hierarchical/connectional church governed in accordance with the Book of Discipline of the AME Church 2008 (herein the Discipline).

6. That the AME Church is the owner of all church real property located in the city of Union County, Union, South Carolina. (Exhibit IA and IB)

7. That Macedonia AME Church has been affiliated with the African Methodist Episcopal Church for at least 29 years.

8. That according to the Book of Discipline, the Board of Trustees of a local church such as Macedonia AME Church holds church property in trust for the larger hierarchical/connectional church and not in their individual capacities or for the congregation. (Exhibit II)

9. That Plaintiff is informed and believes that the Defendants were unhappy with the duly appointed pastor.

10. That Defendants have been removed from the church roll which precludes the former members' rights to real or personal property of Macedonia AME Church.

11. That Macedonia Christian Community Church was formerly known as Macedonia AME Church, and claims the right to use real and personal property of Macedonia AME Church. That the Board of Directors of Macedonia Christian Community Church, Inc. claims the right to use real and personal property of Macedonia AME Church. That the Board of Stewards of Macedonia Christian Community Church, claim the right to use real and personal property of the Macedonia AME Church. That the Board of Trustees of Macedonia Christian Community Church, claim the right to use real and personal property of the Macedonia AME Church. That the members of Macedonia Christian Community Church, claim the right to use real and personal property of the Macedonia AME Church.

12. That Defendants have and continue to refuse to allow the duly appointed pastor to carry on the normal ecclesiastical duties of an African Methodist Episcopal Church pastor thereby disturbing the normal worship service. That Defendants no longer hold ecclesiastical worship services in accordance with the polity, literature and customs of the Macedonia AME Church and the African Methodist Episcopal Church, Inc. That Defendants are conducting worship services based on their new religion in and on property held in Trust by the Trustees of the Macedonia AME Church on behalf of the African Methodist Episcopal Church, Inc.

**FOR A FIRST CAUSE OF ACTION**

**Declaratory Judgment**

13. That Plaintiff repeats each and every paragraph 1-12 as if repeated verbatim.

14. That Plaintiff is informed and believes that she is entitled to a declaratory judgment stating that all properties of the Macedonia AME Church in the city of Union County, South Carolina are held in Trust by the Trustees of Macedonia AME Church on behalf of the African Methodist Episcopal Church, Inc. and that the African Methodist Episcopal Church, Inc. is the true owner of both the real and personal property of Macedonia AME Church.

15. That Plaintiff is informed that she is entitled to a declaratory judgment stating that Macedonia AME Church is connected to the African Methodist Episcopal Church, Inc.

**FOR A SECOND CAUSE OF ACTION**

**Temporary Restraining Order**

16. That Plaintiff repeats each and every paragraph 1-15 as if repeated verbatim.

17. Plaintiff is informed and believes that the Macedonia AME Church and the African Methodist Episcopal Church, Inc. will be irreparably harmed. Further, that remedies of law are inadequate and there is a substantial likelihood of success on the merits.

18. That Plaintiff is informed and believes that she is entitled to a temporary restraining order against Defendants preventing them from dispersing any funds now or formerly in an

account for Macedonia AME Church or transacting business on behalf of Macedonia AME Church; and enjoining Defendants from retaining and possessing church property, both real and personal property, including, but not limited to enjoining and restraining Defendants from coming onto church property disturbing the normal worship service pending a hearing on a temporary injunction.

### FOR A THIRD CAUSE OF ACTION

#### Injunction

19. That Plaintiff repeats each and every paragraph verbatim 1-18.
20. That Plaintiff is informed and believes that unless she is granted a temporary and permanent injunction Macedonia AME Church and the African Methodist Episcopal Church, Inc. will suffer permanent harm and that remedies of law are inadequate.
21. That Plaintiff is informed and believes that she is entitled to a temporary and permanent injunction requiring Defendants to return all funds and properties, both real and personal, held in trust by the trustees of the Macedonia AME Church on behalf of African Methodist Episcopal Church, Inc. and to a temporary and permanent injunction enjoining and restraining Defendants from coming onto Church property disturbing the normal worship service.

### FOR A FOURTH CAUSE OF ACTION

#### Breach of Fiduciary Duty

22. That Plaintiff repeats each and every paragraph verbatim 1-21.
23. That a fiduciary relationship exists between the former trustees of Macedonia AME Church and African Methodist Episcopal Church, Inc. and Macedonia AME Church itself.
24. That Macedonia AME Church and the African Methodist Episcopal Church, Inc. reposed a special confidence in the former Trustees of Macedonia AME Church.

25. That the former trustees of the Macedonia AME Church failed to act in good faith and without regard to the interest of the African Methodist Episcopal Church, Inc. and Macedonia AME Church.

26. That Plaintiff is informed and believes that she is entitled to an Order of this Court conveying the property to the African Methodist Episcopal Church, Inc. or in the alternative damages in an amount to be determined at trial.

**FOR A FIFTH CAUSE OF ACTION**

**Adverse Possession**

27. That Plaintiff repeats each and every paragraph verbatim 1-26.

28. That activities of the Macedonia AME Church was open, notorious, and hostile during the time that Plaintiff was in possession of all church properties and against any untrue ownership Defendants may claim to any of the properties, real and personal.

29. That Plaintiff alleges that Defendants have damaged the Macedonia AME Church and the African Methodist Episcopal Church, Inc. and as a direct and proximate cause of its wrongful action and that they are entitled to damages for their wrongful seizure of its real and personal properties.

**FOR A SIXTH CAUSE OF ACTION**

**Conversion**

30. That Plaintiff repeats each and every paragraph verbatim 1-29.

31. That Plaintiff is informed and believes that she has been irreparably harmed.

32. That Defendants have seized all of the properties held by the trustees of Macedonia AME Church's on behalf the African Methodist Episcopal Church, Inc. against its control and without just compensation. Further, Defendants have converted, transferred, used, and owned the property held by the trustees of the Macedonia AME Church on behalf the African Methodist Episcopal Church, Inc.

33. That the African Methodist Episcopal Church, Inc. and Macedonia AME Church have been harmed financially.

34. That Plaintiff is informed and believes that the African Methodist Episcopal Church and Macedonia AME Church are entitled to an unspecified amount as determined by the trier of fact.

**FOR A SEVENTH CAUSE OF ACTION**

**Claim and Delivery**

35. That Plaintiff repeats each and every paragraph verbatim 1-34.

36. That Plaintiff alleges that Defendants should not be in possession of real and personal properties of Macedonia AME Church or the African Methodist Episcopal Church, Inc. Further, that Macedonia AME and the African Methodist Episcopal Church, Inc. have been harmed and damaged by Defendants outrageous conduct.

37. That Plaintiff is informed and believes that she is entitled to an Order of this Court requiring Defendants to return all of the property of the Macedonia AME Church and the African Methodist Episcopal Church, Inc. in their possession and under their control.

**FOR A EIGHTH CAUSE OF ACTION**

**Specific Performance**

38. That Plaintiff repeats each and every paragraph verbatim 1-37

39. That Defendants have wrongfully seized real and personal property of Macedonia AME Church held in trust for the African Methodist Episcopal Church, Inc.

40. That Plaintiff is informed and believes that Defendants intentionally, willfully, wantonly and maliciously seized the property held in trust by the trustees of the Macedonia AME Church for the African Methodist Episcopal Church, Inc.

41. Plaintiff is informed and believes that she is entitled to specific performance and recovery of all real and personal property.

### **LOSS OF USE AND ENJOYMENT**

42. That Plaintiff repeats each and every paragraph verbatim 1-41.

43. Plaintiff alleges that the real and personal property in the possession of the Defendants is held in trust for the African Methodist Episcopal Church, Inc. and has been so in excess for at least 29 years.

44. That Defendants have taken property held in trust by the Trustees of Macedonia AME Church both real and personal of Macedonia AME Church.

45. That Defendants have seized all of the property both real and personal, held by the trustees of Macedonia AME Church in trust for the African Methodist Episcopal Church, Inc. against the will of the Macedonia AME Church and the African Methodist Episcopal Church Inc. with the intent to convert it to itself against the will of the AME Church.

46. That Defendants actions are intentional, wanton, willful and malicious in continuing to deprive Plaintiff's of their use, possession and enjoyment of its real personal and church properties.

47. That as a direct and proximate cause of Defendants actions the African Methodist Episcopal Church and Macedonia AME Church has been irreparably harmed as the African Methodist Episcopal Church, Inc. and Macedonia AME Church are unable to possess, use and enjoy its property and not being able to allow the congregation the use of church property, both real and personal, for its enjoyment and purpose during worship and religious events.

48. Plaintiff alleges that the African Methodist Episcopal Church, Inc. and Macedonia AME Church has been damaged in an unspecified amount to be determined by the trier of fact That the Plaintiff should be awarded damages as a trier of fact determines.

### **FRAUD AND MISREPRESENTATION**

49. Plaintiff alleges each and every allegation of his complaint 1-48 if restated verbatim.

50. That Macedonia AME Church has held itself out in the Union County community as an African Methodist Episcopal Church in excess of

51. That Macedonia AME Church had paid mortgages, purchased vehicles, transacted financial and legal business in excess for at least 29 years.

52. That Defendants attempt to impersonate and misrepresent themselves as officers, trustees, and stewards of the Macedonia AME Church in order to transact business as Macedonia AME Church was done illegally and wrongfully.

53. That Defendants have illegally and fraudulently closed financial accounts, wrongfully and without the consent of Macedonia AME Church and the African Methodist Episcopal, Inc, and without legal authority.

54. That Defendants breached their duty of fair dealing and honesty.

55. That Defendants breach of duty has caused Plaintiff's irreparable harm including, but not limited to:

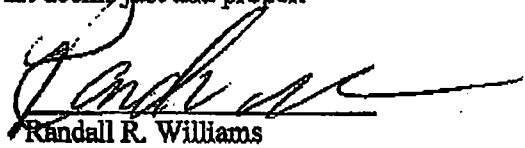
a. Failure to allow Macedonia AME Church and the African Methodist Episcopal Church, Inc. access to its real and personal property.

b. Violation of the rights of the Macedonia AME Church and the African Methodist Church, Inc.

WHEREFORE, Plaintiff prays for judgment against all Defendants, jointly and severable as follows:

1. Granting of all claims against Defendants;
2. Declaratory judgment as to the real and personal property;
3. Injunction against Defendants;
4. Actual and compensatory damages;
5. Attorney Fees and costs;
6. Punitive Damages;

7. For such other and further relief as this court deems just and proper.



Randall R. Williams  
Attorney for Plaintiff  
110 Riley Avenue  
Post Office Box 3461  
Greenwood, SC 29648-3461  
(864) 227-9156

Greenwood, South Carolina

5-24, 2012

# BOYKIN & DAVIS, LLC

Attorneys and Counselors at Law

220 STONERIDGE DRIVE, SUITE 100  
COLUMBIA, SOUTH CAROLINA 29210

TELEPHONE: 803-254-0707  
FACSIMILE: 803-254-5609

POST OFFICE BOX 11844  
COLUMBIA, SOUTH CAROLINA 29211

Tierny F. Dukes  
tdukes@boykinlawsc.com

February 27, 2017

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals Clerk of Court  
1220 Senate Street  
Columbia, South Carolina 29201

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FEB 27 2017

**SC Court of Appeals**

Re: Reverend Judy Richardson v. Macedonia Christian  
Appellate C.A. No.: 2017-000475

Dear Ms. Kitchings:

In response to your letter dated February 24, 2017, enclosed herewith, please find for your records the Summons & Complaint regarding the above-referenced matter to confirm the case caption.

Should you have any questions or concerns please feel free to contact our office.

Sincerely,



Tierny F. Dukes

/ns

Enclosures

cc: Charles J. Boykin, Esq. (w/o encls.)  
Kenneth A. Davis, Esq. (w/o encls.)  
Gary T. Frost, Esq. (w/encls.)