

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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DEC 10 2020

SC Court of Appeals

APPEAL FROM OCONEE COUNTY
COURT OF COMMON PLEAS

HONORABLE R. SCOTT SPROUSE, CIRCUIT COURT JUDGE

Civil Action Number 2018-CP-37-489

MARIE IRENE DAVIS, Associate Pastor
For "The Cornerstone Cathedral" aka "THE TRUTH
OUTREACH" of West Union, SC

APPELLANT

Versus

Mr. Mark Day for RURAL ECONOMIC DEVELOPMENT CORP. LLC
"REDC" dba ABL Consulting, Inc, and Desimber Wattleton-Jones "The Truth
Outreach" Church,

RESPONDENTS

APPELLATE CASE NO. 2020-000 _____

NOTICE OF AND MOTION FOR APPEAL

Pastor Davis of the Truth Outreach Church, is appealing the Order of the Court issued, November 5, 2020, as a Form 4 Order, and no Formal Order has been received.

As no formal Order has been received, Appellant is filing for the Appeal of the Form 4 Order without further reasons than the stated reason by the Court, "This matter was heard virtually and simultaneously with the Respondents Motion to Dismiss Case Number 2019-CP-37-00585.

The Court further states the Court granted the Motion to Dismiss, and “Accordingly, the Court finds Order dismissing Case Number 2019-CP-37-00585 is dispositive of the issues in this matter and that this case shall be dismissed as well”.

Appellant advises, the Appeal Court, that no Motion to Dismiss Civil Action 2018-CP-37-00489 was filed or requested, by Respondents.

Mark Day was not a party to 2019-CP-37-00585, and further had previously been advised by the Court, that he was not eligible to represent the Respondent, “REDC” and ABL, but must have a licensed attorney represent the Respondents. Desimber Wattleton-Jones was not a party to the 2019 case and had not filed a Motion to Dismiss the 2018 case.

Further, Appellant here is advising the Appeal Court that no formal Order has been issued, and as such Appellant does not have information as to the reasons for the dismissal of this case.

A. PARTIES C. A. 2018-CP-37-00489

The Respondents are not and were not Officers of the original Church, The Truth Outreach of West Union, S. C.

1. This is an action filed by Pastor Davis as the representative of said church.
2. Individual Respondents have been notified those Respondents may not represent the Truth Outreach Church.

B. JURISDICTION AND VENUE

1. The Court acted without a Notice of and a Motion to Dismiss the 2018-C-37-00489 case, thereby depriving, Appellant the right to be heard as to the issues raised by that action.
2. Appellant without notice, did not know the Court was dismissing case 2018-CP-37-00489 by association.

3. Appellant, Truth Outreach Church, is located in Oconee County SC

C. FACTS

1. Appellant raised issues that are not ecclesiastical, selling of real estate of the Appellant to a third party.
2. Respondent "REDC" is the third party the real estate of the Appellant was sold to and is not a member of the Appellant.
3. Respondent "The Rock Worship" is not and was not a member of the Appellant.
4. Respondent ABL was not a party to the dismissal nor a party represented by the attorney for the Respondents, "REDC" and The Rock Worship.

D. CAUSES OF ACTION

1. The First Cause of Action was for a Recession of the Deed from the Church to "REDC", that deed and the requested Recession Are not church dogma or tenet or ecclesiastical matters.
2. The Second Cause of Action was for Breach of Fiduciary Duty owed by Defendant Respondent Wattleton-Jones, for the taking of Church monies not approved by the Pastor or Board of the Church.
3. The Third Cause of Action was for Breach of Contract Accompanied by Fraudulent Act, as Respondents acquired control of the Appellant for the purposes of removing and transferring funds of the Appellant for the Respondents, not the Church.
4. The Fourth Cause of Action is for Civil Conspiracy, as the Respondents did conspire to "take over" the Appellant for non Church ecclesiastical reasons.
5. The Fifth Cause of Action Fraud and Fraud in the Inducement is that the Respondents were not acting in good faith as to the Church but were using the Church to defraud the Church.

THEREFORE Appellant is requesting the Court issue an Order, denying the Circuit Court's dismissal of Civil Action 2018-CP-37-00489, as none of the actions of the Respondents were of any ecclesiastical or dogmas or tenets of the congregational church.

RESPECTFULLY SUBMITTED:

I SO MOVE;

s/PASTOR MARIE DAVIS

Pro Se

1003 Easley Bridge Road

Easley SC 29640

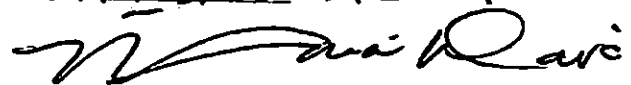
Phone 864-431-8046

Facsimile 864-

Email: Marie Davis 8392 @ Yahoo.c

Date: 12/4/2020

OTHER COUNSEL OF RECORD:



NONE, for Respondent Jones

Post Office Box 1064

Greenville, South Carolina 29602

And 720 West Main St.

Laurens, SC 29601

NONE for Mark Day for

Rural Economic Development Corp. LLC

220 North Main St. Ste. 500

Greenville SC 29601

Db a ABL Consulting, Inc.

944 Dexter St. NE

Aiken, SC 29801

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Outreach" Church,

RESPONDENTS

PROOF OF SERVICE

I, CERTIFY, THAT I, have served, the Appellant's, Notice of Appeal, and Appeal on the Respondents, and Pro Se Desimber Wattleton, by depositing a copy of the Notice of Appeal and Appeal, in the United States Mail, with proper postage prepaid and affixed to:

- 1) Angela Nichole Lane for "REDC" and "The Rock Worship", Post Office Box 851, Sandy Springs SC 29677, for Civil Action,
- 2) Desimber Wattleton for "The Truth Outreach" Church, nka "The Rock Worship" 720 West Main St. Laurens, SC for Civil Action,
- 3) Mark Day for Rural Economic Development Corp, 220 North Main St. Ste 500 Greenville SC 29601 dba ABL Consulting, Inc. 944 Dexter St. NE Aiken SC 29801; or by personal in hand service; or both, on the date noted below.

_____, 2020

Assoc. Pastor Maria Davis for The Truth Outreach
Appellant 1003 Easley Bridge Road Greenville SC

Davis
1003 Easley Bridge Rd
Greenville SC
29615

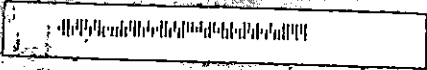
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SC Court of Appeals

Appellate Case # 2020-601467

Court of Appeals
1220 Senate St
Columbia SC
29201