

Case number # 2016-CP-37-00060

All transcript from the being of the case has been ordered: Also, in included are two transcripts also.

Also, court orders explaining the case.

Thank you

Pastor Davis
864 631-8046

RECEIVED

JUN 28 2021

SC Court of Appeals

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>Michael Davis AKA MIth</u>	Phone Number <u>8646318046</u>	Email Address <u>pastormicheal52@gmail.com</u>	
Mailing Address <u>10003 Easley Bridge Rd</u>	City <u>Greenville</u>	State <u>SC</u>	Zip Code <u>29622</u>
Transcript Information			
Docket Number <u>2016-CP-37-00060</u>	Case Caption (i.e. State v. John Doe or Smith v. Smith) _____		
Presiding Judge <u>Judge Maddox</u>	Circuit ☒ Family ☐	County <u>Oconee SC</u>	
Date(s) of Proceeding <u>Feb 9 2016 all Feb 2018</u>	Expedited Yes ☒ No ☐		

JUN 28 2021

Requestor's Signature: Michael E. Davis
9/19/2018
(Typed name will serve as signature)

SC Court of Appeals ^{Date:}

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____	Date Received _____	Email Address _____	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount: _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE) IN THE COMMON PLEAS COURT

Maria Davis and the Truth Outreach,
Plaintiffs,
-vs-
Mark Day, Rural Economic Development Corporation,
Christopher Jones and Desimber Wattleton-Jones,
Defendants.

TRANSCRIPT OF RECORD
2018-CP-37-489

RECEIVED
JUN 28 2021
SC Court of Appeals

January 23, 2019
Walhalla, South Carolina

B E F O R E :

HONORABLE R. LAWTON MCINTOSH, JUDGE

A P P E A R A N C E S :

JAMES P. O'CONNELL, ESQUIRE
Attorney for Maria Davis

Linda D. Moffitt
Circuit Court Reporter

INDEX

Motion -- page 3.

No exhibits entered into evidence.

1 THE COURT: The next case is Maria Renee Davis vs.
2 Mark Day, D-A-Y.

3 All right. Let me ask. I have not read the pleadings
4 in this case. Are there still -- are the parties still
5 Maria Davis and the Truth Outreach? Are they still the
6 plaintiffs?

7 MR. O'CONNELL: Yes, Your Honor.

8 THE COURT: What nature of an entity is the Truth
9 Outreach?

10 MR. O'CONNELL: It's a congregational church, Your
11 Honor.

12 THE COURT: I figured it was a church.

13 What is the organizational type? In other words, is
14 it an eleemosynary corporation; is it a Subchapter S; is it
15 incorporated at all?

16 MR. O'CONNELL: It's incorporated.

17 THE COURT: What kind of corporation is it?

18 MR. O'CONNELL: It's eleemosynary, Your Honor.

19 THE COURT: Eleemosynary that you have incorporated?

20 THE PLAINTIFF: Yes, sir.

21 THE COURT: It's not a C corp? It's just a nonprofit?

22 THE PLAINTIFF: Right.

23 MR. O'CONNELL: Right.

24 THE COURT: Okay. And then on defendant's side we
25 have Mr. Day who we've met already.

1 Rural Economic Development Corporation. Is anybody
2 here on behalf of the Rural Economic Development
3 Corporation?

4 DEFENDANT DAY: I'm a party to that, sir.

5 THE COURT: Okay. Well, is -- is that a corporation
6 itself?

7 DEFENDANT DAY: It's a REIT, rural investment trust --
8 Real Estate Investment Trust.

9 THE COURT: It's a REIT?

10 DEFENDANT DAY: Yes, sir.

11 THE COURT: So that would be a corporate entity,
12 right?

13 DEFENDANT DAY: Yes, sir.

14 THE COURT: To the extent that that is a corporate
15 entity -- and you told me you were not licensed at the last
16 hearing -- you cannot represent a corporation in the court.
17 You can represent yourself. You have a constitutional
18 right to, but you cannot represent any corporate entity
19 without being a licensed attorney in South Carolina. Okay.

20 DEFENDANT DAY: Right. The -- the complaint or the
21 filing is -- indicates me personally for Rural Investment.

22 THE COURT: Right. Well, I'm looking at the caption.
23 I'm just going through the various named defendants.

24 DEFENDANT DAY: Yes, sir.

25 THE COURT: Now, you being the first, with the second

1 being Rural Economic Development Corporation.

2 And just for the record, so you know, if you're owner,
3 member or whatever of that corporation, you can represent
4 yourself. You may not represent the corporation.

5 DEFENDANT DAY: Understood.

6 THE COURT: Okay. Christopher Jones. Is Christopher
7 Jones in the courtroom?

8 MR. O'CONNELL: He was dismissed.

9 THE COURT: Come around, please, sir.

10 THE CLERK: He has been dismissed.

11 THE COURT: Oh, he has been.

12 Okay. Mr. Jones, I'm trying to do it again to you.
13 You've been dismissed.

14 DEFENDANT JONES: I don't mind, sir. Thank you,
15 Judge.

16 THE COURT: Thank you.

17 And then Desimber Wattleton-Jones, or Desimber. Is it
18 Desimber?

19 MS. WATTLETON-JONES: Desimber like the month.

20 THE COURT: Okay. Desimber.

21 Okay. So at this juncture would you tell me the
22 nature of your claims against the defendants, please, sir?

23 MR. O'CONNELL: Your Honor, our claim in this action,
24 I think, is motions. Ours was a motion for --

25 THE COURT: Now, I want to hear the underlying case so

1 I can understand.

2 MR. O'CONNELL: Okay. These are a church that in
3 January of 2016, some people took over the church from the
4 pastor, Mike Davis. And since then we've been fighting
5 this case.

6 And, initially, Judge Maddox had told -- he had
7 control of the case. And we received an order from Judge
8 Maddox, I think, February of 2018, I think it was, where he
9 dismissed Christopher Jones and Ms. Wattleton and said they
10 couldn't come back.

11 well, they appealed the case, and since the appeal we
12 have filed from associate pastor, Ms. Davis. And they came
13 into court and argued that because it was on appeal
14 Christopher Davis couldn't be brought in. So I think the
15 second judge dismissed him as a party and told us to refile
16 and just leave him out.

17 And so the way it stands right now is that my client,
18 Pastor Ms. Jones, is asking -- Ms. Davis -- excuse me -- is
19 asking that -- that she remain in the case.

20 There are two motions said that they wanted to
21 12(b)(6) it and get rid of the case, which they -- we put
22 sufficient information in the pleadings to show that there
23 are actions and reasons for having the case. And they also
24 put in there that they would file that they were on appeal.

25 well, they -- they dismissed their appeal.

1 THE COURT: Well, hang on a minute. I don't need to
2 hear all of that.

3 I mean, what are your claims against these defendants
4 in the underlying suit? What are you saying?

5 MR. O'CONNELL: Okay. In the underlying suit we want
6 to be re -- put back into the church. It's their church.
7 They were running the church. They were legally forced out
8 of the church.

9 The second part is there's a number of series of
10 checks that were written by the people that took over the
11 church that shouldn't never have been written.

12 And, third, the land and the church itself were sold
13 or were leased to this Mark Day and Rural Economic
14 Corporation for \$10. But the way the deed reads is that it
15 was only --

16 THE COURT: I don't want to hear the argument on that.
17 I just wanted to make sure.

18 MR. O'CONNELL: So we're here to try to make sure that
19 we stay in the suit and that they can't do anything else
20 with this church.

21 THE COURT: Okay. And the motion today, according to
22 my roster, shows that it is multiple items.

23 First, there's a motion for summary judgment. There
24 is a motion to dismiss, a motion for an injunction.

25 And any other motions in this case that we're going to

1 dispose of today?

2 MR. O'CONNELL: Not today, Your Honor.

3 THE COURT: That's it.

4 Okay. Whose motion for summary judgment is it?

5 MR. O'CONNELL: Ms. Wattleton.

6 THE COURT: Okay. Ma'am, do you understand the

7 standard you must meet in order to have summary judgment

8 granted?

9 MS. WATTLETON-JONES: Yes.

10 THE COURT: Okay. I'm gray haired and have a little

11 hard of hearing, so would you come forward and speak loud

12 for me please, ma'am?

13 MS. WATTLETON-JONES: Yes. I do. Is that better?

14 THE COURT: Yes, ma'am. Or you can just come forward,

15 whatever makes you feel more comfortable. Did you file?

16 MS. WATTLETON-JONES: I'll speak up.

17 THE COURT: Did you file an affidavit in support of

18 your motion or any kind of supporting documentation?

19 MS. WATTLETON-JONES: I did, yeah. Plenty of them.

20 We filed plenty of documentation. It was a motion for

21 dismissal with prejudice or in the alternative a summary

22 judgment.

23 THE COURT: Okay. Well, typically, a motion to

24 dismiss would be without prejudice unless I rule otherwise.

25 But go ahead.

1 MS. WATTLETON-JONES: Either is fine with me, but the
2 bottom line is there are not any claims that they have
3 against me or anybody else that they named.

4 Ms. Davis was never an officer of Cornerstone
5 Cathedral in West Union, ever. And the timeframe that she
6 gives for being an officer, the pastor was still married to
7 his wife. She's the mistress.

8 So he was voted out. She was never voted out because
9 she was never there. If she was there, she would have been
10 voted out right with him.

11 Now, we filed plenty of documentation. I'm not going
12 to bore the Court with all of it.

13 THE COURT: Well, you need to because I don't have it
14 here. I'm not familiar. Okay.

15 MS. WATTLETON-JONES: Okay. All right. I'll let you
16 know.

17 THE COURT: Okay. Now, let me ask you this.

18 On a motion to dismiss I look at solely the complaint.

19 MS. WATTLETON-JONES: The --

20 THE COURT: Listen to me, now.

21 In the complaint I'll make a determination as to
22 whether they state facts sufficient to constitute a cause
23 of action.

24 I don't look beyond that. Okay. I only look at the
25 complaint.

1 On the other hand, if I look beyond the complaint at
2 any other documents, then I look at it under the guise of
3 it being a summary judgment motion, and the standard in a
4 summary-judgment-motion case is that there's no genuine
5 issue of material fact in dispute about the particular
6 issue or issues, and therefore the party's entitled to
7 judgment as a matter of law.

8 Okay. So do you understand what I'm saying?

9 MS. WATTLETON-JONES: All right. I do, I do. Okay.

10 THE COURT: Okay. If you're asking me to consider
11 things outside the pleadings, it will be one for summary
12 judgment.

13 MS. WATTLETON-JONES: Okay. I won't ask you to decide
14 anything outside of his complaint. Is that okay?

15 THE COURT: Okay.

16 MS. WATTLETON-JONES: So if I understand you
17 correctly --

18 THE COURT: You know, I'm going to let you make it
19 clear. If you want me to consider the complaint, I will.
20 But if you want me to consider something outside of the
21 complaint that's not part of it, then I'll make it summary
22 judgment. Either way is fine.

23 MS. WATTLETON-JONES: All right. I want to stick to
24 his complaint, and I'll say this about the complaint.

25 It was hard for me to find a cause of action to defend

1 against myself. I think my name was mentioned maybe twice,
2 and there's no cause of action associated with it.

3 I don't really understand how -- what path Ms. Davis
4 thinks she has to the church or the property at this point.
5 In a false affidavit that she filed she claims to be the
6 pastor of Cornerstone Cathedral in West Union.

7 THE COURT: Hang on. Was that -- was that affidavit
8 made a part of the complaint?

9 MS. WATTLETON-JONES: It's part of their complaint,
10 yes.

11 THE COURT: Okay. I'm sorry.

12 MS. WATTLETON-JONES: She filed an affidavit saying
13 that we were never members, we were never board members. I
14 have right here the signature card from the bank with my
15 name on it, Pastor Michael Davis' name on it, the former
16 treasurer's name on it. I'll pass that up to you. I don't
17 know if you have it or not.

18 THE COURT: I do not. Is that part of the complaint?

19 MS. WATTLETON-JONES: Their claim is that we're not --
20 I was never a member.

21 THE COURT: No, no. It just depends on the standard.
22 That's what I'm going to look at.

23 what you're asking me to look at, is that part of the
24 complaint they filed?

25 MS. WATTLETON-JONES: Yes. They said I'm not a

1 member, so that's my -- I'm on the bank's card as a -- not
2 only a member but the secretary of the board.

3 THE COURT: Is that -- are those -- is that bank card
4 made an exhibit to the complaint?

5 MS. WATTLETON-JONES: I don't know if it's made an
6 exhibit. They probably wouldn't have put it in theirs
7 because that wouldn't help them any.

8 THE COURT: Okay. I -- that's fine.

9 What I'm going to do, I'm going to treat this as a
10 motion for summary judgment. I'll be glad to look at it.

11 MS. WATTLETON-JONES: Okay.

12 THE COURT: Do you have a copy of it?

13 MR. O'CONNELL: I don't know. May I remain seated,
14 Your Honor?

15 THE COURT: Sir?

16 MR. O'CONNELL: May I remain seated, Your Honor?

17 THE COURT: Is there a medical reason why?

18 MR. O'CONNELL: Yes, Your Honor. I have a cane and I
19 have a bad hip and legs.

20 THE COURT: Yes, sir. If you have a medical reason,
21 you certainly may.

22 MR. O'CONNELL: I'll try to get up as much as I can.

23 THE COURT: Okay.

24 MS. WATTLETON-JONES: So what I've handed you is a
25 signature card from the bank account of the church at the

1 time. And you'll notice on that signature card at the bank
2 that Michael Davis was the pastor. I was the secretary of
3 the board, a young lady named Elizabeth Estes who is the
4 treasure at the time.

5 Now, in her affidavit she claims we weren't members at
6 all and there were no other board members but Michael
7 Davis, which is kind of strange. But there is evidence
8 that that is false.

9 Now, they claim that he was -- I don't know why
10 Michael Davis' name is coming up because she's the
11 plaintiff. But since they talked about it, I'll talk about
12 it.

13 They claim that Michael Davis was illegally removed
14 from the church. That is not true. We have a petition for
15 immediate removal right here where the members signed,
16 notarized.

17 We held a vote on February 14th of 2016. They have
18 this. We have included this in multiple complaints.

19 She was not a member of the church in West Union at
20 the time; she is not a member now; she's never been.

21 What she is was he established her as the pastor of
22 Truth Outreach in Greenville where she pastored from 2015
23 up until this past Sunday. She gave a sermon. It's posted
24 on Facebook. They pastored together that church in
25 Greenville.

1 She has never at all been an associate pastor or any
2 kind of anything at West Union. Now --

3 THE COURT: May I ask you something so I understand?
4 The West Union church, is it also known as Truth
5 Outreach?

6 MS. WATTLETON-JONES: It used to be, yeah. He -- at
7 the time Michael Davis was voted out it was Truth Outreach
8 of West Union. After he was voted out the church voted to
9 return the church to its original name, which I'm going to
10 put a footnote here. It is the name on the deed. The deed
11 never changed to Truth Outreach. It was always Cornerstone
12 Cathedral.

13 THE COURT: It was Cornerstone Cathedral?

14 MS. WATTLETON-JONES: The Cornerstone Cathedral, yes.

15 THE COURT: If you looked on the secretary of state's
16 website to look up the incorporation of this, the Truth
17 outlook -- Outreach --

18 MR. O'CONNELL: I don't think it's on there. It's
19 under --

20 THE COURT: Does anybody have an objection if I look
21 it up?

22 MR. O'CONNELL: I have no problem with that.

23 THE COURT: Do you have an objection?

24 MS. WATTLETON-JONES: No, no, not at all.

25 THE COURT: So did you change your name with the

1 secretary of state back to the original form?

2 MS. WATTLETON-JONES: It changed back to Cornerstone
3 Cathedral at the secretary of state.

4 THE COURT: No. Listen to my question, and I'm not
5 trying to be rude to you.

6 MS. WATTLETON-JONES: It's okay.

7 THE COURT: Did you change the name with the secretary
8 of state?

9 MS. WATTLETON-JONES: That's exactly right.

10 THE COURT: Okay. Thank you.

11 MS. WATTLETON-JONES: Yes. So if you look up the
12 Cornerstone Cathedral -- so there's not any confusion --
13 it'll show up. But when you click on it, it'll actually
14 say Worship Center. So we changed the name again since
15 then there's just so much negative -- this has been going
16 on for three years, so there's so much negative connotation
17 with the name, we just said we'll do away with it
18 altogether.

19 Now, at this point Mrs. Davis and Mr. Davis are on
20 no-trespass. They can't even come on the property.
21 They're on no-trespass with the Oconee County Sheriff's
22 Office. I'll let him talk more about.

23 Now, I'm not sure why Ms. Davis thinks she has any
24 kind of pathway to this property. The only thing she ever
25 was as it relates to Truth Outreach, Cornerstone Cathedral

1 West Union, was this man's mistress.

2 THE COURT: Right. I've said that -- you said that
3 three times, and I've got the point. So let's be courteous
4 in the courtroom. Okay.

5 MS. WATTLETON-JONES: All right. Yes, sir.

6 Sticking to the law. Okay. They filed -- we filed
7 our claim, for which was originally against Mr. Davis for
8 breach of contract, and there was some funds that were
9 embezzled by Ms. Estes. She got her -- she got charged for
10 that. Since then I believe she's settled that matter.
11 Okay.

12 THE COURT: Did she get criminally charged?

13 MS. WATTLETON-JONES: She got criminally charged.

14 THE COURT: Did she plead guilty to that?

15 MS. WATTLETON-JONES: She did plead guilty to that,
16 and I believe she satisfied -- satisfied that with Ocone
17 County.

18 MR. O'CONNELL: Your Honor, if I may, that's not
19 accurate.

20 THE COURT: Sir?

21 MR. O'CONNELL: She was, I believe, charged, but they
22 were all dismissed or -- as far as I know, she has no
23 record of any kind of charges like --

24 MS. WATTLETON-JONES: If you look it up, you'll see
25 it.

1 THE COURT: Hang on.

2 Do me a favor. I'm going to let her argue; I'm going
3 to let you argue. But don't interrupt her, and she won't
4 interrupt you.

5 MR. O'CONNELL: I won't.

6 THE COURT: What's that?

7 MR. O'CONNELL: It's the document showing that --

8 THE COURT: Never mind. I don't want you -- just what
9 I said. I'm going to let you argue.

10 All right. Ma'am, I'm sorry. I interrupted you.

11 MS. WATTLETON-JONES: No problem.

12 Okay. So concerning the case in Ms. Davis' complaint,
13 she references case No. 370060. That's one of the first
14 things Mr. O'Connell, her counsel, represents in this
15 complaint. That complaint is completely just dismissed
16 with -- with prejudice, meaning our claims and their
17 claim's completely dismissed.

18 Now, originally the judge said -- well, dismissed the
19 matter for administrative reasons only. Mr. O'Connell gave
20 him an order that included a pseudo judgment in favor of
21 Mr. Davis. So the order, instead of it just being
22 dismissed, all claims are dismissed, it said the police
23 will help Mr. Davis back into the church, he gets back in
24 possession of the property.

25 None of that Mr. Mattox, Judge Maddox, asked for. So

1 we appealed that to, in Columbia, and they agreed with us
2 on that. They put a stay on that order. It's somewhere in
3 his complaint. He says the stay was lifted. The stay was
4 never lifted.

5 They put a stay on that order to maintain the status
6 quo. The status quo was us worshiping in that building for
7 the last almost now three years. They haven't been in that
8 building for almost three years besides one weekend when
9 they broke in there and changed the locks. And we had to
10 get law enforcement involved with that.

11 Now, Judge Maddox reversed that, corrected it and
12 filed an amended order. So then that is why we dismissed
13 our appeal, because he fixed it. So there was no need to
14 go through the rigmarole of an appeal because he fixed
15 that.

16 I have all of those orders here if you need them. I
17 don't know if you need them, but if you do I can give them
18 to you.

19 THE COURT: Well, if I need them, I'll ask. I'm not
20 sure if I do or not.

21 MS. WATTLETON-JONES: And so the order in his -- in
22 our -- in his -- in Mr. O'Connell's response to our appeal,
23 he clearly states that Maddox fixed that. In other words,
24 he took everything out of that order that put Mr. Davis
25 back in the church and the property. He took all of it out

1 and simply dismissed all claims with prejudice. Mr.
2 O'Connell filed a motion to reconsider.

3 Now, during the appeal this case came up. The matters
4 are so closely related that Judge Maddox recused himself
5 from this case because they're really inseparable.

6 And, so, anyhow, Mr. O'Connell filed a motion to
7 reconsider stating that him taking that stuff out undid the
8 re-installment of Pastor Davis and undid him getting back
9 in the property, and would you reconsider, because when we
10 needed to put all of that back in there.

11 Well, that motion to reconsider was denied. Recently
12 he filed another -- I don't think he filed anything because
13 the case is completely adjudicated -- but he submitted
14 another request for reconsideration, and that's probably
15 just been ignored. I didn't see anything that it had been
16 denied or decided.

17 THE COURT: All right. Let me ask you this.

18 What were the issues involved in the case that Judge
19 Maddox -- that you say was dismissed with prejudice? What
20 were the issues in that case?

21 MS. WATTLETON-JONES: The issues in that case were we
22 filed a breach of contract against Mr. Davis. In other
23 words, he violated the protocols --

24 THE COURT: Was it an employment contract?

25 MS. WATTLETON-JONES: Not necessarily employment. He

1 was elected as a pastor, I -- I think in 2010. So however,
2 a church governess. I won't say employed necessarily.

3 THE COURT: Well, sounds like it's employment.
4 Go ahead.

5 MS. WATTLETON-JONES: Well, you could consider it
6 employment because he was receiving wages, so I guess if
7 that was considered employment. But part of his
8 employment, if you would, there's an employee handbook for
9 this job, is the Bible.

10 THE COURT: Let's --

11 MS. WATTLETON-JONES: I'm not going to get into it.

12 THE COURT: No. Stop, stop, stop.

13 I'm trying to wrap my arms around this. Okay?

14 MS. WATTLETON-JONES: Yes, sir.

15 THE COURT: And when I ask you a question, I really
16 want to hear just the answer so that it helps me. And then
17 you can expand on it. I'm going to give you plenty of
18 time.

19 MS. WATTLETON-JONES: Okay.

20 THE COURT: But I just want to know what the issues
21 were in the first case, and you say it was breach of
22 contract, which in my mind since he was an employee of the
23 church in the pastor role, an employment contract. Okay.

24 MS. WATTLETON-JONES: Right.

25 THE COURT: Now, any other claims against him in that

1 first case?

2 MS. WATTLETON-JONES: Well, we claim that he assisted
3 the financial -- the -- the treasure with embezzling funds
4 from the church.

5 THE COURT: Okay.

6 MS. WATTLETON-JONES: Now --

7 THE COURT: Did you -- so did you sue him for what we
8 call conversion saying that I want our money back that you
9 stole allegedly?

10 MS. WATTLETON-JONES: We initially did. I didn't
11 initially do that. Connie McKee, another member of the
12 church, did that.

13 THE COURT: Okay.

14 MS. WATTLETON-JONES: The two cases were consolidated
15 into one. After --

16 THE COURT: Okay. Hang on.

17 What are the issues? Are those all of the issues in
18 the case that Judge Maddox disposed of?

19 MS. WATTLETON-JONES: There -- the property also came
20 up, the checks that they're talking about.

21 THE COURT: The real owner of the property?

22 MS. WATTLETON-JONES: Huh?

23 THE COURT: The real owner of the -- titled owner of
24 the property, who should own the property?

25 MS. WATTLETON-JONES: I don't know who should own the

1 property ever came up. They -- he filed an order to -- to
2 make Davis the owner of the property.

3 THE COURT: Do you have Judge Maddox's final order?

4 MS. WATTLETON-JONES: Yes.

5 THE COURT: May I see that, please?

6 MS. WATTLETON-JONES: I'm not sure -- if I don't, I
7 can get it. It's in my bag.

8 THE COURT: Okay. Do you have -- my clerk says she --
9 Amanda says she can get it for us. Okay.

10 MS. WATTLETON-JONES: Okay.

11 THE COURT: So let me -- while they're doing that --

12 MS. WATTLETON-JONES: I do have it though if you need
13 it. That's the first one, and then there was another one
14 after this one that she might have to have, but I'm not
15 sure I have it. I have the appeals court's orders.

16 THE COURT: All right. Let me ask you this.

17 So you had issue of contract, embezzlement and real
18 estate, first case.

19 MS. WATTLETON-JONES: First case?

20 THE COURT: What are the issues in this case?

21 MS. WATTLETON-JONES: I cannot find them if you want
22 to know the truth. So that might be a question that you
23 might have to ask them.

24 THE COURT: Do you have -- do you have a copy of your
25 summons and complaint?

1 MR. O'CONNELL: Yes, Your Honor.
2 THE COURT: Would you pass it forward, please, sir?
3 MS. WATTLETON-JONES: Can I speak, Your Honor?
4 THE COURT: Hang on.
5 MS. WATTLETON-JONES: Okay.
6 (Pause.)
7 MR. O'CONNELL: Your Honor, I'm looking for it.
8 THE COURT: I've got it.
9 (Pause.)
10 THE COURT: All right. Go ahead.
11 MS. WATTLETON-JONES: All right. Ninety percent of
12 this complaint is about Mr. Jones. Mr. Jones argued in his
13 motion for dismissal that it wasn't in proper form, that
14 this wasn't the proper form and other things. And the
15 judge at the time -- I can't remember his name -- dismissed
16 Mr. Jones from this matter with prejudice, I think.
17 So the little bit in here that's left, I'm not sure
18 what cause to argue necessarily because there's not really
19 a cause of action given that I could ascertain. But from
20 all of the items that are in there 99 percent of them are
21 in the case that's referenced in this complaint that's
22 completely adjudicated.
23 THE COURT: Okay.
24 MS. WATTLETON-JONES: So this whole thing is res
25 judicata in my mind, but I'm not an attorney. But as far

1 as I could tell, it's been resolved entirely.

2 THE COURT: All right. Tell me the issues in the
3 first case.

4 MR. O'CONNELL: Your Honor, if it please the Court.

5 THE COURT: Yes, sir.

6 MR. O'CONNELL: The issues in the very first case, it
7 started as a magistrate --

8 THE COURT: Distinctly, please.

9 MR. O'CONNELL: And it was about taking money.

10 Then it was removed to the circuit court, and then it
11 became about who was running the church. That are two
12 bodies that were claiming running the church. They had all
13 kinds of motion hearings before Judge Maddox.

14 THE COURT: Again, I'm not going to ask you. You're a
15 lawyer, and so I want you to be on the mark. Tell me
16 distinctly the grounds in the first case, please, sir.

17 MR. O'CONNELL: The first case, the main issue was who
18 was running the church.

19 THE COURT: Okay. Was it employment? Do you have a
20 breach-of-employment-contract claim?

21 MR. O'CONNELL: No. It was who was running the
22 church.

23 THE COURT: Was it -- was it a claim to ownership of
24 the property?

25 MR. O'CONNELL: Yes. Their claim is ownership of

1 property.

2 THE COURT: Again?

3 MR. O'CONNELL: Yes, yes.

4 THE COURT: Okay. And was there a claim for taking
5 the monies by Mr. Davis?

6 MR. O'CONNELL: There was a claim in the answer and
7 counterclaim about taking monies illegally from the church.

8 THE COURT: Okay. Tell me how -- what issues are
9 different in this case.

10 MR. O'CONNELL: In this case the defendant
11 Wattleton-Jones and Mark Day were added because they have
12 taken more monies from the church, but also they took the
13 deed from the church and moved it to Mark Day Rural
14 Development Corporation. And they have removed all of the
15 property of the church out of the church.

16 So the issue of the associate pastor -- and she was
17 the pastor at that time -- associate pastor -- and the
18 whole thing is you don't have to be on the signature card.
19 She's the associate pastor. And that would be a
20 factual-evidence thing we were going to bring before the
21 Court.

22 THE COURT: Sir, I'm asking you to be distinct with
23 me.

24 We're going to let you argue. Okay. I'm just trying
25 to figure out if the case is dismissed with prejudice

1 previously with issues regarding title to this real estate,
2 that's gone, this case is gone.

3 MR. O'CONNELL: Your Honor, that case that was
4 dismissed, was the judge ordered that Mr. Davis, Pastor
5 Davis, be placed back into the church. The judge in that
6 case -- and it's part of the order -- ordered --

7 THE COURT: I know. I read about it and I heard that
8 that was -- not heard. I read that it was changed back.

9 MR. O'CONNELL: This case is different in that Pastor
10 Davis who wasn't a party to the first case -- associate
11 paster -- is asking the Court to set aside that deed that
12 was not part of the first case. It was never really
13 mentioned in that first case. We didn't know about it
14 until after Judge Maddox's order. And, second, we didn't
15 know that Mr. Jones, the other party in this case, had been
16 charged with a felony for taking at least one of these
17 checks.

18 THE COURT: Okay. Sit down.

19 Okay. Go ahead.

20 MS. WATTLETON-JONES: Do you need to heard from Mark
21 Day?

22 THE COURT: It's your motion. You have the burden of
23 proving that there's no genuine issue of material fact, or,
24 otherwise, I'm going to send all of y'all out of here and
25 I'm going to go on with court business and let y'all come

1 back and try your case another day. Okay?

2 MS. WATTLETON-JONES: Yes, sir. I don't mean to waste
3 your time. We're just here to hopefully --

4 THE COURT: Well, this is your motion.

5 MS. WATTLETON-JONES: All right. This is to me is res
6 judicata. It's over. Ms. Davis -- I have no idea what
7 pathway she thinks she has to the church property.

8 The -- the church voted unanimously to place the
9 property under Rural Economic Development Corporation. So
10 if she was present she would have been one vote and she
11 would not have overcome the majority, if she was present.
12 It was unanimous.

13 So let's say hypothetically that she was there, she
14 was the associate pastor, as they claim.

15 THE COURT: Yes, ma'am.

16 MS. WATTLETON-JONES: And that she was at the
17 meetings. Let's say she was there. She was one vote. The
18 vote was unanimous to do this.

19 So we didn't -- the word partnership with the Rural
20 Economic Development Corporation? Why because we want to
21 build subsidized housing. We want to build overflow
22 housing for the Triple Center and the art center and all
23 kind of programs. And that positions us for grants that we
24 cannot get as a church but that we're eligible for as a
25 community development corporation. That's why that

1 happened.

2 There was no illegal sale in whatever they claim that
3 they haven't been able to prove, but 99.9 percent of
4 everything they're claiming was adjudicated in the other
5 case that he mentions almost in the first paragraph of this
6 complaint.

7 I'm going to yield and let Mr. Davis have some words
8 just to get on the record because they put him on the
9 complaint, but my -- my -- my conclusion is this matter is
10 over. I don't know why we're here. I don't know why we've
11 got to keep coming, and I am sorry to have wasted your
12 time.

13 THE COURT: No. Well, I get paid.

14 All right. Go ahead, Mr. Davis. I'll be glad to hear
15 from you. You need to stand up when you address the Court.

16 MR. DAVIS: Yes, sir.

17 THE COURT: Okay. Thank you.

18 MS. WATTLETON-JONES: Absolutely. And thanks for
19 clearing up that situation earlier.

20 THE COURT: Yeah. Sorry.

21 MR. DAVIS: You know, Your Honor, I want to thank you
22 for your time to reiterate Pastor Wattleton's comments.

23 There has been -- every part of this transaction has
24 been above board. I am not acting in the current capacity
25 but am a member of the clergy myself. I know how it works

1 within the church congregation.

2 No one person owns anything. The church owns the
3 property. The governing body of the church that acts under
4 its own constitution, under its own bylaws.

5 So the meetings that I attended that I never met
6 before today or never seen Ms. Davis before in my life.
7 But when I attended meetings about this transaction taking
8 place and this partnership, everything was done above
9 board. It was done.

10 I was able to receive in advance a copy of the bylaws
11 and the -- and the constitution of the church to review it
12 to make sure that everything would be able be done under --
13 under a legal scenario, in which it was.

14 And the title -- all of the paperwork that has been
15 done has all been done properly. Everything has been done
16 above board. There's not one thing that's out of whack
17 here.

18 The only thing that's out of whack is my understanding
19 of this of which I had my -- my personal attorney review,
20 and he didn't see any need to come with me today because he
21 said it makes no sense. It doesn't have any merits. It
22 doesn't meet the -- the law.

23 THE COURT: Yeah. That's just --

24 MR. DAVIS: Even down to the point of asking for an
25 injunction, and it would appear that the purpose for the

1 injunction is to impede the existing church, the existing
2 controlling body of the real estate from moving forward
3 with its endeavor.

4 Now, under Rule 65, although there's being a request
5 here for there to be no order for a security bond that --
6 that isn't even an option.

7 So we've got a piece of property that we look forward
8 to working with the church and fully developing out and
9 being an asset to the community, being from what it would
10 appear trying to fraudulently impede a piece of property
11 that's worth some \$900,000.

12 Now, if the property, in fact, is worth that I would
13 expect that the required security -- security bond would be
14 of a significant amount. And in the document here it's
15 indicated that the plaintiff has no way to -- to afford to
16 pay a security bond.

17 So I agree with Ms. Wattleton. I drove three hours.
18 I was supposed to be here last month. Had to have my
19 schedule completely changed because I understood that there
20 was a request for a delay because the Davises had a matter
21 they were subpoenaed for in Greenville County court. So I
22 was notified that we had to change. I had to change my
23 schedule. And it was my understanding from what I read on
24 line they didn't even show up for that case.

25 So we should have been here to address this last

1 month.

2 So, again, I rearranged my schedule, and I'm here
3 today. Drove three hours to try to get this resolved,
4 because what I -- what I've encountered is, IS Rural
5 Economic Development has a legitimate documentation filed
6 with the state. Rural Economic Development has a
7 legitimate agreement with the Cornerstone for the use of
8 the property.

9 Rural Economic Development and the church itself in
10 Oconee County has a no-trespass order against both --
11 including the Davises -- that have been -- they vandalized
12 the property, broke into the property, changed the locks on
13 the property, addressed issues with Duke Power on
14 electricity on the property, never having one ounce of
15 authority to do so.

16 So I am in hopes that as Mr. Jones' component in this
17 case that has been dropped and completely adjudicated, of
18 which was 90 percent of this entire complaint, that this
19 complaint too is taken and set aside with or without
20 prejudice but finally an end put to this nonsense because
21 it's a waste of the Court's time, it's a waste of the
22 ministry's time and -- and today it was a waste of my time.

23 But I appreciate the opportunity to be here, sir.

24 THE COURT: Thank you, sir.

25 Now, the motion for injunction is coming from the --

1 your clients?

2 MR. O'CONNELL: That's correct, Your Honor.

3 THE COURT: And motion to dismiss is coming from you
4 and motion for summary judgment is coming from you.

5 MS. WATTLETON-JONES: Yes, sir.

6 THE COURT: All right. Tell me why I shouldn't grant
7 motion for summary judgment or motion to dismiss.

8 MR. O'CONNELL: As to the summary judgment --

9 THE COURT: Have you filed anything in response to
10 what they filed?

11 MR. O'CONNELL: It should be in there. We filed
12 everything. There should be an efilng.

13 THE COURT: What was it that you filed?

14 MR. O'CONNELL: We filed a return to their motion.

15 THE COURT: Okay.

16 MR. O'CONNELL: And I specifically stated that there
17 are factual issues. We raised factual issues. And I'm
18 trying to remember the first hearing, the first case. I
19 don't think Ms. Wattleton-Jones was a party in the body of
20 the paperwork. They tried -- Mr. Christopher Jones acted
21 as their pseudo attorney in those cases. He put them as
22 parties at the lower end of the case.

23 If the Court would just look it over, you would see
24 they weren't named parties in the case. They were
25 mentioned as other parties. That's why she has no standing

1 to bring up, in a sense, a case against my client here
2 because she wasn't in the first suit.

3 The second part of the summary judgment motion is --
4 in reverse I'm trying to remember what they all said.
5 Mr. Day was responding as a part of the World Development,
6 which is supposed to be an attorney. He actually stated
7 parts of the code and procedure.

8 But in that case if you look at the deed, the deed in
9 that case was for \$10, but they retained a rental for \$10.
10 And who drew the deed? There's no attorney's signature or
11 nobody signing it.

12 I know people can do their own deed, but if it was
13 given to a corporation there should have been an attorney
14 involved. So maybe there was some illegality in there.

15 In reverse, they keep bringing up the date of that. I
16 ask the Court because they were subpoenaed by
17 Mr. Christopher Jones to be at his hearing for forgery in
18 Greenville. They settled that case by the board over here
19 paying the money to the person the check was forged to. So
20 it was let go. They were subpoenaed by Mr. Jones, not by
21 us.

22 The reason I asked the Court, because it was set all
23 day, said they would be all day there.

24 THE COURT: This is just yik-yakking, yik-yakking,
25 yik-yakking.

1 Okay. I want you to tell me what facts are in dispute
2 such that the standard for summary judgment or 12(b)(6) has
3 not been met, okay, or should not be met.

4 All right. That -- if that's going to be your
5 argument, I'm going to grant the motion. Okay.

6 MR. O'CONNELL: Our argument is there are different
7 parties that they -- there are set of facts in this case
8 that the jury should hear because there were checks that
9 are written by these new-member board members that all came
10 afterwards and should never have been written by Mr. Jones
11 in those cases.

12 And, third, there was a deed that after the
13 February 22nd hearing of this -- of last year --
14 twenty-eight -- they actually filed that deed after the
15 judge made his ruling in court saying that he was
16 dismissing their case -- their case -- with prejudice.

17 I've actually filed a motion for Judge Maddox to
18 revisit that because our part of the case, our answer and
19 counterclaim, was never heard.

20 So to make a long story short, my client is here
21 because there are factual issues --

22 THE COURT: The amended complaint dated the 13th of
23 whatever month -- I can't tell -- August -- says that the
24 above filed suit or action is hereby dismissed with
25 prejudice. That would include your answer and

1 counterclaim, sir.

2 MR. O'CONNELL: I wrote that to the judge, and that's
3 why I made a motion recently to the judge. If that is --

4 THE COURT: When did you file your motion to
5 reconsider?

6 MR. O'CONNELL: Judge Maddox.

7 THE COURT: Sir, I'm saying when.

8 MR. O'CONNELL: Just in the last couple of months.

9 THE COURT: And this order has been filed since
10 August?

11 MR. O'CONNELL: Well, we didn't know what they were
12 going to do because the appeal was still continuing. The
13 appeal was just released in the last couple of months also,
14 Your Honor. I didn't know what to do because of the
15 appeal.

16 MS. WATTLETON-JONES: Can I, Your Honor -- I'm sorry.

17 THE COURT: Give me five minutes. Okay.

18 (Whereupon, a recess was taken.)

19 THE COURT: All right. Mr. O'Connell, I cut you off a
20 minute ago. I wanted to take a minute and just look
21 through this. I'll be glad to hear from you further-wise
22 as to why this case should not be dismissed, why summary
23 judgment shouldn't be granted.

24 MR. O'CONNELL: Your Honor, I have nothing further to
25 say. Thank you.

1 THE COURT: I'm sorry?

2 MR. O'CONNELL: I have nothing further to say. Thank
3 you very much.

4 THE COURT: Okay, sir. You also have a motion for an
5 injunction.

6 MR. O'CONNELL: But I assume that if you rule against
7 us on the two motions they had filed previously the motion
8 for injunction would be ruled against also.

9 THE COURT: Well, of course that's right, but I want
10 to go ahead and get that heard today because I'm not going
11 to let it float out there. I want it done.

12 MR. O'CONNELL: Okay. On the injunction, it's based
13 on the deed was prepared after the judge, previous Judge
14 Maddox, issued his order from the bench, and it wasn't done
15 until just this year. But if you look at the deed and the
16 paperwork it refers to the documents that were done about a
17 year previously. So I think that deed's invalid on its
18 face if you read the deed. So thank you very much.

19 THE COURT: All right. Thank you, sir.

20 I'm going to deny your motion for an injunction.
21 Quite frankly, I think this case -- this young lady over
22 here is correct that probably the vast majority is subject
23 to res judicata.

24 Looking at your amended complaint, it's very difficult
25 for me track or follow, but you're asking for rescission.

1 That was part of the original case. But as far as the deed
2 goes, I think that you failed to state facts sufficient to
3 constitute a cause of action in this case, or to the extent
4 that you have that summary judgment is appropriate as to
5 all of your grounds because there's no genuine issue of
6 material fact.

7 As to any of the claims that they're entitled to
8 relief as a matter of law, and also that you're barred
9 from -- you are barred from prior -- ma'am, stop.

10 THE PLAINTIFF: I'm sorry.

11 THE COURT: Okay. I've watched you do that all day
12 long. I'm not going to tolerate it any more. Do you
13 understand?

14 THE PLAINTIFF: Uh-huh.

15 THE COURT: Thank you.

16 Now, Mr. O'Connell, you've been a gentleman here, and
17 I appreciate you bearing with me.

18 I'm going to grant the motion in its entirety. You'll
19 have 30 days to appeal my order.

20 I'm going to ask -- has either one of you ever drawn
21 an order? You're lawyers here today. I'm going to let you
22 try it. Okay. And the rule is you've got to provide it to
23 everybody involved before you send it to me. Okay.

24 MS. WATTLETON-JONES: Yes, sir.

25 THE COURT: Do the best you can, and then I'll --

1 we'll look at it. Okay.
2 MS. WATTLETON-JONES: Yes, sir.
3 THE COURT: All right. Thank you.
4 MR. O'CONNELL: Thank you, Your Honor.
5 END OF REQUESTED TRANSCRIPT OF RECORD
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

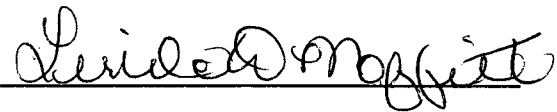
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I, the undersigned Linda D. Moffitt, Official Court Reporter for the Seventh Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the trial of the captioned cause, relative to appeal, in the Common Pleas Court for Oconee County, South Carolina, on the 23rd day of January 2019.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

February 18, 2019



Linda D. Moffitt
Circuit Court Reporter

Susan Harrison -v- Michael Davis
Case No. 2016-CP-37-00060
Hearing of February 22, 2018
Before The Honorable J. Cordell Maddox

2

I-N-D-E-X
SUSAN HARRISON
-v-
MICHAEL DAVIS
(MOTIONS HEARING)
(2016-CP-37-00060)
FEBRUARY 22, 2018

	<u>PAGE</u>
COLLOQUY	3
REPORTER'S CERTIFICATE:	15

RECEIVED
JUN 28 2021
SC Court of Appeals
E-X-H-I-B-I-T-S

IDENTIFICATION ENTERED

*****NO EXHIBITS PRESENTED*****

P R O C E E D I N G S

(11:00 A.M.)

**(NOTE: OCONEE COUNTY CASE HEARD IN ANDERSON
COUNTY.)**

THE COURT: This -- this is, obviously, you know, an Oconee County case that I've had and I think I retained jurisdiction. It -- it sort of slipped in here on a PCR day without -- because it slipped in early. I'm happy to hear it; let me do that first and then we'll get to these.

So, we'll be on the record with *Susan Harris (sic)*, *et al. versus Michael Davis*. And my memory is this is the church up in Oconee?

MR. O'CONNELL: That's correct, Your Honor. Can we start?

THE COURT: Yeah, let them come on up here; and I think they're filing in behind you.

MR. O'CONNELL: I can't see them anywhere, but anyway, okay.

THE COURT: I think the last -- the last time you-all were here I started throwing out Bible verses that I recalled from my father and my years in the Baptist Church.

MS. WATTLTON-JONES: Yes.

THE COURT: Um, but obviously that didn't work so

1 where are we at this time?

2 **MR. O'CONNELL:** Your Honor, we have made a Motion; I
3 represent Pastor Davis, he's the only Defendant, and he's
4 the Pastor of this church. It's a Congressional --
5 Congregational Church -- and that he's the Pastor; he
6 runs the church. The bylaws state that he cannot be
7 removed or -- or at least -- unless it's a unanimous vote
8 of the Board. And at the time he was asked to vacate the
9 premises by the Oconee County Sheriff's Department -- two
10 reasons. They had filed -- these people, uh --
11 Christopher Jones, Your Honor, had filed a Civil matter
12 and it was in Magistrate's Court originally and then it
13 was transferred to the Court of Common Pleas. And, he is
14 not a licensed attorney.

15 **THE COURT:** Right.

16 **MR. O'CONNELL:** He's rep- -- he's representing the
17 Church, but they're not -- I don't see an attorney here
18 today neither (sic), so---

19 **MS. WATTLTON-JONES:** He is not representing the
20 Church.

21 **THE COURT:** Hold on; let them finish. Just -- you
22 know...

23 **MR. O'CONNELL:** Yeah, okay. And, uh, Susan
24 Harrison's the only other person listed on the Pleadings.
25 They attempted to add other parties by just adding them

1 to the Pleadings. And then, my response to that was, you
2 can't do that; you have to have a Motion before The Court
3 to add other parties after it's already been answered and
4 taken care of by the facts.

5 In this case, all we ask to do -- because this
6 is -- he is the Pastor of the Church, he is the singular
7 of the Church and these are Church matters really -- that
8 The Court dismiss the matter based on our Law -- which I
9 still think is -- if it's Church matters only, The Court
10 can't handle it, has to dismiss it. And, put Mister --
11 Pastor Davis back at his Church. Because again, the only
12 reason he was, uh, out of the Church so to speak was one,
13 there was a Civil matter filed. A person brought a gun
14 to the Church and threatened him and that person was
15 convicted of Assault and Battery Third, I believe. And
16 he didn't want to go back to the Church for fear of his
17 life. But, he's never been removed by any Board or any
18 vote by anybody at the Church.

19 We'd like him re-placed at the Church and, uh, that
20 this matter be dismissed.

21 **THE COURT:** When the vote was taken to remove him,
22 it was not unanimous; is that correct?

23 **MR. O'CONNELL:** That's one; there -- there's only
24 two people on the Board, so but---

25 **THE COURT:** Well, but was he one of them?

1 **MR. O'CONNELL:** Yes; and the---

2 **THE COURT:** So it could never be unanimous.

3 **MS. WATTLTON-JONES:** Thank you.

4 **MR. O'CONNELL:** True; but that's what their bylaws
5 and their rules say.

6 **MS. WATTLTON-JONES:** No, that is not.

7 **MR. O'CONNELL:** Ma'am---

8 **THE COURT:** Ma'am---

9 **MR. O'CONNELL:** ---don't interrupt.

10 **THE COURT:** ---yeah; let me tell you, I -- I'm going
11 to be as nice as I can be. I -- I've been involved in
12 this for about a year and you-all have done things oddly
13 because you don't have a lawyer, which I'm going to have
14 to deal with because the Law is pretty clear. But don't
15 interrupt me, okay?

16 **MS. WATTLTON-JONES:** I'm sorry.

17 **THE COURT:** I have done, over the course of
18 seventeen years, I think -- and some of you-all may have
19 heard me say this -- probably ten to fifteen church
20 matters which always break my heart, because my personal
21 belief -- and I don't mind, at this point in my life
22 saying -- is that what we do is so much more important
23 than what we say. And, church fights always seem to --
24 there's got to be somebody out there looking at this
25 saying, you know, I feel that tug at my heart, but look

1 at these people fighting. So, having said that, um,
2 has this been mediated? I think I tried to mediate
3 it----

4 **MR. O'CONNELL:** Yes, sir.

5 **THE COURT:** ---with Mike Glenn?

6 **MR. O'CONNELL:** Yes, Your Honor; we went up there
7 and, uh---

8 **THE COURT:** He was very angry at me by the way,
9 because he said there was no way to settle it.

10 **MR. O'CONNELL:** Yes, and we went to mediation; it
11 didn't work out. Thank you for that, Judge.

12 **THE COURT:** Okay; I'll be happy to hear from you-all
13 just briefly. He's asking me to dismiss it; tell me what
14 you think. And, identify yourself for the Court
15 Reporter.

16 **MR. JONES:** I'm Christopher Jones; I'm who we
17 referenced. Uh, thank you, Judge; I think saw somebody
18 messing around with your car this morning, but---

19 **THE COURT:** Again?

20 **MR. JONES:** Yes, sir.

21 **THE COURT:** Yeah, I figured so.

22 **MR. JONES:** But, uh, let me address a couple things.
23 I am Christopher Jones; I never filed a Civil matter in
24 Magistrate's Court. This information is faulty. I did
25 file in General Session -- I mean, in Common Please. Uh,

1 I filed before he answered because I was made the scape
2 goat. I immediately -- I was in support of the Pastor
3 when this was -- when was called---

4 **THE COURT:** Right.

5 **MR. JONES:** ---for the vote and everything I was
6 supporting him. And during that time that Mr. Davis was
7 Pastor and saw that -- that I had a checkered past, let's
8 put everything on Chris. They went outlandish with
9 everything. Seventeen warrants they tried to apply for
10 in Oconee County and two in Greenville. I had to hire a
11 SLED expert, Mister Loren Dawson (phonetic), a retired
12 SLED expert to disprove what they was saying that I
13 signed these checks. So that's how I became full-fledged
14 into it. And I represent myself, not the Church. If
15 these matters go on forward to the Church then that's
16 where it goes. I don't represent the Church; I represent
17 my own interest, which I have a Constitutional---

18 **THE COURT:** Well, the Church is incorporated, right?

19 **MR. JONES:** Yes, the Church is incorporated.

20 **THE COURT:** And see, that's part of the problem.
21 Because, in South Carolina -- and this is something we
22 sort of addressed before -- a Corporation has to be
23 represented by an attorney.

24 **MR. JONES:** We talked with one yesterday -- uh,
25 earlier this week and again yesterday. Paul Hanna has

1 agreed to take the case, Your Honor.

2 **COURT REPORTER:** Paul who, please?

3 **MR. JONES:** Yes, he's go to---

4 **COURT REPORTER:** Paul who, please?

5 **MR. JONES:** Hammack -- Paul Hammack, Greenville,
6 Stone Avenue.

7 **THE COURT:** Okay.

8 **MR. JONES:** Okay?

9 **THE COURT:** Because that was something, I think up
10 in Oconee, I told you-all that I -- I -- I would listen,
11 but---

12 **MR. JONES:** Well, he -- yes, sir. He asked for
13 fifteen -- he actually said he would be back from out of
14 country -- he's taking a cruise tomorrow and then he'd be
15 back and asked for fifteen days so he can get caught up
16 to speed. But we were -- we asked for a continuance in
17 January -- my daughter was sick on January the 8th---

18 **THE COURT:** Right.

19 **MR. JONES:** ---and I missed it. So thank you for
20 continuing that.

21 **THE COURT:** It's not a problem.

22 **MR. JONES:** But, what I wanted to address was he
23 said it was a Congregational Church; he's absolutely
24 right. But, there are several Supreme Court cases that
25 say, in a Congregational Church, the majority controls

1 the governing by -- of the Church, not the Board. That's
2 number one.

3 He continued to assert that there was no Board when
4 only a month before that, on January 16th, we signed a
5 document -- a resolution -- naming the Officers of the
6 Board and his signature's at the top. So this business,
7 it's every time, he's -- it's moving the goal post every
8 time we have a hearing. Mr. Scully represented him
9 two -- a year ago and they couldn't get it right. The
10 information's not coming to The Court truthfully.

11 **THE COURT:** How many people are attending that
12 Church on Sunday now? Because I remember, when I was in
13 Ocone and heard this, and I think the response was like
14 six.

15 **MR. O'CONNELL:** Your Honor, if I may? At the time
16 this was done, there were two members on the Board and
17 there were about eight members of the Church. What
18 they -- I believe they're talking about -- they redid the
19 Church; they actually got a new name for the Church. And
20 they've redone the Church. And, uh, at the time you
21 heard the first two Motions, Mr. Jones was attempting to
22 represent not only the Church but the other Plaintiff in
23 this case, Susan Harrison and you told them they had to
24 have their own attorney.

25 **THE COURT:** Yeah.

1 **MR. O'CONNELL:** And I -- I don't know about this
2 other -- I have received no word from Mr. Hammack.
3 Again, my position would be dismiss the matter, put
4 Pastor Hammack (sic) -- Davis back in the Church. If
5 they want to bring a new suit they may bring a suit; it's
6 up to them. But, they have to do it properly.

7 **THE COURT:** Who is -- who is opening the Church on
8 Sunday and holding services.

9 **MS. WATTLTON-JONES:** (Hand raised.)

10 **THE COURT:** You are?

11 **MS. WATTLTON-JONES:** Yes; may I say---

12 **THE COURT:** And the Pastor who was removed is not
13 there, right?

14 **MS. WATTLTON-JONES:** He hasn't been there for two
15 years.

16 **MR. O'CONNELL:** He hasn't been there under cover of
17 Law, Your Honor. One, somebody pointed a gun at him;
18 that person---

19 **MS. WATTLTON-JONES:** That person hasn't been---

20 **THE COURT:** No, no, no. You can't---

21 **MS. WATTLTON-JONES:** I'm sorry; I'm sorry.

22 **THE COURT:** ---and seriously, it's been kind of a --
23 kind of a bad day for me; don't interrupt again.

24 **MS. WATTLTON-JONES:** I'm so sorry, Your Honor.

25 **THE COURT:** That's okay.

1 **MR. O'CONNELL:** Well, apparently Your Honor, there
2 was a Civil matter. I may have been wrong, but I thought
3 it started in Magistrate's Court and it was started by
4 Mr. Jones.

5 **THE COURT:** All right; you-all talked to a lawyer
6 yesterday---

7 **MR. JONES:** This week and yesterday.

8 **THE COURT:** ---and he needs fifteen days and you're
9 going to hire him.

10 **MR. JONES:** Yes, sir; we do -- we have the
11 regulation.

12 **MS. WATTLTON-JONES:** We may not hire him because
13 we're asking for a continuance, but we haven't got to
14 that yet.

15 **THE COURT:** Well, and we won't today because you-all
16 don't have a lawyer. See, you-all are a corporation;
17 that's the problem. And -- and that's been, I think -- I
18 mean he, to be honest with you, the first day we had this
19 he could have come in and said, Judge, they're -- a
20 corporation has to have a lawyer. I mean, even like
21 when -- on Criminal weeks when I do Bond Revocations, um,
22 the Bonding companies have to have a lawyer because they
23 can't act as their own attorneys.

24 Here's what I am going to do. I'll give you twenty
25 days to get a lawyer and then we'll settle this the next

1 time in Oconee. You need to get a lawyer. I mean, I --
2 at some point I'm probably going to have to dismiss it.
3 I'm bending this as far as I can and---

4 **MS. WATTLTON-JONES:** We're actually okay with it
5 being dismissed; just not on the grounds that they're
6 stating. Because, under the laws of the (sic) South
7 Carolina, the congregational body, the Church cannot
8 reappoint -- under -- The Court cannot reappoint a Pastor
9 we have voted out. I don't know where he (sic) getting
10 this business of two Board members or six members; there
11 were sixteen people voting him out with non-opposing
12 votes. So I don't know where that's all coming from.

13 **THE COURT:** Well, that's an evidentiary matter. I
14 mean, I am a little concerned about a Board that requires
15 a unanimous vote and the minister being a member of the
16 Board---

17 **MS. WATTLTON-JONES:** Exactly---

18 **THE COURT:** ---so you can never get a unanimous
19 vote.

20 **MS. WATTLTON-JONES:** ---it's a dictatorship.

21 **MR. JONES:** Your Honor, I just want to get on the
22 record that it's a two-third majority vote, not a
23 unanimous vote.

24 **THE COURT:** Okay. This is all evidentiary stuff.
25 I'll -- you got twenty days to get a lawyer. Get a

1 lawyer because next time I -- I'm here, if you don't, I'm
2 probably going to have to dismiss it on their Motion.

3 **MR. JONES:** Mr. Hammack will be here.

4 **MS. WATTLTON-JONES:** No problem.

5 **MR. O'CONNELL:** Your Honor, if -- if they don't, if
6 I am not notified in twenty days, can I notify The Court
7 and have an Order of Dismissal and put Mister -- Pastor
8 Davis back as the Pastor of the Church?

9 **THE COURT:** If they don't have one in twenty days,
10 notify me and I will set a fifteen-minute hearing and go
11 up -- I'll drive up to Ocone and do it.

12 **MR. O'CONNELL:** I could come here, Your Honor.

13 **THE COURT:** No -- no, I'll do it; or, wherever.

14 **MR. JONES:** Thank you, Judge.

15 **MS. WATTLTON-JONES:** Thank you.

16 **THE COURT:** Okay? But you-all need to get a lawyer.

17 (WHEREUPON, HEARING ENDED AT 11:13 A.M.)

18 *****END OF REQUESTED TRANSCRIPT*****
19
20
21
22
23
24
25

1 STATE OF SOUTH CAROLINA)

2) CERTIFICATE OF REPORTER

3 COUNTY OF ANDERSON)
4

5 I, THE UNDERSIGNED VIVIAN H. CROSS, OFFICIAL COURT
6 REPORTER FOR THE TENTH JUDICIAL CIRCUIT OF THE STATE OF
7 SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS A
8 TRUE, ACCURATE AND COMPLETE TRANSCRIPT OF THOSE
9 PROCEEDINGS REQUESTED AND EVIDENCE INTRODUCED IN THE TRIAL
10 OF THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE COURT OF
11 COMMON PLEAS FOR ANDERSON COUNTY, SOUTH CAROLINA, ON THE
12 22ND DAY OF FEBRUARY 2018.

13 I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN,
14 COUNSEL NOR INTEREST TO ANY PARTY HERETO.
15
16
17
18

19 *Vivian H. Cross*

20 VIVIAN H. CROSS, COURT REPORTER (RETIRED)

21 TENTH CIRCUIT AT LARGE

22 OCTOBER 7, 2018
23
24
25

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

IN THE COURT OF COMMON PLEAS
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,
Associate Pastor, MARIA IRENE DAVIS)
FOR "The Cornerstone Cathedral"
n/k/a "THE TRUTH OUTREACH")
of West Union SC

PLAINTIFF,)

Civil Action **2019-CP-37-585**

SUMMONS and NOTICE with
SECOND A M E N D E D
COMPLAINT

attached

JURY TRIAL REQUESTED

-versus-

RURAL ECONOMIC DEVELOPMENT
CORP. LLC, "REDC", Post Office Box 351,
West Union, SC 29696, dba ABL Consulting, Inc.
944 Dexter St. NE, Aiken SC 29801 and
"THE TRUTH OUTREACH" Church
185 Cornerstone Drive, West Union SC
INTERNATIONAL PALM OIL & BIODIESEL, LLC
213 Barker Rd Simpsonville SC 29827

DEFENDANTS.

TO: DEFENDANTS and attorney if any, NAMED ABOVE, YOU ARE SUMMONED AND
REQUIRED TO APPEAR AND DEFEND the pleading, in this action; which is this date, served
upon you, with Summons and Notice. **YOU ARE DIRECTED** to serve your pleading
responding to the pleading served by the Defendant's attorney at: 139 Grace Drive, Easley,
South Carolina 29640 or by certified mail at same address or hand delivery. Within **THIRTY
(30) DAYS** after the day of service, not to include the day of service; (if you are the United
States of America, you have sixty (60) days to plead after service) (add five days for service by
certified mail), and **IF YOU FAIL TO RESPOND OR ANSWER** or otherwise plead, within
the time noted, Defendant WILL apply to the Court for the relief demanded in the pleading and
JUDGMENT will be entered against you by **DEFAULT**.

If you are a **MINOR/PRISONER/INCOMPETENT** a personal Guardian ad Litem will be OR
may be appointed for you **IF YOU DO NOT APPLY** for a Guardian ad Litem to be appointed.
If you fail to do so, application for such an appointment will be made by the party immediately
and separately and such application will be deemed absolute and total in the absence of your
application for such appointment, within 30 days after service. **YOU WILL ALSO TAKE
NOTICE** IF YOU ARE IN THE MILITARY SERVICE OF THE UNITED STATE OF
AMERICA YOU MUST NOTIFY THE ATTORNEY or COURT ABOVE PROMPTLY.

August 4th, 2020

s/James P. O'Connell #4259

139 Grace Drive, Easley SC 29640

Phone/Fax 864-220-0005 jpatrickoconnell@yahoo.com

RECEIVED
JUN 28 2021
SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

IN THE COURT OF COMMON PLEAS

TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,
Associate Pastor, MARIA IRENE DAVIS)
FOR "The Cornerstone Cathedral"
n/k/a "THE TRUTH OUTREACH")
of West Union SC

Civil Action **2019-CP-37-585**

PLAINTIFF,)

-versus-

SECOND A M E N D E D
COMPLAINT

RURAL ECONOMIC DEVELOPMENT
CORP. LLC, "REDC", Post Office Box 351,
West Union, SC 29696, dba ABL Consulting, Inc.
944 Dexter St. NE, Aiken SC 29801 and
"THE TRUTH OUTREACH" Church
185 Cornerstone Drive, West Union SC
INTERNATIONAL PALM OIL & BIODIESEL, LLC
213 Barker Rd Simpsonville SC 29827
DEFENDANTS.

JURY TRIAL REQUESTED

Plaintiff named above by and through his undersigned attorney, hereby makes the following
allegations as to and against the Defendants:

- A. Pursuant to the form Order of the Court, signed by Judge R. Scott Sprouse, July 28, 2020
and filed of record July 28, 2020, Plaintiff amends the Summons and Notice and the
Complaint.

Pastors Davis of The Truth Outreach Church successor to The Cornerstone Church, inform the
Court of the following:

FACTS

The Corner Stone Cathedral, incorporated March 15, 1979 by the State of South
Carolina, (see Exhibit "A" and Tax exempt August 29, 1979, IRS ID#57-108-3428, The
name of the church is THE CORNERSTONE CATHEDRAL, located in West Union, South



Carolina AND then; by vote of the members of the Corner Stone Cathedral, located at 185 Cornerstone Drive, West Union, S. C. 29696; (see exhibit "B") the church became THE TRUTH OUTREACH by charter December 6, 2010, Constitution and Bylaws of THE TRUTH OUTREACH, by Secretary of State South Carolina, November 13, 2015; (see exhibit "C" and exhibit "D")

Pastor Mike Davis, has pastored since 2009, and continued as the Senior Pastor; and, suit was filed against Senior Pastor Mike Davis, was ended in dismissal April 5, 2018, of that action, C. A. 2016-CP-37-0060, which originally restored Pastor Davis, but that dismissal Order was changed to indicate the dismissal of the action; (see Exhibit "E")

Senior Pastor Michael Davis THE TRUTH OUTREACH Church of West Union, S. C.; Counterclaim was not heard by the Court, even though the original dismissal Order did Order Pastor Davis to be returned to the church;

During the filing of the Order restoring Pastor Mike Davis an Appeal was made, which was that Appeal was dismissed; and during that time an alleged deed from The Cornerstone Cathedral to Rural Economic Development Corporation LLC, 220 North Main Street, Ste 500, Greenville SC 29601; was filed along with two mortgages, the Deed and the mortgages are part of the Wattleton suit; (reference noted below) and,

Based on information received from the service by Pastor Maria Davis pursuant to the Order of the Court restoring Pastor Maria Davis suit, the Rural Economic Development Corporation, LLC, responded to the notice and the service of Interrogatories and Request to Produce, that Rural Economic Development Corporation LLC that it was not a legal entity until August, 9, 2018, could not have received of any conveyance; (see exhibit "F") which Plaintiff states renders that conveyance is a void transfer; deed recorded March 6, 2018, DEED Book 2341 pages 10-19; (note change of address); further, the void deed appears to be executed February 26, 2017; the void deed was recorded after the Court ruled that the suit by Pastor Mike Davis was dismissed. A Deed by the Corner Stone Cathedral, The Truth Outreach church, was filed of record September 10, 2019 in Deed Book 2501 pages 299-302, (see Exhibit "G");

Further, based on the Complaint of Desimber Wattleton versus Rural Economic Development Corporation, LLC, The Rock Worship Center, The Cornerstone Cathedral versus Christopher Jones, Mark V. Day, et al, filed in the Court of

Common Pleas both Oconee County and Greenville County, see Civil Action **2019-CP-23-03559** & **2019-CP-37-0347** a reading would show the Court that the issues raised by Pastor Mike Davis and Past Maria Davis, are substantiated.

1. Wattleton and Defendant Christopher Jones, have changed the name of the Church again, this time to The Rock Worship Center.

2. Wattleton's suit cites Wattleton, (page 2 of 8, paragraph 9.), was the founder, owner, and operator of Rural Economic Development Corporation LLC. The suit of Maria Davis had Mark Day as the Party responsible for the "REDC" and Mark Day has appeared in Court for that Entity. Wattleton states Mark Day was given authority to respond to legal matter, page 3 of 8 paragraph 11, even though he is not a licensed attorney in South Carolina.

3. Wattleton on page 2 of 8, paragraph 10., cites ongoing litigation with previous pastor. and, The Church placed property in the "REDC", based on the advice of Christopher B. Jones, Wattleton Jones husband, page 6 of 8, paragraph 20, not a licensed attorney.

4. Wattleton cites Mr. Jones violating the Church Constitution, page 4 of 8, Paragraph 15., by illegally encumbering church property.

5. Wattleton cites Mark Day, page 4 of 8, paragraph 16. for obtaining loans by Fraudulent behavior. Wattleton, states funds from the loans, were not utilized in any form or fashion for the benefit of the church, page 7 of 8, paragraph 22.

6. The Motion to Dismiss by Mark Day and Christopher Jones, under the First Affirmative Defense, that a trespass can not be sustained as the Plaintiff is not the "registered" owner of the property. Mark Day alleges that Rural Economic Development Corporation "REDC" is the owner of the church property, when as noted above "REDC" can not own the real estate of the Truth Outreach Church or any church, as the "REDC" was not a legal entity (see Exhibit "I"),

7. By the First Affirmative Defense, by Mark Day and Christopher Jones are members of "REDC" and Wattleton was voted out of the LLC August 2018 for attempting to transfer the property to Overcomers Church July 23, 2018.

8. As reported herein above, "REDC" is not a legal entity of Mark Day and Christopher Jones, and could not be the legal owner because of the date of existence by the South Carolina Secretary of State was after the date of conveyance.

9. Mark Day and Christopher Jones claim that Wattleton Jones can not represent the Church as she is not a licensed attorney in South Carolina, but, as shown by the suits above by Pastor Mike Davis and Pastor Maria Davis, that both Christopher Jones and Mark Day and Wattleton Jones have all been attempting to represent the church's and entities, even though repeatedly advised they can not. See Second Affirmative Defense!

10. Per Sixth Affirmative Defense, Mr. Jones claims the church is not a party, to any financial transaction, even though the real property is that the (The Truth Outreach Church)

11. When the suit 2016-CP-37-60, was dismissed and Pastor Mike Davis restored. Jones, States "all construction transactions involved projects owned by Defendant Jones for International Palm Oil & Biodiesel, LLC? This statement validates the allegations that were dismissed by order of Judge Sprouse, dismissing Christopher Jones from the action of Maria Davis for the Truth Outreach Church.

12. The Court received from Defendant International Palm Oil & Biodiesel, LLC an Affidavit, which appears to have an incorrect ZIP number for the address of the LLC.

Further, The suit by Pastor Maria Davis requested an injunction and the injunction appeared to be upheld by Judge McIntosh,:

- A. AS TO THE INJUNCTION, as the Court (Judge R. Lawton McIntosh) restored the suit of Pastor Maria Davis for the Truth Outreach Church,
- B. The request for an Injunction by Pastor Davis is therefore restored, and that Injunction is therefore in place as to the parties.
- C. There appears to be an identical suit filed in Greenville County SC which has been Dismissed, Wattleton v Day and Jones, 2019-CP-23-3599. The Defendants Objection to a Motion for Continuance, CITED by Defendants, Day and Jones, that "THERE IS A PENDING TRANSACTION IN THE AMOUNT OF \$400,000 BEING DELAYED"

FOR A FIRST CAUSE OF ACTION
Recession of Deed Unjust Enrichment

1. Defendants named are: As to REDC, alleged purchaser of the lands and buildings, of the

former Cornerstone Cathedral, now known as, The Truth Outreach of West Union, Oconee County South Carolina, other Defendants are believed to be citizens of the USA and residents of Oconee County South Carolina and or are signees of the alleged deed as complained of here.

2. There is an Order of the Court, Honorable J. Cordell Maddox, Jr., C. A. 2016-CP-37-0060 which is the Order of the Court in the case of Defendants Jones versus Pastor Michael Davis. that order placed Pastor Michael Davis as the Pastor of "The Truth Outreach (formerly Cornerstone) as of January 2016 with all property of that Church. That Order was later changed to remove the placement and property provision and that Order is subject to a Motion to Reconsider not heard yet. Plaintiff here is the Associate Pastor of the church since investiture May 2015, and Plaintiff was not a party to the previous suit.

3. The Defendants Jones filed an appeal as to the first Order. No other Defendant has or have filed for any Appeal. The Motion to Lift the Stay was granted by Form Order with formal Order to follow, with the Court only removing "that Pastor Davis was to be placed back into the church by police authority."

4. That Order returned Plaintiff Mike Davis to the Church as the Church existed early 2016 and removed the Defendants (except REDC not known at that time), from the real property and property of the church and included that all church property was also returned to Plaintiff.

5. The Truth Outreach of West Union, SC and Pastor Michael Davis, was and is the controlling entity and organization of the real estate and property of and for church the subject of

this action. Associate Pastor Plaintiff Maria Davis is a proper party to bring this action as an Associate Pastor of and for the Plaintiff.

6. Allegedly the signees of a deed alleging to transfer to Defendant REDC the real estate and the church, Defendants were members of another church and the deed was not written and or prepared by a licensed attorney in the state of South Carolina.

7. That alleged deed is believed to have been filed of record, March 6, 2018, in Deed Book 2341 pages 10-19. That Deed is recorded after the Order from the Bench from the hearing held February 22, 2018 informing the Defendants to have an attorney within 20 days or the action would be dismissed. Further, the tax map sheet number appears to be Map 176 sub 00 blk 01 parc 035.

8. The alleged Deed, indicates certification that the alleged Deed was executed as another Date and time and the filed of record 6th day of March 2018, the signees who allegedly are the sellers to the buyer the Defendant Mark Day Defendant "REDC" and that the documents filed thereto appear to indicate either a buy back or a rent to own circumstance, which is not upon information and belief prepared be a licensed attorney in the state of South Carolina.

9. The alleged Deed indicates the Trustees of The Cornerstone Cathedral (Grantor) sold for Ten and 00/100 (\$10.00) Dollars. That sell, which includes the striking of the phrase "and other considerations", is not due consideration for approximately 23 acres of real estate more or less and the Church and buildings and any personal property of the Plaintiff's.

10. The real estate the subject of this action is as above noted. The signees of the alleged Deed can not be ascertained by legible signature and their alleged rights and powers to sell the church and lands. Noted is that the alleged signing was the 26 of February 2017. The Deed furthers does not contain the proper signatures of the membership of the Church as existed early January 2016. The alleged deed is not properly signed and executed.

11. Plaintiff requests a recession of the real estate sale and a declaration that the real estate as allegedly transferred is illegal. The Sellers are not the owners of the land, the sale was made during an ongoing suit, the Sellers made the sale knowing the Order of the Court, the purchaser Defendant Day "REDC" did not pay valuable consideration for the lands, the purchaser did not pay a legal price for the land, property and personal property of the Plaintiff's church, and other various legal reasons to set aside the Deed as hereinabove stated.

12. The Plaintiff states the sale of and the deeding of the church and church lands and real estate must be and should be set aside and returned to the Plaintiff, the listed owner of the property located in Oconee County S. C. as and by the Order of the Court; as upon information and belief, the transaction is fraudulent, as reported above.

13. The alleged sale of the real estate, was to Defendant REDC LLC which does not appear to be of record as a South Carolina LLC on date of deeding. Defendant REDC, notified Plaintiff by Notice of Trespass as to the alleged sale and ownership. Defendant did not notify Plaintiff of the alleged purchase and Plaintiff had no notice of the alleged sale and purchase until the notification

by the Notice of Trespass was received; during which an ongoing legal action was pending, which affected the sale of the church, lands of the church, etc.

14. The Defendants did not notify Plaintiff of the sale of the real property knowing that the Defendants and Pastor Mike Davis were involved in an ongoing suit.

15. Defendants allegedly sold the property February 26, 2017; the document attached to the alleged deed "The Cornerstone Cathedral Formal Resolution" appears to approve of the alleged sale by a Senior Pastor, and others 5 March 2017; none of which were either members of the "The Truth Outreach" church the successor in interest to "The Corner-tone Cathedral" of West Union, S. C. which was no longer in existence.

16. Plaintiff states the alleged sale and the alleged deeding and alleged Deed are all illegal as Plaintiff was not advised and or communicated to of the sale, because Defendants knew of the ongoing legal action which would have prevented the sale and deeding; especially as to the alleged deeding and sale occurred while the other action and or suit was pending.

17. Defendants did not actually sell the real estate and church and other property of the Plaintiff's church as pursuant to the terms of the Deed; the Deed is what appears to be a rental agreement.

18. Plaintiff states Defendant Day "REDC" appears to be being unjustly enriched by accepting the deed which is stated to be and alleged to be for the sale of property off of the property of the Plaintiff.

19. Plaintiff is requesting a recession of the alleged deed and or a rescinding of the alleged sale and deed. Plaintiff is requesting a restoration of the real property to Plaintiff as the rightful Owner as Pastor. Plaintiff states that Plaintiff was able to piece together the information as reported here from the Trespass Notice and records at the recording office of Oconee County SC.

20. Defendants pay for and be responsible for the attorney fee and costs of the Plaintiff.

FOR A SECOND CAUSE OF ACTION
Breach of Fiduciary Duty

21. The prior Causes of Action is repeated here by incorporation by reference. Defendants were introduced to Pastor Mike Davis November of 2015, and to the Plaintiff above noted, by alleged representatives both Christopher Jones and Desimber Jones (Wattleton) at the same time. Defendants informed that Defendants had aided other ministries by Defendants helping with construction by being licensed Contractors, but the Jones's were not ever members of the church "The Truth Outreach", nor Pastor's nor Board Members, until the illegal actions that are complained of by this pleading.

22. Plaintiff is informed and believes that Defendant REDC did present to Community First Bank and unauthorized church check for \$4,000.00; as Defendant was not authorized the write checks nor handle any church finances, the check was made out to Christopher Jones. The fiduciary relationship arose from the claims, which later were false, as to the being licensed builders and that the Defendant REDC did use that information and relationship, by not acting in

good faith for the benefit of the Church. Pastor Davis had confidence in Defendant REDC by its agent Jones to perform in good faith, and by taking advantage of that good faith Defendant REDC through Jones did receive church funds, and did not use those church funds to the benefit of the church.

23. A listing of checks made out to others or himself by Defendant REDC by agent Jones Includes a check to an attorney check number #7133, for \$200; a check to a Ricky Smith check number #7165, for \$400; a check to a Marvin Peeler, check number #7164, for \$300; a check to Ricky Smith check number #7156, for \$100; a check to Chris Jones check number #7144, for \$180; a check to Cleaster Sheppard check number #7141, for \$100; a check to agent Jones check number #7153, for \$100; a check to Blue Ridge rental check number #7137, for \$337; and, a check to Evans Grading & Clearing check number #7166, for \$7500; all of which were not authorized or were written in bad faith by Defendant REDC by Christopher Jones, without the knowledge of the Plaintiff and the Church and especially without the consent of the Plaintiff and the Church.

24. An Affidavit of Forgery was file February 12, 2016, with Oconee County Sheriff, March 2, 2016; an investigation indicated that the church apparently benefited from the actions of the agent Christopher Jones, who had a fiduciary relationship and Defendant REDC had the duty to not undertake and or participate in any activity or alleged work done adverse to Plaintiff Church.

25. There are other actions of the agent Jones which are checks not authorized made out to a

foundation ("The Tim Tebow Foundation") which include an amount of \$2500 that was received by Deismber Wattleton. Other checks, a check to Connie Mckee check number #7180, for \$800; to Connie Mckee for \$1,200 check no. 7172; and a check to Connie McKee for \$100 number 7149. Agent for Defendant REDC Jones did violate the fiduciary duty and responsibility of faithful loyalty to the Plaintiff Church. Further as reported hereinabove, none of the actions were based on the acceptance by the Plaintiff Church and violated the duty owed by REDC Defendant to the Plaintiff.

26. A check for \$5000 was received by Defendant Wattleton-Jones from the Southern Mutual Insurance for employee theft, which should have been part of the Plaintiff and Church but were not because Defendant REDC by agent Jones did not undertake and or act for the benefit of the Plaintiff Church.

27. Check number #1146 pay to agent Jones August 17, 2016 for \$1,500.00; check #1147 for \$300 to agent Jones; check #1065 for \$747.70 to Super Landscape; and check number #1126 to Greenville Rental for \$332.31. all after January 2016 after the illegal removal of Pastor Mike Davis. Plaintiff Church did have the right to rely on the existence of the fiduciary duty undertaken by Defendant REDC by agent Jones as reported above; then Defendant REDC by agent Jones did breach that duty as is reported by this Complaint, and the damages that were caused were the false removal of Pastor Mike Davis, the loss of and removal of church real property and property and the loss of income to the Plaintiff Church.

28. Also, check #7174 for \$400 was used by agent Jones to pay the US District Court that had Pastor Michael Davis name forged, and was on a closed account.

29. There are outstanding bills of the church which upon information and belief were not paid after Pastor Mike Davis was illegally removed, which include real estate taxes, these are all action of Defendant REDC agent Jones who had a fiduciary relationship with the Plaintiff and by the confidence placed by the Plaintiff in REDC agent Jones for working for the benefit of the Plaintiff and agent Jones by not using the funds of the Plaintiff as the funds were to be used, which was a breach of Defendant REDC fiduciary relationship, the Plaintiff was damaged and the damages were caused by Defendant Jones.

30. Upon information and belief, Plaintiff alleges, that Defendants Jones, did commit breach of trust, as shown hereinabove and did so with the specific knowledge to damage the Plaintiff, which is especially egregious due to the Plaintiff being the Associate Pastor of a congregational church relying on that relationship to act for the benefit of Plaintiff.

31. Plaintiff demands that the Defendant REDC be held accountable and that Defendants be ordered to reimburse "The Truth Outreach" church for the amounts noted and by the Court.

32. Plaintiff Church to have the return of the funds taken by Defendants and attorney fee and costs paid by Defendants.

FOR A THIRD CAUSE OF ACTION
Breach of Contract Accompanied by Fraudulent Act

33. The prior Causes of Action are repeated here and incorporated by reference.

34. Defendants did as reported by the prior Causes of Action, the allegations of which are repeated here; did, have a contract, Defendants contracted with Plaintiff to provide services for example construction services but, Defendants did breach that contract by their actions are reported hereinabove.

35. Defendants did knowingly commit fraud relating to the breach in that Defendants never intended to provided construction services as agreed.

36. Defendants did act in a dishonest manner as to the fact of Defendants being as Defendants portrayed to the Plaintiff, especially as to possessing knowledge which Defendants did not have all the while Defendants knowing that Defendants were not going to perform as agreed but were taking Plaintiff's funds without performing the work or actions the Defendants had agreed and contracted to perform.

37. Plaintiff requests Defendants return the funds of the Plaintiff and also return the property both real and personal of the church.

38. Plaintiff requests Defendants pay Plaintiff Church's attorney fee and costs.

FOR A FOURTH CAUSE OF ACTION
Civil Conspiracy

39. The prior Causes of Action are repeated here and incorporated by reference.

40. Defendants did as reported by the prior Causes of Action, the allegations of which are repeated here by incorporation by reference; did, combine for the purpose of injuring Plaintiff;

by the actions as referred to above; by providing for the transfer of the real estate of Plaintiff and funds of Plaintiff, as Defendants did combine together to convey real property of Plaintiff to Defendant "REDC" and Defendants did conspire to oust or remove Plaintiff from the Plaintiff Church, all with the purposes of obtaining the property of the Plaintiff, both real and personal as shown by the allegations reported above.

41. Defendants did knowingly conspire as facts reported above so show. The conveyance of the real property of the Plaintiff and taking of funds from the Plaintiff as reported.

42. Defendants did act in a dishonest manner as to the Plaintiff, being as Defendants recorded the purported deed after the ruling from the Bench and just prior to the written Order being filed, returning the church to the status of January 2016, with the Deed indicating as reported above different dates of writing.

FOR A FIFTH CAUSE OF ACTION
Fraud and Fraud in the Inducement

43. The prior Causes of Action are repeated here and incorporated by reference.

44. Defendants did as reported by the Causes of Action, the allegations of which are repeated here; did, make false representations to Plaintiff, Defendants did conceal from Plaintiff the facts Defendants were not going to act in good faith and were not entering into the agreement and contract with Plaintiff as stated; for example to provide services for example construction services but, Defendants did deceive the Plaintiff as is shown above factually, all with the intent to deceive to obtain control of the Plaintiff's real and personal property which did deceive the

Plaintiff, and to which Plaintiff has been harmed as reported above.

45. Defendants did knowingly commit fraud relating to the breach in that Defendants never intended to provided services as agreed and Defendants did undertake to accomplish Defendants actions to remove Pastor Mike Davis and then take over the Church to the benefit of Defendants.

46. Defendants did act in a dishonest manner as to the fact of Defendants, being Defendants portrayed to the Plaintiff, especially as to possessing knowledge which Defendants did not have all the while Defendants nowing that Defendants were not going to perform as agreed but were taking Plaintiff's funds and proper without performing as agreed.

47. Plaintiff requests Defendants return the funds of the Plaintiff and also return the property both real and personal of the church.

48. Plaintiff requests Defendants pay Plaintiff's attorney fee and costs. Further Defendants be held in a special circumstance and be charged with punitive damages to hinder Defendants from acting in the manner as to Plaintiff church again.

WHEREFORE, Plaintiff requests the Court to grant the following relief:

1. The setting aside by rescission and invalidating the sale, with return of the real property to the Plaintiff.
2. The setting aside of the Deed, by rescission and invalidating the Deed, with return of the real property to the Plaintiff as Pastors for "The Truth Outreach" church.

3. The repayment as above shown from the Defendants for the funds illegally taken from the church, by each Cause of Action, stated above, due to the unjust enrichment as reported by the different Causes of Action noted.
4. The Plaintiff's costs of this action to include any attorney fee, from Defendants.
5. Punitive damages as requested by Plaintiff Church.

Respectfully submitted.

August 4, 2020

s/JAMES P. O'CONNELL #4259
ATTORNEY FOR Sr. Pastor Mike Davis
Pastor MARIA DAVIS for
THE TRUTH OUTREACH CHURCH
139 GRACE DR EASLEY, SC 29640
PHONE/FACSIMILE 220-0005
jpatrickoconnell@yahoo.com

EX "A"

14,607

The State of South Carolina

EXECUTIVE DEPARTMENT

CERTIFICATE OF INCORPORATION
BY THE SECRETARY OF STATE

WHEREAS, Rev. Jerry Landreth, 27 Main St., Seneca, SC
Peggy Gambrell, Rt. 1, Box 251, Seneca, SC
Francis M. Brown, 326 Kenneth Ext., Walhalla, SC

two or more of the officers or agents appointed to supervise or manage the affairs of

THE CORNER STONE CATHEDRAL

which has been duly and regularly organized, did on the 15th day of
March, A. D. 19 79, file with Secretary of State a written declaration setting forth:

That, at a meeting of the aforesaid organization held pursuant to the by-laws or regulations of the said organization, they were authorized and directed to apply for incorporation.

That, the said organization holds, or desires to hold property in common for Religious, Educational, Social, Fraternal, Charitable or other eleemosynary purpose, or any two or more of said purposes, and is not organized for the purpose of profit or gain to the members, otherwise than is above stated, nor for the insurance of life, health, accident or property; and that three days' notice in the Seneca Journal Tribune, a newspaper published in the County of Oconee, has been given that the aforesaid Declaration would be filed.

AND WHEREAS, Said Declarants and Petitioners further declared and affirmed:

FIRST: Their names and residences are as above given.

SECOND: The name of the proposed Corporation is THE CORNER STONE CATHEDRAL

THIRD: The place at which it proposes to have its headquarters or be located is Pine Street Elementary School, S. Pine Street, Walhalla, S. C.

FOURTH: The purpose of the said proposed Corporation is church to teach the Holy Bible.

FIFTH: The names and residences of all Managers, Trustees, Directors or other officers are as follows:

Rev. Jerry Landreth	27 Main St., Seneca, SC	Pastor
Peggy Gambrell	Rt. 1, Seneca, SC	Secretary
Francis M. Brown	326 Kenneth Ext., Walhalla, SC	Sunday School Superintendent

SIXTH: That they desire to be incorporated: in perpetuity.

NOW, THEREFORE, I, JOHN T. CAMPBELL, Secretary of State, by virtue of the authority in me vested, by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto, do hereby declare the said organization to be a body politic and corporate, with all the rights, powers, privileges and immunities, and subject to all the limitations and liabilities, conferred by said Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto.



GIVEN under my hand and the seal of the State, at Columbia,
this 15th day of March
in the year of our Lord one thousand nine hundred and
79 and in the two hundred and
third year of the Independence of the
United States of America.

John T. Campbell
JOHN T. CAMPBELL,
Secretary of State.

Ex "B"

CONSTITUTION AND BY-LAWS OF THE CORNERSTONE CATHEDRAL

ORIGINAL CONSTITUTION ADOPTED DEC. 28, 1980
AMENDED CONSTITUTION ADOPTED AUGUST 7, 1985
AMENDED CONSTITUTION ADOPTED NOVEMBER, 2001
AMENDED CONSTITUTION ADOPTED 2004
AMENDED CONSTITUTION ADOPTED 2005
AMENDED CONSTITUTION ADOPTED APRIL 14, 2006

STATUS

The ministry was incorporated by the State of South Carolina and received its charter on March 15, 1979. It also was recognized by the South Carolina Tax Commission as a tax-exempt organization on August 29, 1979, and has obtained an employer ID number from the Internal Revenue Service (57-108-3428).

ARTICLE I – NAME

The name of the church is The Cornerstone Cathedral, located in West Union, South Carolina.

ARTICLE II – PURPOSE

The purpose of this church shall be:

1. To establish and maintain a place (or places) of worship.
2. To bring people to a personal acquaintance with Jesus Christ through the proclamation of the gospel.
3. To bear witness to all biblical truths.

4. To accept offerings, funds, receive gifts and bequests to fulfill the stated purposes.

ARTICLE III – BELIEFS

WE BELIEVE.....

- The Bible is the inspired and only infallible and Authoritative written Word of God
- (II Tim 3:16).
- There is one God, eternally existent in three Persons: God the Father, God the Son, and God the Holy Spirit. (I John 5:7).
- In the deity of our Lord Jesus Christ, in His virgin birth, in His sinless life, in His miracles, in His ascension to the Right hand of the Father, in His personal future return to this earth in power and glory, to rule a thousand years. (John 1:1; Luke 1:26-38; Hebrews 7:26, John 2:11; II Cor. 5:15; John 20: 26-31; Acts 1:9; I Thess. 4: 16-17; Revelation 20: 1-6)
- In total surrender of one's life to the Master, Jesus Christ. In confessing Him as Lord or Master giving Him full right of control in the life of a believer (Romans 10:9).
- The only means of being cleansed from sin is through repentance and faith in the precious blood of Christ. (Revelation 1:5).
- Regeneration by the Holy Spirit is absolutely essential for personal salvation (Titus 3:5).
- In Water Baptism-immersion in water in the name of the Father, Son and Holy Spirit, including the use of the name Jesus (Matthew 28:19; Acts 2:38; Acts 8:16)
- In the Baptism of the Holy Spirit by who's indwelling the Christian is enabled to live a holy life.

- The redemptive work of Christ on the cross provides healing for the human body in answer to believing prayer (James 5:15).
- In casting out devils in the name of Jesus Christ by the spoken Word of God and when necessary prayer and fastings.
- In the Blessed hope –the rapture of the Church of Christ's coming (I Thessalonians 4:16-17).
- In the resurrection of both the saved and the lost-the one to everlasting life and the other to everlasting damnation. (Revelation 20).

ARTICLE IV – ASSOCIATION

Believing in the independence of the local church...with full freedom of deliberation, decision and deportment under God without restriction or domination from any outside individual, organization or institution, this church is to be autonomous and self-governing (Under Christ) and will not affiliate with any organization which seeks to exercise control over the local church.

ARTICLE V – AMENDMENTS

This Constitution may be amended by two-thirds (2/3) vote of the Church Members present and voting at any business meeting called for that purpose.

BY-LAWS

ARTICLE I – MEMBERSHIP

SECTION I. Membership

To qualify for Membership, a prospective member must:

- 1. Offer himself as a candidate for membership in this Church. All such candidates have to be presented to the church at any regular Church service in the following way:**
 - a. By profession of Faith in Jesus Christ as their Lord and Savior.**
 - b. Making public their request to become a member of this ministry in any regular church service.**
- 2. Accept, believe in, confess and rely on Jesus Christ as Lord (Master) for salvation (Romans 10:9).**
- 3. Believe that the Holy Bible is the written Word of God (II Timothy 3:16).**
- 4. Be baptized in water by immersion (except by permission of the Elders, as in the case of an invalid) (Matthew 28:19).**
- 5. Be led by the Holy Spirit to this church (Galatians 5:18).**
- 6. Participate actively in the fellowship of this church (Hebrews 10:25).**
- 7. Support the church with offerings (Considering that we are not bought of corruptible things such as silver and gold but of the precious blood of Jesus and are not our own, that all we have and are already belongs to Christ. That we are only Stewards of these earthly possessions to distribute them in Righteousness as the Holy Spirit directs). Considering their Spiritual direction (Isaiah 58).**
- 8. Submit to the discipline of the Presbytery, and to the discipline of the church (Hebrews 13:17).**

A ROLL OF MEMBERSHIP WILL BE KEPT OF ALL CURRENT MEMBERS.

SECTION II. Voting Rights of Members

Every Active Member of the church is entitled to vote at all elections and on all questions submitted to the church in Business Meetings, provided the member is present. An active member is one that has joined the fellowship of the Church and has attended services on a regular basis for two (2) months prior to voting time. (Exceptions to be made and vote by proxy for members who are on the Mission Field or are incapacitated at the discretion of the Elders). All routine matters brought before the church shall require a simple majority vote to pass. To receive a Pastor there should be a 2/3-majority vote to put him/her in office. If the stay of a Pastor is questioned because of immoral conduct, false doctrine or unethical practices, apply (I Corinthians 16:22), (Galatians 6: 1-2), (I Timothy 5: 19-20), (Galatians 1: 8-9), false doctrine will not be tolerated for any period of time to divert the flock. The Elders who finding error in the Pastor will after much prayer and meeting with the Pastor decide whether to have a re-vote. If they agree to re-vote, this will be brought before the Church. The church will then vote (2/3) majority to remove or keep the Pastor. There will be a two-week notice given to the Church on any voting to receive or dismiss a Pastor. If the Pastor resigns he/she should give at least a two-week notice to the Church.

SECTION III. Church Officers

All church officers must be active members of the Church. Qualifications for officers: (Acts 6:3), (Romans 12: 10-13), (I Timothy 3).

1. Elders

(Titus 1: 5-9 and 2: 1-3). For a bishop must be blameless as the steward of God: not self-willed, not soon angry, not given to wine, nor striker, not given to filthy lucre; But a lovers of hospitality, a lover of good men, sober, just, holy, temperate; Holding fast the faithful Word as he hath been taught, that he may be able by sound doctrine both to exhort and to convince the gainsayers. But, speak thou the things which become sound doctrine: That the aged men sober, grave, temperate, sound in faith, in charity, in patience.

The aged women likewise, that they be in behavior as becometh holiness, not given to much wine, teachers of good things. The objectives of the Elders is to be Ministers and Servants to God and to the members of this particular body, aiding and fulfilling the redemptive plan of God. For this particular body being many members are one body and we must function as one-esteeming the other higher than ourselves, working in unity of the spirit of love in Christ Jesus. The Elders will consist of any individual who has been a faithful and active member for at least (3) years and meets the biblical criteria. The number of Elders will be 24 and not less than 3.

The Elders will be servant to Pastors, Deacons and all Leaders in this Ministry. They will be responsible for drafting and amending when necessary the articles of organization, constitutions, by-laws and any other legal documents. It is the responsibility of the Elders to see that the provisions in these documents are followed in order to avoid legal complications. Other major areas of responsibility are:

A. To seek God for, and determine from his leadership, the

Organizations mission. To set policies for it's operation, and to affirm it's course from year to year according to the leadership of the Holy Spirit.

- B. To obey the Lord in the establishment of fiscal policy and boundaries including budgets and financial statements (based on the scripture).**
- C. To ensure that the provision of the organization's charter and the Laws are being followed. Although the Elders are responsible for all matters of business; no procedures will be taken until a recommendation is brought before the Church at a regular business meeting and adopted by a 2/3 vote of the majority present.**
- D. To select, evaluate and if necessary bring a recommendation before the body to terminate the appointment of a Pastor or individual in Leadership.**
- E. If an Elder (without good cause) misses (3) three consecutive meetings he/she will be taken off the Board of Elders at the next meeting.**
- F. There will be a (2) year waiting period before returning to the Board. (Exceptions may be made for circumstances)**

2. Pastor

The Pastor is responsible for pastoral ministries in the Church. As such he/she works with the Elders, Deacons and other church Leaders: to engage in a fellowship of love, unity, ministering in witnessing and proclaiming the gospel to the believers and unbelievers. The Pastor will minister to the spiritual needs of the flock. To protect, care, lead, guide and pray for the spiritual growth of the body. The

Pastor under the guidance of the Holy Spirit will conduct all public meetings and the spiritual oversight of the pulpit working in harmony with the Elders, Deacons and Church.

3. Deacons/Deaconess

To be eligible to serve the Church as a Deacon or Deaconess the person must be given to the ministry and under the watch care of the church for (12) twelve months. January of each year one Deacon will come of the Board and one will come on. If a member is active on the Board of Elders, he or she cannot serve on the Deacon Board at the same time. January of each year names will be submitted to the Board of Elders, then to the church to be voted on at a designated meeting for the election of Deacons. Deacons need to have a heart to serve the body and work closely with the Pastor and the Board of Elders. A Deacon will be one of honest report, full of the Holy Ghost and wisdom whom we may appoint over the business of:

- 1. Overseeing and caring for the Church of God, the building and all public services to keep them in spiritual order along with the Pastor.**
- 2. Distributing to the necessities of the saints.**
- 3. Aid in Communion**
- 4. Count and deposit money of the Church.**
- 5. Usher, give out visitor's cards and follow up on the visitors.**
- 6. Apt to teach.**

4. Moderator

The moderator at business meetings shall be the Chairman or Vice-Chairman of the Board of Elders. The Pastor will be consulted on all meetings before being brought before

the body, unless the meeting is concerning a Pastor found in condemnation.

5. Secretary

Will be responsible for keeping the minutes of every Business meeting held in the Church. The Secretary will read the minutes of each previous meeting before the business is conducted and the minutes will be adopted by the body.

6. Clerk

The Clerk is responsible for keeping a register of all names of members with dates of memberships, together with a record of Baptisms. He/she will be responsible to give each new member a copy of the Church's Constitution and By-Laws when they join the Church.

7. Treasurer

Will read a report of the financial status at every quarterly business meeting. Provide a financial statement of their offerings at the end of the year if they so desire. All offering records will be kept confidential. The treasurer shall preserve all things of value given to the Church and pay out monies, keeping at all times an itemized account of disbursements. The Church shall have access to organization's records upon request.

8. Superintendent of Sunday School

Will be responsible for recommending and purchasing specific Sunday School Literature for the Sunday School Classes (as the Holy Spirit leads). (All literature must agree with the Whole Word of God). He will pray for the teachers and growth of the Sunday School. He/she will also be responsible for keeping record of and handling all

Sunday School money. Working along with the teachers and students to promote Sunday School.

9. Music Director and Assistants

Will be responsible for leading the Church Praise and Worship Services. Working with the Pastor in all special music services.

10. Teachers

Must be a member of The Cornerstone and in regular attendance for (12) twelve months. Teachers should be led by the Holy Spirit and teach the Whole Word of God being an example to their students.

ARTICLE II – CHURCH MEETINGS

1. Worship Service

The Cornerstone Cathedral shall meet regularly each Sunday morning, Sunday Evening and Wednesday Evening for preaching, instruction, evangelism and for the entire membership of the Church and all who wish to attend. The meeting shall be conducted under the Leadership of the Pastor.

2. Special Services

All Special services will be set by the Pastor and aided by the Deacons and members of the Church.

3. Business meetings

One (1) service notice shall be given to the Church for any business meeting. There shall be a regular business meeting held on the first Sunday night of every quarter. (Time may be changed to a different day that week to accommodate scheduling).

(Amendment) Adopted January 2005 by the recommendation of the Elder Board and unanimous vote of the members present. A special business meeting can be called by a one-service notice to discuss any matter deemed by the Elder Board to be time sensitive as regards to the function and operation of the Church.

4. THE LORD'S SUPPER

The Lord's Supper is a symbolic act of obedience whereby members of the Church through partaking of the Bread and Fruit of the Vine commemorate the death of Jesus Christ and anticipate His coming.

1. The Lord's Supper shall be observed at least quarterly on the first Sunday of each quarter.
2. The Lord's Supper will be during the morning worship hour.
3. The Pastor and Deacon's are responsible for the administration of the Lord's Supper.
4. The Deacons are responsible for the physical preparation of the Lord's Supper.

ARTICLE III – AMENDMENTS

Changes in this Constitution and By-Laws may be made at any regular business meetings of the Church, provided each amendment shall have been presented in writing at the previous meeting and copies of the proposed amendment furnished to each member present.

FOUNDATION AND PRINCIPALS OF THE CORNERSTONE CATHEDRAL

At the beginning of The Cornerstone Cathedral it was agreed by all that we are called to carry forth this ministry and that there would be a completion of every charge that the Lord put before us without compromise.

The Cornerstone Cathedral is to be a ministry where those that have felt rejected or have been rejected by other denominations can come and take part. The qualification for membership is to be a Born Again Believer (re: Acts 2: 8 – 16), active in the works in this ministry and agreeing with their objectives of this ministry, which will be listed later.

The ministry of The Cornerstone Cathedral is not like a "Standard" church and if it were to fall in line with the so-called "Standard" church the purpose would never be fulfilled. The Cornerstone Cathedral will one-day consist of many Ministries including Evangelists, Pastors, Teachers, Apostles, Prophets and Helps. While other ministries teach a strict doctrine concerning clothing, past, divorce and women. The Lord has directed us through His Word to place no yoke upon anyone but allow Him to send whomever He chooses, being neither bond nor free, male or female, but being one in Christ.

One reason for this ministry is that there are thousands of Assemblies but there seems to be little or no fruit, because of formality, dictatorship, condemnation, slothfulness and no spiritual understanding of the Word. The Lord quicken to our spirits that if we fail to do the few things that He had spoken in the beginning and compromised for anyone or any reason that He could not bless us nor would He lead us any further in this particular ministry until we took a stand for His will. The

Word says to Obey is better than sacrifice. No matter how much formality or head knowledge is present, there will be no fruit if there is no love and lack of obedience.

Prophecy came forth several times at the beginning of the ministry that the foundation would shake but that it would never fall. Truly we have faced more than one shaking, but we are compelled by the Spirit of God to see his ministry of the Lord's fulfilled. Because the shakings and the effect they have upon this ministry, we as those called to see this ministry go forth have realized the importance of not compromising and that for every decision there must be much prayer and intercession made. We have acted in haste in the past, but the Lord has taught us to wait upon Him. We agree therefore, that we will seek the Lord's guidance concerning the future and that we will not compromise concerning the charges given to date. **THIS IS GOD'S CHURCH DOING GOD'S WORK.** Following is a list of the charges (objectives), visions and ministries that the Lord has revealed concerning The Cornerstone Cathedral: (See Attachment).

OBJECTIVES

1. To be a love Church (I John 4: 7-8)
2. God's Church doing God's Work (James 2:17)
3. God's Church doing God's Word (James 1:22)
4. Whosoever will may come (John 3:16, Romans 10: 13)
5. Liberty (Galatians 5:1)
6. Five Fold Ministry from within the Body (Ephesians 4:11-12)
7. No one person would build this ministry. This is God's Church. (Acts 14,23, Acts 20:28, Proverbs 15: 22, 24-28)
8. Not to go into debt (Romans 13:8)
9. Women can hold office and teach as well as men. (Galatians 3:27-29)
10. Not to sell but to give. (Luke 6:38)
11. To be led by the Spirit. (Romans 8:14-15)
12. Feed the poor. (Romans 12:13)
13. To have ministries to meet every kind of need.
14. To visit the fatherless and widows in their affliction and to keep ourselves unspotted from the world. (James 1:27)

VISIONS AND REVELATIONS

12 Counselors
Land
Cathedral
24-Hour Prayer Tower

12 MINISTRIES

1. Radio
2. Youth (recreation, counseling etc.)
3. Printing
4. Christian School

5. Missionaries (Training and Sponsoring)
6. Counseling (Alcohol, drugs, marriage, children)
7. T.V.
8. Evangelistic (Soul Winning Teams – Training)
9. Music (Recording etc.)
10. Deliverance or Life Ministry
11. Tape Ministry
12. Book Store

EVERY NEED IS MET, EVERY BILL IS PAID, EVERYONE IS SAVED, AND EVERYONE IS HEALED! EVEN SO COME QUICKLY LORD JESUS.....

Constitution and Bylaws

of

The Truth Outreach

Status

The ministry was incorporated by the State of South Carolina and received its charter on December 6, 2010. It is also recognized by the South Carolina Tax Commission as a tax exempt organization, and has obtained an Employer ID number from the Internal Revenue Service (57-108-3428).

Article I. Name

The name of the church shall be "THE TRUTH OUTREACH."

Article II. Purpose

Section 1. To establish and maintain a place or places of worship of Almighty God our Heavenly Father, and the Lord Jesus Christ, His only Begotten Son, through the Holy Spirit, and for the promotion of Christian fellowship and edification, bearing witness to all biblical truths.

Section 2. To obey in our capacity the Great Commission and bring people to a personal acquaintance with Jesus Christ through proclamation of the gospel. (Matt. 28:18-20; Mark 16:15-20; Act 1:18, 8:4)

Section 3. To solicit, receive funds and maintain a fund or funds; real or personal property or both; to use and supply for a whole or any part of the principal or income thereof; for the purpose of this Church and to assist missionaries in preaching the Gospel of Jesus Christ in any part of the world.

Article III. Prerogatives

Section 1. This church shall have the right to govern itself according to the standards of the New Testament Scriptures. (Eph. 4:1-16; 1 Cor. 12:27-28)

Section 2. To have a membership which is determined by the local Church and to discipline its members according to the Scriptures.

Section 3. To choose or call its Pastor, elect its officers and handle other business pertaining to its life as a local Church.

Section 4. To purchase or acquire by gift, bequest or otherwise (either directly or as Trustee) and to own, hold in trust, use, sell, convey, mortgage, lease, or otherwise dispose of any estate or chattels as

Exhibit D

**THE TRUTH OUTREACH CHURCH
RESOLUTION**

The undersigned, constituting the Secretary/Clerk of The Truth Outreach Church f/k/a/ The Cornerstone Cathedral, ("Truth Outreach"), hereby certifies that at a properly noticed and duly called congregational meeting, taking place on January 13, 2016 at which a quorum was present and voting, the following resolutions were adopted unanimously:

RESOLVED, The Truth Outreach hereby consents to a loan and/or line of credit from Community First Bank or any other acceptable source, ("Lender") in the original principal amount of \$8,500 (the "Loan"), to be unsecured by the Church, and will not require an assignment of the revenues and income from the new construction property at and near the Timber Creek Subdivision, West Union, South Carolina, for the purpose of working capital for Truth Outreach Development Corp., related entities, and new construction of single family residences.

FURTHER RESOLVED, that Pastor Michael Davis and Desimber Rose Wattleton of The Truth Outreach Church are authorized, empowered and directed to execute and deliver on behalf of The Truth Outreach Church any and all instruments, documents, notices, certificates, or other writings, deemed or required, necessary or convenient in order to effectuate the transactions described in the foregoing resolution in each and every jurisdiction and that such execution shall be solely effective to bind Company under such terms thereof.

FURTHER RESOLVED, that the Trustees of The Truth Outreach Church shall hold in trust the church property. Accordingly, Christopher Jones, Judy Rogers, Marvin Peeler and Elizabeth Estes (collectively the "Trustees"), Trustees of The Truth Outreach Church are empowered and directed to execute and deliver on behalf of Pastor Michael Davis and on behalf of The Truth Outreach Church, a Note to Community First Bank for new development purposes.

FURTHER RESOLVED, that all such actions described in the proceeding resolutions taken by Pastor Michael Davis along with Desimber Rose Wattleton and the Trustees, and any person authorized to act by Pastor Michael Davis, Associate Pastor Desimber Rose Wattleton and the Trustees, which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of such resolutions, are hereby severally ratified, confirmed, and approved, and adopted as acts on behalf of The Truth Outreach Church.

FURTHER RESOLVED, that any such document or instrument signed by Michael Davis and/or Desimber Rose Wattleton and the Trustees, pursuant to the foregoing resolution shall be conclusive evidence in favor of every person relying upon or claiming under any such document or instrument was executed in accordance with the South Carolina Non-Profit Corporation Act or by the By-Laws of The Truth Outreach and is binding upon the Members thereof.

FURTHER RESOLVED, that this Resolution shall be entered upon the minutes and Records of The Truth Outreach Church.

IN WITNESS WHEREOF, the undersigned, being the Secretary/Clerk of The Truth Outreach Church, has executed this Resolution as of the 14th day of January, ~~2015~~ 2016

The Truth Outreach Church

By: Michael Davis
Name: Michael Davis
Its: Senior Pastor

By: Desimber Rose Wattleton
Name: Desimber Rose Wattleton
Its: Associate Pastor/Secretary

By: Judy Rogers
Name: Judy, Rogers
Its: Board Chairperson

Witnesses:

ATTEST: Elizabeth Estes
Elizabeth Estes, Treasurer

ATTEST: Marvin Peeler
Marvin Peeler, Trustee

EX "D"

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Existence, Nonprofit Corporation

I, Mark Hammond, Secretary of State of South Carolina, Hereby Certify that:

CORNERSTONE CATHEDRAL THE, a nonprofit corporation duly organized under the laws of the State of South Carolina on March 15th, 1979, has as of the date hereof filed as a nonprofit corporation for religious, educational, social, fraternal, charitable, or other eleemosynary purpose, and has paid all fees, taxes and penalties owed to the State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to S.C. Code Ann. §33-31-1421, and that the nonprofit corporation has not filed articles of dissolution as of the date hereof.

Given under my Hand and the Great
Seal of the State of South Carolina this
1st day of March, 2016.


Mark Hammond, Secretary of State

EX "E"

ELECTRONICALLY FILED - 2018 Apr 05 3:34 PM - OCONEE - COMMON PLEAS - CASE#2016CP3700060

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	TENTH JUDICIAL CIRCUIT
COUNTY OF OCONEE	)	
	)	
SUSAN HARRISON AND	)	
CHRISTOPHER JONES,	)	C. A. No.: 2016-CP-37-00060
Plaintiff,	)	
	)	ORDER OF AND FOR DISMISSAL
v.	)	
MITCH EUGENE DAVIS AKA MITCH	)	
DAVIS AKA MICHAEL DAVIS,	)	
Defendant	)	

THE UNDERSIGNED, the attorney for the Defendant, based upon the oral Order of the Court, Honorable Cordell Maddox, issued from the bench, February 22, 2018; that Plaintiffs had to have an attorney of record within twenty (20) days of the date of the hearing or the suit would be dismissed with prejudice.

Defendant giving due credit to the oral order, Defendant states by the Order, issued from the Bench at the Motion Hearing February 22, 2018, that the period of time as Ordered by the Court has expired and neither the Court nor the Defendant's attorney has received any written communication from any South Carolina licensed attorney stating the representation of the Plaintiffs, the Court, that the Plaintiffs had spoken to an attorney and were engaging an attorney for this action.

The Court ORDERS, ADJUDGES, and DECREES that:

The above filed suit or action is hereby dismissed with prejudice, pursuant to the Rules of South Carolina Civil Procedure, and, as Ordered by the Court, from the Motion hearing of February 22, 2018; and Further, that the displacement of and removal of the Defendant as Pastor is reversed and that Defendant Pastor is the Pastor of congregation as existed at the time of the Defendant Pastor being removed.

Further Pastor Mike Davis will have all rights, duties and obligations of the Pastor of the Congregation as the congregations existed at the time and date of removal and will be the Pastor of the Congregation as the congregation existed at the time and date of removal and will be the Pastor of the church and all property of the church as existed at the date and time of removal.

Any police agency is authorized to aid Pastor Mike Davis with reinstatement and into the physical possession of the property of the congregation and church as existed the date and time of removal.

AND IT IS SO ORDERED!

Cordell Maddox
Presiding Judge
Tenth Judicial Circuit

Dated: _____, 2018
Oconee, South Carolina

I SO MOVE:

S/JAMES P. O'CONNELL
ATTORNEY FOR DEFENDANT
139 GRACE DRIVE
EASLEY, SC 29640
PHONE: 864-220-0005
FACSIMILE: 864-498-7210
jpatrickoconnell@yahoo.com



Oconee Common Pleas

Case Caption: Susan Harrison , plaintiff, et al VS Michael Davis , defendant, et al

Case Number: 2016CP3700060

Type: Order/Dismissal

So Ordered

s/ J. Cordell Maddox Jr.

Electronically signed on 2018-04-05 14:46:11 page 3 of 3

CERTIFIED TRUE COPY

APR 16 2018

CLERK OF COURT
OCONEE COUNTY, SC

EX "F"

From: Richard McDuff Rick_Mcduff@att.net
Subject: Davis v. Mark Day, et. al.
Date: Aug 22, 2019 at 12:06:07 PM
To: <jpatrickoconnell@yahoo.com>
jpatrickoconnell@yahoo.com
Cc: Zana Hicks Zana_Hicks@cutlook.com

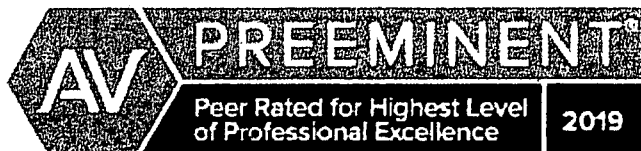
Dear Mr. O'Connell,

I received what appear to be discovery requests directed to the Rural Economic Development Corporation. I am familiar with the issues surrounding the deed at issue in the present litigation. The deed appears to have been given to REDC when it was a non-existent entity and, thus, a void transfer. The REDC for which I am registered agent was created with the Secretary of State after the failed deed was given. I have no relationship or contact with the parties to the deed, and no way to get the discovery requests to the intended party or parties.

Please contact me if you have any questions.

Richard H. McDuff, Esq.
Merrell, Jahn & McDuff, P.A.
119-B Professional Park Drive
Seneca, South Carolina 29678
Office (864) 882-2466

Martindale-Hubbell®



Business Entities Online

File, Search, and Retrieve Documents Electronically

Rural Economic Development Corporation, LLC

Corporate Information

Entity Type: Limited Liability Company

Status: Good Standing

Domestic/Foreign: Domestic

Incorporated State South Carolina

:

Important Dates

Effective Date: 08/09/2018

Expiration N/A

Date:

Term End N/A

Date:

Dissolved Date N/A

:

Registered Agent

Agent: Richard McDuff

Address: 119-B Professional Park Drive
Seneca, South Carolina 29678

Official Documents On File

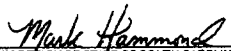
Filing Type	Filing Date
Articles of Organization	08/09/2018

For filing questions please contact us at

Copyright © 2018 State of South Carolina

Aug 27 2019
REFERENCE ID: 392671

STATE OF SOUTH CAROLINA
SECRETARY OF STATE


SECRETARY OF STATE OF SOUTH CAROLINA

ARTICLES OF ORGANIZATION
Limited Liability Company – Domestic

The undersigned delivers the following articles of organization to form a South Carolina limited liability company pursuant to S.C. Code of Laws Section 33-44-202 and Section 33-44-203.

1. The name of the limited liability company (Company ending must be included in name*)

Rural Economic Development Corporation, LLC

*Note: The name of the limited liability company must contain one of the following endings: "limited liability company" or "limited company" or the abbreviation "LLC.", "LLC", "LC.", "LC", or "Ltd. Co."

2. The address of the initial designated office of the limited liability company in South Carolina is
P.O. Box 351

(Street Address)

West Union, South Carolina 29696

(City, State, Zip Code)

3. The initial agent for service of process is

Richard McDuff

(Name)

(Signature of Agent)

And the street address in South Carolina for this initial agent for service of process is:
119-B Professional Park Drive

(Street Address)

Seneca

South Carolina 29678

(City)

(Zip Code)

4. List the name and address of each organizer. Only one organizer is required, but you may have more than one.

(a)

Patricia F. Davis

(Name)

P.O. Box 351

(Street Address)

West Union, South Carolina 29696

(City, State, Zip Code)

CERTIFIED TO BE A TRUE AND CORRECT COPY
AS TAKEN FROM AND COMPARED WITH THE
ORIGINAL ON FILE IN THIS OFFICE

Aug 27 2019
REFERENCE ID: 392671



SECRETARY OF STATE OF SOUTH CAROLINA

Rural Economic Development Corporation, LLC

Name of Limited Liability Company

9. Any other provisions not consistent with law which the organizers determine to include, including any provisions that are required or are permitted to be set forth in the limited liability company operating agreement may be included on a separate attachment. Please make reference to this section if you include a separate attachment.

10. Each organizer listed under number 4 must sign.

Signed as Filer: Richard H. McDuff, Esquire

Signature of Organizer

Date: 08/09/2018

Signature of Organizer

Date: _____

CERTIFIED TO BE A TRUE AND CORRECT COPY

AS TAKEN FROM AND COMPARED WITH THE

ORIGINAL ON FILE IN THIS OFFICE

Business Name:

Rural Economic Development Corporation, LLC

Aug 27 2019

REFERENCE ID: 392671

Signature Page for a Secretary of State Business Filing

Mark Hammond
SECRETARY OF STATE OF SOUTH CAROLINA

I have completed, scanned, and attached to any business filing where one of the following is true.

- The filing party signs the digital form on behalf of official signee.
- An attorney's signature is required. (Articles of Incorporation for Corporation and Benefit Corporation)

Official Signatures

(Officer, Incorporator, Director, Agent, Partner, etc)

Required for forms where the signee is not present upon online submission and a filing party is providing a digital signing on their behalf. If the provided space is not enough, please attach multiple pages.

Patricia F. Davis
Name

August 9, 2018
Date

Patricia F Davis
Signature

President/Member
Title / Position

Name

Date

Signature

Title / Position

Name

Date

Signature

Title / Position

Name

Date

Signature

Title / Position

Name

Date

Signature

Title / Position

Scan and Upload this document to the Business Filing System during the filing process.
File must be PDF format.

EX "G"



Doc ID: 005517870004 Type: DEE

BK 2501 PG 299-302

There has been no title check nor any title opinion rendered.
STATE OF SOUTH CAROLINA

DEED

COUNTY OF OCONEE

PREAMBLE

WHEREAS, The Corner Stone Cathedral, incorporated March 15, 1979 by the State of South Carolina, and Tax exempt August 29, 1079, IRS ID#57-108-3428, The name of the church is THE CORNERSTONE CATHEDRAL, located in West Union, South Carolina AND also, the Corner Stone Cathedral, located at 185 Cornerstone Drive, West Union, S. C. 29696; became THE TRUTH OUTREACH by charter December 6, 2010, Constitution and Bylaws of THE TRUTH OUTREACH, by Secretary of State South Carolina, November 13, 2015; and, whereas, Pastor Davis, has pastored since 2009, and continued as the Senior Pastor; and,

WHEREAS, suit was filed against Senior Pastor Mike Davis, was ended in dismissal April 5, 2018, C. A. 2016-CP-37-0060, as to all actions of Senior Pastor Michael Davis THE TRUTH OUTREACH Church of West Union, S. C.;

WHEREAS, there was an alleged deed from The Cornerstone Cathedral to Rural Economic Development Corporation LLC, 220 North Main Street, Ste 500, Greenville SC 29601; and,

WHEREAS, the alleged deed to Rural Economic Development Corporation, LLC, of which was not a legal entity until August, 9, 2018, could not have received of any conveyance; therefore that conveyance is a void transfer; deed recorded March 6, 3018, DEED Book 2341 pages 10-19; (notice change of address); further, the void deed appears to be executed February 26, 2017; the void deed was recorded after the Court ruled that the suit by the alleged Grantor was dismissed.

KNOW ALL MEN BY THESE PRESENTS, that **THE CORNERSTONE CATHEDRAL**, duly organized 15th day of March 1979, (hereinafter called "Grantor"), for and in consideration of the sum of continuation teaching and instructing from THE HOLY BIBLE, and Ten (\$10.00) and 00/100 Dollars to the Grantor in hand paid at and before the sealing of these presents by **THE TRUTH OUTREACH** formerly known as The Cornerstone Cathedral, Senior Pastor Michael "Mike" Davis, (hereinafter called "Grantee") in the State aforesaid, (the receipt of which is hereby acknowledged) has granted, bargained, sold and released, and by the Presents does grant, bargain, sell and release, unto the Grantee, his heirs, successors and assigns:

ALL that certain piece, parcel or tract of land, containing 23.095 acres more or less, lying and being in the old Blue Ridge School District, Wagner Township, Oconee County, South Carolina On the easternmost side of SC highway 28 near the intersection of Highway 11 known as Tracts A and A1 and being more particularly described by plat thereof by Wayne R. Garland Surveyor dated December 3, 1984, Plat Book 52 page 26, see also Deed Book 1066 page 165 December 28 1999; reference is craved to plat for a more complete description.

Tax map 176-00-01-035, physical address: 185 Cornerstone Drive, West Union, S. C. 29696

The above described real estate was acquired by the Grantor by deed of Arthur Brown Estate Trust by Glenda Brown as Trustee Deed Book 399 page 278, ROD Clerk of Court Oconee County SC. See also Deed Book 429-209; Deed Book 545 page 231, August 2, 1988. and the Void conveyance Deed Boook 2341 at page 10 recorded March 6, 2018.

2018 SEP 10 4:13 PM

page 1

FILED OCONEE COUNTY SC
ANNA K. DAVISON
REGISTER OF DEEDS

Book: 2501 Page: 299 Seq: 1

03369 15th Greenville SC 29696
Ret: Corner Stone Cathedral
1003 Easley Bridge Rd

Grantee's address: The Truth Outreach Church, West Union, Senior Pastor Mike Davis and Pastor Maria Davis, 1003 Easley Bridge Road, Greenville, South Carolina (SC) 29611
There has been no title check nor any title opinion rendered.

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, his Heirs, Successors and Assigns forever.

And the Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the premises unto the Grantee, His Heirs and Assigns against itself and its successors and against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, to all Grantor's right, title and interest thereto during its period of ownership of this property which was obtained as a result of any just and valid claim proven.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal.

Date: 9-10-2019 Senior Pastor
Signed, Sealed and Delivered in the Presence of: SENIOR PASTOR MICHAEL "MIKE" DAVIS
THE TRUTH OUTREACH CHURCH fka

The Corner Stone or Cornerstone Cathedral West Union, South Carolina Pursuant to the Bylaws of The Truth Outreach Church

Tracy Cantrell
Witness 1

James Cantrell
Witness 2

STATE OF SOUTH CAROLINA) ACKNOWLEDGMENT/SC SECTION 30-5-30
COUNTY OF Pickens) (EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for South Carolina do hereby certify that
Senior Pastor Mike Davis, the duly authorized officer of The Truth Outreach Church, as Senior Pastor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 10 day of September, 2019

James Cantrell
Notary Public for South Carolina
My Commission expires: 2-22-2029

September 10, 2019

AFFIDAVIT

Personally appeared before me the undersigned, who being duly sworn, deposes and says:
I have read the information on this affidavit and I understand such information. The
property being transferred is located at address of real property:

185 Cornerstone Drive West Union SC 29696
Tax Map 176-00-01-035

The Corner Stone Cathedral to The Truth Outreach Church

4(a) subject to the deed recording fee as a transfer for consideration, paid or to be paid
in money or money's worth

(b) subject to the deed recording fee as a transfer between a corporation, a partnership,
or other entity and a stockholder, partner or owner of the entity, or

(c) ☒ exempt from the deed recording fee because (see information section of Affidavit)
per Section (f) (if exempt please skip items 4-7/go to Item 8 this Affidavit If exempt
under exemption #14 as described in the information section of Affidavit, did the agent
and principal relationship exist at the time of the original sale and was the purpose of this
relationship to purchase the realty? check Yes or No

Check one of the following if either Item 3(a) or 3(b) has been checked. (see information
section of this affidavit): (a) The fee is computed on the consideration paid or to be paid
in money or money's worth in the amount of \$

(b) The fee is computed on the fair market value of the realty which is \$

(c) The fee is computed on the fair market value of the realty as established for property
tax purposes which is \$

5. Check Yes or No to the following: a lien or encumbrance existed on the land,
tenement or realty before the transfer and remained on the land, tenement, or realty after
the transfer. If Yes amount of outstanding balance of this lien/encumbrance is:

Office at 139 Grace Office Park US123 Easley Bridge Road

\$ ____ The Deed recording fee is computed as follows (a) Place the amount listed in 4 above here \$ ____ (b) Place the amount listed in Item 5 above here: \$ ____ (if no amount is listed place zero) (c) Subtract line 6(b) from line 6(a) and place result here: 6. \$ ____

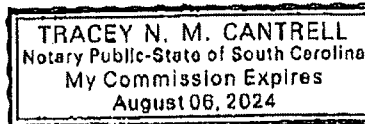
7. The deed recording fee due is based upon on amount listed on Line 6(c) above and the deed recording fee due is: \$ ____.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: ____

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year or both.

Sworn to before me this date: 9/10/19 by Attorney or Deponent [Signature]
address 139 Grace Dr. Easley SC 29640,
jpatrickoconnell@yahoo.com
Phone 864-220-0005 FAX 498-7210

Notary Public for South Carolina [Signature] signed
print name, my commission expires: August 06, 2024.



Office at 139 Grace Office Park US123 Easley Bridge Road

FILED OCEAN COUNTY, SC
ANNA K. DAWSON
REGISTER OF DEEDS
2019 SEP 10 P 1:43

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

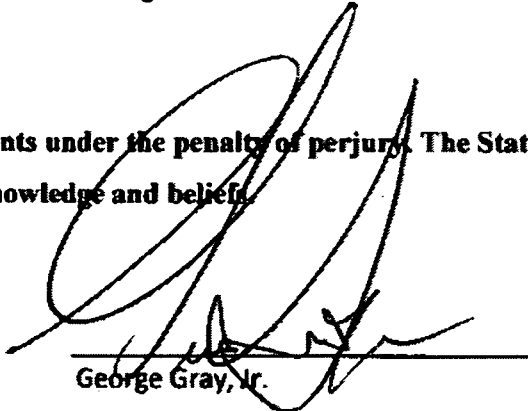
AFFIDAVIT OF GEORGE GRAY Jr.
C/A # 2019CP3700585

EX "H"
FILED IN THE CLERK OF COURT'S OFFICE
2020 JUL 27 P 12:29
OCEENEE COUNTY, SC

Personally appeared before me, George Gray Jr being duly sworn and testifies under oath as follows:

1. I am over the age of Eighteen (18) and am competent to make the following statements.
2. I make this affidavit on my own personal knowledge.
3. I am a resident of Greenville County, South Carolina.
4. I am the Registered Agent for International Palm Oil & Biodiesel, LLC and is registered with the South Carolina Secretary of State as such.
5. I am making these statements under the penalty of perjury and witnessed thereof.
6. That I have not been served any document, nor any Summons and Complaint regarding International Palm Oil & Biodiesel, LLC, specifically any matter in Oconee County.
7. That I am the only Registered Agent authorized to accept Service of Process for International Palm Oil & Biodiesel, LLC
8. That has of the filing of this Affidavit, there is no change to the facts listed above.

I Swear under oath and give these Statements under the penalty of perjury. The Statements I give here are True and Correct upon personal knowledge and belief.

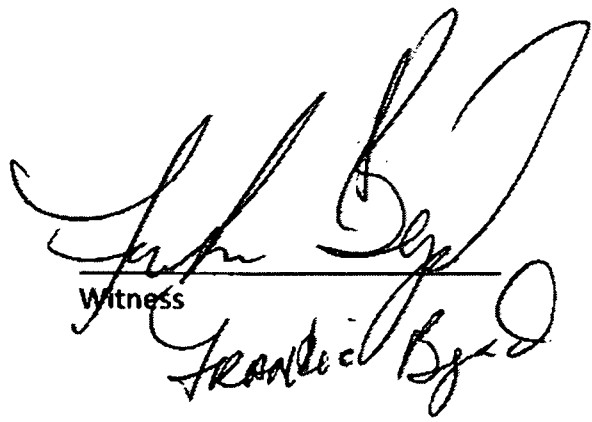

George Gray, Jr.

SWORN and SUBSCRIBED, before
me

This 27 day of July, 2020


Notary Public for South Carolina

My Commission Expires: Aug 22, 2023


Witness

Copies to:

Atty _____ (P) _____ (D)

DSS _____ other none

Mailed _____ Boxed _____ handed /

South Carolina Secretary of State Mark Hammond

Business Entities Online

File, Search, and Retrieve Documents Electronically

In partnership with SC.gov

Log In

International Palm Oil and Biodiesel, LLC

Corporate Information

Entity Type Limited Liability Company

Status Good Standing

Domestic/Foreign Domestic

Incorporated State South Carolina

Important Dates

Effective Date 09/26/2018

Expiration Date N/A

Term End Date N/A

Dissolved Date N/A

Registered Agent

Agent George Gray Jr

Address 213 Barker Rd

Simpsonville, South Carolina 29827

Add Filing [Request Documents](#)

Official Documents On File

Filing Type	Filing Date
Notice of Change of Designated Office, Agent or Address of Registered Agent	01/13/2020
Articles of Organization	09/26/2018
Former Names	

[Back](#)

- For filing questions please contact us at 803-734-2158
-

EX "1"

James P. O'Connell
Attorney at Law
139 Grace Drive
Easley, SC 29640
FAX: 864-498-7210

April 19, 2018

Re: Trespass Notice / 2016-DR-37-0060

Mr. O'Connell,

I am in receipt of your letter dated April 13th, 2018. Please be advised the No Trespass Notice is in fact legal. The building and property located at 185 Cornerstone Drive are owned by the Rural Economic Development Corporation ("REDC"). The information regarding the transfer of ownership to REDC is available as public record at the Oconee County Register of Deeds Office. I was informed by my tenants of the case you have referenced, which I had reviewed by my attorney. It does not appear that the property itself was the subject of the case, but the leadership of the organization known as The Truth Outreach appears to be in dispute. Furthermore, the property was not owned by The Truth Outreach; according to the records on file with the Oconee County Register of Deeds it was owned by The Cornerstone Cathedral, whose ownership consisted of the members of that organization. There are no documents on file with the Oconee County Register of Deeds Office naming Michael (Mitchell) Davis as an owner of the property. Therefore, a ruling by the court regarding his leadership of The Truth Outreach has no legal or binding effect, implied or expressed, on the transfer of the property by The Cornerstone Cathedral to the Rural Economic Development Corporation.

I assume that you have sent your letter in a good faith attempt to advise our office that the sale of the property and the Trespass Notice may be illegal. However, as a Real Estate Investment Trust we are not new to property acquisitions, and I can assure you that we have performed the necessary title searches and research of any encumbrances to the sale of the property before engaging in the negotiation process. The Rural Economic Development Corporation has acquired the property legally and the transfer of ownership has taken place according to the existing property laws of the State of South Carolina. If you find that the transfer of property was illegal, or that somehow the ruling by the Court to clarify the leadership of The Truth Outreach also served to nullify or reverse the transfer of ownership of the property which preceded the Order, you may avail yourself to the remedies available through the judicial system.

Once again, we maintain that the ownership of the property by the Rural Economic Development Corporation is legal, and all related documentation has been properly filed and is a matter of public record at the Oconee County Register of Deeds Office. The Trespass Notice will remain in effect until such time as we do receive an Order from the Court addressing the ownership of the property itself, specifically an Order that nullifies or reverses the transfer of the property to the Rural Economic Development Corporation. I visited the Oconee County Sheriff's Department in person last week to deliver the Trespass Notice and inform them of the same in order to avoid any further disturbances. Your letter to our office will serve as confirmation that the Trespass Notice was received by your clients. Therefore, please advise your clients that if they violate the Trespass Notice in any manner they will be prosecuted accordingly.

Regards,


Mark V. Day
CEO/Managing Partner

Good Afternoon,

Please see the attached Order from the South Carolina Court of Appeals for your records. The referenced case has been remanded back to Circuit Court, the Order issued by Judge Maddox is null and void until such time as a Final Order is reissued by Judge Maddox or the Judge assigned to the case, the Application for an Order to Lift the Automatic Stay filed by Mr. O'Connell was filed improperly and will not be considered by the Appeals Court, and the Stay of Execution of Judgment ordered by the SC Court of Appeals will remain in effect.

The Cornerstone Cathedral will continue to hold services at 185 Cornerstone Drive in West Union, SC and we hope to do so without confrontation or disruption. Since the erroneous Order was issued by Judge Maddox, Mr. Davis and his members have torn down signage, busted the locks multiple times, and removed accounting records, sound equipment and other items from the church, which has caused us significant financial loss.

At this point the Order from the SC Appeals Court should be clear and unambiguous. Therefore, we fully expect the Complete Enforcement of the Order and protection by the Oconee County Sheriff's Department from any malicious actions by Mr. Davis and those who are following him. Any entrances, alterations, or removal of property located at 185 Cornerstone Drive by the individuals listed below will be a Violation of the No Trespass Notice and we will file a police report and pursue the prosecution of those individuals accordingly.

We do apologize that we had to involve any of you beyond the regular course of duties as it relates to keeping the peace. We have the utmost respect for each of you and the offices you hold. However, we maintain that we are and have always been in right standing, that our civil right to worship without threat of violence or confrontation should be protected, and that the right of the Property Owner and Legal Tenants to place individuals on No Trespass should be enforced. We are grateful the South Carolina Court of Appeals agreed, and we thank you in advance for removing me, Christopher Jones, and Robert Weidendorf from No Trespass, placing the individuals below on No Trespass, and enforcing the Order accordingly. If you require us to submit any additional documentation or take any additional action to place the individuals below on No Trespass, please advise. Otherwise, we will assume it has been done.

NO TRESPASS - EFFECTIVE IMMEDIATELY

Michael "Mitchell" Davis
Maria Davis
Scott Arnold
Elizabeth Estes
Lamont Patterson
Arthur Patterson
Amanda Black Patterson
Essie - Last Name Unknown
Dawn - Last Name Unknown

DOCUMENTS ATTACHED:

- SC Appeals Court Order
- Title Deed
- Property Lease
- No Trespass Notice

Best Regards,

Desimber Wattleton
Senior Pastor
The Cornerstone Cathedral

cc:

Christopher Jones
Robert Weidendorf
Mark Day, REDC
James P. O'Connell



TRESPASS NOTICE

DATE: April 10, 2018

GIVEN TO: Mr. Michael Davis,

aka Mitchell Davis, Maria Davis,

AND Scott Arnold

THIS LETTER IS BEING GIVEN OR SENT TO YOU INFORMING YOU THAT YOU ARE NOT ALLOWED ON:

THE PROPERTY OF: The Rural Economic Development Corporation, AT

THE FOLLOWING ADDRESS: 185 Cornerstone Drive,

IN THE CITY/COUNTY: West Union, SC - Oconee County.

THE REFERENCED PROPERTY IS OWNED BY THE RURAL ECONOMIC DEVELOPMENT CORPORATION, HEREINAFTER REFERRRED TO AS "REDC." OUR OFFICE HAS BEEN ADVISED THAT ONE OR ALL OF THE ABOVE-NAMED INDIVIDUALS HAS ALTERED THE PROPERTY, DISTURBED/REMOVED ITEMS FROM THE PREMISES, AND/OR CHANGED THE LOCKS ON THE BUILDING LOCATED ON THE PROPERTY WITHOUT PERMISSION FROM REDC.

PLEASE BE ADVISED, IF YOU COME ONTO THIS PROPERTY, ENTER THE PREMISES, REMOVE ANYTHING FROM THE PREMISES, OR ALTER THE PREMISES IN ANY WAY, YOU WILL BE TRESPASSING ON THIS PROPERTY AND WILL BE SUBJECT TO BEING ARRESTED BY THE LOCAL LAW ENFORCEMENT AGENCY.

YOU ARE ALSO BEING NOTIFIED BY THIS LETTER THAT YOU ARE NOT TO HAVE ANY CONTACT WITH OUR TENANTS, ON OUR PROPERTY, BY ANY MEANS. IF YOU DO HAVE CONTACT WITH OUR TENANTS, ON OUR PROPERTY, WITHOUT THEIR EXPRESSED, WRITTEN PERMISSION, WE WILL HAVE TO CONTACT THE LOCAL LAW ENFORCEMENT AGENCY ABOUT THIS SITUATION AND WILL PROSECUTE TO THE FULLEST EXTENT OF THE LAW ACCORDING TO S.C. CODE §16-11-620.

MICHAEL (MITCHELL) DAVIS, MARIA DAVIS, AND SCOTT ARNOLD, THIS LETTER IS YOUR TRESPASS NOTICE AS WELL AS YOUR NOTICE TO HAVE NO CONTACT WITH OUR TENANTS, ON OUR PROPERTY, UNDER ANY CIRCUMSTANCES.

Mark Day, CEO/Managing Partner
Rural Economic Development Corp.
c/o ABL Consulting, Inc.
944 Dexter Street NE
Aiken, SC 29801
(706) 406-3503 – Business
(844) 644-1333 – Facsimile
(803) 226-3400 – Mobile

Subject Courtesy NEF RE: 2019CP3700585

From <efiledonotreply@sccourts.org>

To: <jpatrickoconnell@yahoo.com>

Cc: <cantrell.tracey@yahoo.com>

Date Today at 12:25 PM

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2019CP3700585

Official File Stamp: 08-10-2020 12:24:47 PM
Court: CIRCUIT COURT
Common Pleas
Oconee
Case Caption: Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al
Document(s) Submitted: Amended/Amended Summons And Complaint
- Exhibit/Filing of Exhibits
- Exhibit/Filing of Exhibits
Filed by or on behalf of: James P. O'Connell

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Angela Nichole Lane for REDC, The Rock Worship Center, Rural
Economic Development Corporation Llc
James P. O'Connell for Michael Davis, Maria Irene Davis

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

International Palm Oil and Biodiesel LLC
Associate Pastor Maria Davis
The Truth Outreach Of West Union Sc
Senior Pastor Michael Davis
The Cornerstone Cathedral

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

**Subject** Accepted Notice: Your filing, Re: Michael Davis - (499) Real Property/Other - Amended/Amended Summons And Complaint, was accepted

**From** <efiledonotreply@sccourts.org>

**To:** <jpatrickoconnell@yahoo.com>

**Cc:** <cantrell.tracey@yahoo.com>

**Date** Today at 1:50 PM

**To:** James P. O'Connell jpatrickoconnell@yahoo.com

**From:** efiledonotreply@sccourts.org

**Date:** 2020-08-10 12:24:47.063

**Subject:** Your electronic filing, Re: Michael Davis - (499) Real Property/Other - Amended/Amended Summons And Complaint, was accepted by CIRCUIT COURT.

Case Number: 2019CP3700585

Case Type: (499) Real Property/Other

Document Type: Amended/Amended Summons And Complaint

Document Type: Exhibit/Filing of Exhibits

Document Type: Exhibit/Filing of Exhibits

Reason(s) : (none provided)

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

Courtesy NEF RE: 2019CP3700585

From: efiledonotreply@sccourts.org (efiledonotreply@sccourts.org)

To: jpatrickoconnell@yahoo.com

Cc: cantrell.tracey@yahoo.com

Date: Thursday, August 13, 2020, 8:22 AM PDT

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2019CP3700585

Official File Stamp: 08-13-2020 11:07:34 AM

Court: CIRCUIT COURT
Common Pleas
Oconee

Case Caption: Michael Davis , plaintiff, et al VS Mark Vincent Day ,
defendant, et al

Document(s) Submitted: Motion/12 (B) in lieu of Answer
Memo/Memo in Support
- Exhibit/Filing of Exhibits

Filed by or on behalf of: Angela Nichole Lane

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Angela Nichole Lane for REDC, Rural Economic Development
Corporation Llc

James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore,
they must be served by traditional means:**

The Truth Outreach Church

ABL Consulting Inc

International Palm Oil and Biodiesel LLC

Associate Pastor Maria Davis

The Truth Outreach Of West Union SC

Senior Pastor Michael Davis

The Cornerstone Cathedral

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain

JAMES P. O'CONNELL  
ATTORNEY AT LAW  
139 GRACE DRIVE  
Phone/Fax 86-220-0005  
EASLEY, SOUTH CAROLINA 29640  
[jpatrickoconnell@yahoo.com](mailto:jpatrickoconnell@yahoo.com)

August 4, 2020

Angela N. Lane  
Attorney at Law  
112 Essex Drive  
Anderson, South Carolina (SC) 29621  
and, Post Office Box 851  
Sandy Springs, South Carolina (SC) 29677

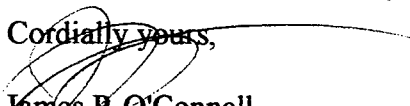
RE: Pastors Davis of for The Cornerstone Cathedral nka The Truth Outreach v Rural Economic Development Corp. "REDC" and The Truth Outreach Church, 2019-CP-37-585

Dear Attorney:

Find here being served upon you for your client's Defendant's REDC and the Church, the Plaintiff's Second Amended Complaint with Amended Summons and Notice. The original is being filed electronically or E-filed with the Court.

Advise promptly,

Cordially yours,

  
James P. O'Connell  
attachments as reported above  
cc client

*P.S. Exhibits are as filed of record!*

JAMES P. O'CONNELL  
ATTORNEY AT LAW  
139 GRACE DRIVE  
PhoneFax86-220-0005  
EASLEY, SOUTH CAROLINA 29640  
[jpatrickoconnell@yahoo.com](mailto:jpatrickoconnell@yahoo.com)

August 4, 2020

Angela N. Lane  
Attorney at Law  
112 Essex Drive  
Anderson, South Carolina (SC) 29621  
and, Post Office Box 851  
Sandy Springs, South Carolina (SC) 29677

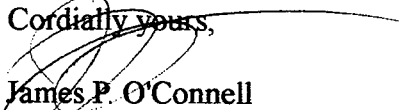
RE: Pastors Davis of for The Cornerstone Cathedral nka The Truth Outreach v Rural Economic Development Corp. "REDC" and The Truth Outreach Church, 2019-CP-37-585

Dear Attorney:

Find here being served upon you for your client's Defendant's REDC and the Church, the Plaintiff's Second Amended Complaint with Amended Summons and Notice. The original is being filed electronically or E-filed with the Court.

Advise promptly,

Cordially yours,

  
James P. O'Connell  
attachments as reported above  
cc client

*P.S. Exhibits are as filed of record!*

NOTICE OF ADR

Michael Davis  
The Cornerstone Cathedral  
Maria Irene Davis

2019CP3700585

**PLAINTIFF(S)**

Filing Date: September 20, 2019

**Vs**

The Rock Worship Center  
Rural Economic Development Corporation Llc  
REDC

**DEFENDANT(S)**

Pursuant to the South Carolina Alternative Dispute Resolution Rules (SCADR), you are required to participate in the following methods of Alternative Dispute Resolution (ADR): mediation or arbitration (binding or non-binding); on or before 300 days from the date of filing of this action. The parties have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event the parties are unable to agree upon the form of ADR, the court hereby designates mediation as the default process of ADR. In the event the parties are unable to agree upon a mediator, the court hereby appoints

Thomas Porcher Stoney II, Stoney And Stoney, Attorneys, PO Box 784, Linville, NC 28646-0784, Phone (843) 709-3174

to serve as mediator. In the event the aforementioned mediator has a conflict of interest or is unable to serve, the alternate mediator is

Bryan Francis Hickey, PO Box 2048, , Greenville, SC 29602, Phone (864) 240-3246

The parties and/or their lawyers shall contact the court-appointed mediator directly regarding scheduling and payment of the court-mandated fee.

A Rule to Show Cause why sanctions should not be imposed may be issued in all cases that fail to file a Proof of ADR or Exemption form indicating evidence of participation in or exemption from an ADR process within 300 days from the date of filing of the action or 90 days from the date of this notice July 23, 2020.

Date: July 23, 2020

Notice of this Order was given by First Class Mail, E-mail, Fax or by the E-Filing Notice of Electronic Filing (NEF). Pro-Se parties were notified by first class mail on 07/23/2020

**Plaintiff Attorney:**

James P. O'Connell  
139 Grace Dr.  
Easley, SC 29640

**Defendant Attorney:**

Angela Nichole Lane  
PO Box 851  
Sandy Springs, SC 29677

**ADR Coordinator**

Amanda Watkins  
(864) 638-4280  
awatkins@oconeesc.com

*James P. O'Connell*  
*Attorney at Law*  
*139 Grace Drive*  
*Easley, South Carolina 29640*  
*PhoneFax220-0005*  
jpatrickoconnell@yahoo.com

August 17, 2020

Mike Davis and Maria Davis  
1003 Easley Bridge Road  
Greenville, South Carolina (SC) 29611

RE: (1) Memorandum in Support of Defendant's Motion to Dismiss and (2) Motion to Cancel Lis Pendensr

Dear Clients:

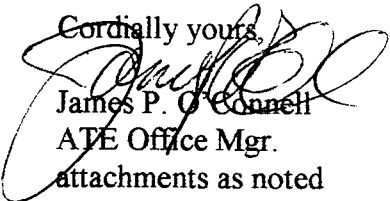
Find here a copy of the (1) and (2).

Please note the history of the case per the Memorandum; 5., & 6., as to Estes (child with ?) as to 9., (vote at the church?first I have information?), 12., (name change of church?), 15., Lis Pendens, (which was filed October 2, 2018, I believe after the Quit Claim Deed?), and 18., (if so they mortgaged and sold?).

Then review the Motion to Cancel Lis Pendens, filed by Ms. Wattleton-Jones! Big questions, if impeded the sale of the church or use of the church, what about the Mortgages and the building of the house?

Advise promptly in writing. Now, you are able to see why I am not able to continue in this action.

Cordially yours,

  
James P. O'Connell

ATE Office Mgr.

attachments as noted

Office at 139 Grace Office Park US123 Easley Bridge Road

page 1

Respectfully Submitted,

s/Angela N. Lane

PO Box 851

Sandy Springs SC 29677

864-326-5421 (phone)

864-226-2320 (fax)

Attorney for Defendants

The Notice below is RESCINDED  
The filing was not filed.



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2019CP3700585

**Official File Stamp:** 08-13-2020 11:07:34 AM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Document(s) Submitted:** Motion/12 (B) in lieu of Answer  
Memo/Memo in Support  
- Exhibit/Filing of Exhibits  
**Filed by or on behalf of:** Angela Nichole Lane

This notice was automatically generated by the Court's auto-notification system.

**The following people were served electronically:**

Angela Nichole Lane for REDC, Rural Economic Development Corporation LLC  
James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

The Truth Outreach Church  
ABL Consulting Inc  
International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
The Truth Outreach Of West Union SC  
Senior Pastor Michael Davis  
The Cornerstone Cathedral



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

---

**A filing has been submitted to the court RE:** 2019CP3700585

**Official File Stamp:** 08-13-2020 11:07:34 AM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Document(s) Submitted:** Motion/12 (B) in lieu of Answer  
Memo/Memo in Support  
- Exhibit/Filing of Exhibits  
**Filed by or on behalf of:** Angela Nichole Lane

This notice was automatically generated by the Court's auto-notification system.

---

**The following people were served electronically:**

Angela Nichole Lane for REDC, Rural Economic Development Corporation LLC  
James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

The Truth Outreach Church  
ABL Consulting Inc  
International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
The Truth Outreach Of West Union SC  
Senior Pastor Michael Davis  
The Cornerstone Cathedral



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

June 16, 2021

Michael Davis  
1003 Easley Bridge Rd  
Greenville SC 29611

Maria Irene Davis  
1003 Easley Bridge Rd  
Greenville SC 29611

Re: Michael Davis v. Rural Economic  
Appellate Case No. 2020-001467

Dear Mr. and Ms. Davis:

Enclosed is this Court's order regarding the motion to reinstate and motion for an injunction. Within ten (10) days of the date of this letter, you must file a copy of the letter showing that you have ordered the transcript directly from the court reporter pursuant to Rule 207 of the South Carolina Appellate Court Rules.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Angela Nichole Lane, Esquire  
Mark Vincent Day

# The South Carolina Court of Appeals

Pastors, Sr. Pastor Michael S. Davis, Associate Pastor  
Maria Irene Davis for "Cornerstone Cathedral" n/k/a  
"The Truth Outreach" of West Union, SC, Appellants,

v.

Rural Economic Development Corp., aka "REDC", The  
Rock Worship Center, & International Palm Oil and  
Biodiesel, LLC, Respondents.

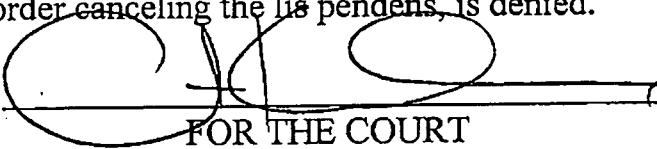
Appellate Case No. 2020-001467

---

## ORDER

---

Appellant has filed an amended proof of service indicating he timely served Respondents with the notice of appeal on December 8, 2020. Accordingly, this appeal is reinstated. Appellant's motion for an injunction, which we construe as a motion to stay the circuit court's order canceling the lis pendens, is denied.



FOR THE COURT

Columbia, South Carolina

cc:

Michael Davis

Maria Irene Davis

Angela Nichole Lane, Esquire

Mark Vincent Day

**FILED**  
**Jun 16 2021**

|                                        |   |                                        |
|----------------------------------------|---|----------------------------------------|
| STATE OF SOUTH CAROLINA                | ) | IN THE COURT COMMON PLEAS              |
|                                        | ) | TENTH JUDICIAL CIRCUIT                 |
| COUNTY OF OCONEE                       | ) |                                        |
|                                        | ) |                                        |
| Pastors, Sr. Pastor Michael S. Davis   | ) |                                        |
| Associate Pastor Maria Irene Davis     | ) |                                        |
| For "Cornerstone Cathedral" n/k/a "The | ) |                                        |
| Truth Outreach" of West Union SC       | ) | Civil Action: <b>2019-CP-37-585</b>    |
|                                        | ) |                                        |
| Plaintiff(s),                          | ) |                                        |
|                                        | ) |                                        |
| vs.                                    | ) |                                        |
|                                        | ) |                                        |
| RURAL ECONOMIC DEVELOPMENT             | ) | <b>OBJECTION TO MOTION FOR DEFAULT</b> |
| CORP., aka "REDC", THE ROCK            | ) | <b>JUDGMENT</b>                        |
| WORSHIP CENTER & INTERNATIONAL         | ) |                                        |
| PALM OIL and BIODIESEL LLC             | ) |                                        |
| Defendant(s).                          | ) |                                        |
|                                        | ) |                                        |
|                                        | ) |                                        |
|                                        | ) |                                        |

### OBJECTION TO MOTION FOR DEFAULT JUDGMENT

Defendant, Rural Economic Development Corp., "REDC" and The Rock Worship Center by their attorney, responds to plaintiff's motion for default judgment against these defendants. REDC and The Rock Worship Center object to the Plaintiff's motion for default judgment, and respectfully shows the Court the following:

1. Plaintiff's initial Complaint was filed on September 20, 2019.
2. Defendants timely responded to Plaintiff's initial Complaint and was present in court during all proceedings relevant to this action.
3. Plaintiff filed its Amended Summons and Complaint on February 5, 2020.
4. Plaintiff's Amended Complaint was filed more than ninety days after the filing and service of his initial Complaint. Defendants have never been served with a motion to amend the initial Complaint by

Plaintiff. Defendants have not been served with any orders granting a motion to amend the initial Complaint. Plaintiff's Amended Complaint was therefore not properly filed pursuant South Carolina Rules of Civil Procedure.

5. Plaintiff admits to mailing its Amended Summons and Complaint to Defendants via regular mail and states "as the parties have been previously been served with the Complaint as originally filed in this action" (Pl's Motion for Default pg. 1, ¶ 1).

6. Plaintiff's Amended Complaint makes new or additional claims in that Plaintiff states a cause of action for illegal transfer in his Amended Complaint (Pl's Amended Complaint pg. 1) but not in his initial Complaint. Plaintiff also alleges unjust enrichment in his Amended Complaint (Pl's Amended Complaint pg. 5) but not in his initial Complaint. Plaintiff was required under Rule 5 of South Carolina Rules of Civil Procedure to serve the Amended Complaint pursuant to Rule 4 of South Carolina Rules of Civil Procedure because he raised new/additional claims. Plaintiff by his own admission did not perfect service on the Defendants of his Amended Summons and Complaint pursuant to Rule 4.

7. Plaintiff's affidavit of service swears to service of the Amended Complaint by mail on February 2, 2020. However, Plaintiff's Amended Complaint appears to have been filed with the Court on February 5, 2020. Plaintiff could not have perfected service upon the Defendants prior to actually filing the action with the Court.

8. Further, Defendants communicated to the clerk of court on February 7, 2020 that its post office box had to be closed due to the necessity to separate from a joint owner of that post office box. Defendants were instructed to provide the updated address once the new post office box was opened. During this time, mail received at the closed post office box was returned undelivered.

9. Plaintiff is aware that Defendant never received its Amended Summons and Complaint. However, Plaintiff did not move the Court for service by publication or any other means and therefore

Plaintiff failed to perfect service upon the Defendants.

10. Plaintiff's insufficient service of process caused Defendants a lack of notice as to its Amended Complaint and any motion to amend its Complaint.

11. Plaintiff's Amended Complaint was improperly filed without leave of Court and without notice/consent of Defendants.

12. Based on the foregoing, Defendants respectfully request that the Court deny this motion for default judgment.

The Angela Lane Law Firm, LLC

s/Angela N. Lane  
Angela N. Lane  
Attorney for Defendants  
112 Essex Drive  
Anderson SC 29621  
Telephone: 864-326-5421  
South Carolina Bar No.: 101544

Dated:  
July 3, 2020

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
Pastors, Sr. Pastor Michael S. Davis )  
Associate Pastor Maria Irene Davis )  
For "Cornerstone Cathedral" n/k/a "The )  
Truth Outreach" of West Union SC )  
Plaintiff(s), )  
vs. )  
RURAL ECONOMIC DEVELOPMENT )  
CORP., aka "REDC", THE ROCK )  
WORSHIP CENTER & INTERNATIONAL )  
PALM OIL and BIODIESEL LLC )  
Defendant(s). )

IN THE COURT COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Civil Action: **2019-CP-37-585**

**MOTION TO DISMISS**

The Defendants, Rural Economic Development Corp. ("REDC") and The Rock Worship Center, move to dismiss the Plaintiffs' Complaint under Rule 12(b) SCRPC for Failure to State a Claim. The Plaintiffs have failed to state to cause of Action against Defendants REDC and The Rock Worship Center.

Respectfully Submitted,

ANGELA LANE LAW FIRM, LLC  
By: /s/ Angela N. Lane  
Angela N. Lane  
SC Bar No.: 101544  
P. O. Box 851  
Sandy Springs SC, 29677  
Attorney for the Defendants



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

---

**A filing has been submitted to the court RE:** 2019CP3700585

**Official File Stamp:** 06-23-2020 10:15:17 AM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Document(s) Submitted:** Motion/Default Judgment  
**Filed by or on behalf of:** James P. O'Connell

This notice was automatically generated by the Court's auto-notification system.

---

**The following people were served electronically:**

Angela Nichole Lane for REDC, The Rock Worship Center, Rural Economic Development Corporation Llc  
James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
The Truth Outreach Of West Union Sc  
Senior Pastor Michael Davis  
The Cornerstone Cathedral



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

---

**A filing has been submitted to the court RE:** 2019CP3700585

**Official File Stamp:** 07-09-2020 01:50:03 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Document(s) Submitted:** Motion/12 (B) in lieu of Answer  
**Filed by or on behalf of:** Angela Nichole Lane

This notice was automatically generated by the Court's auto-notification system.

---

**The following people were served electronically:**

Angela Nichole Lane for REDC, The Rock Worship Center, Rural Economic Development Corporation Llc  
James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
The Truth Outreach Of West Union Sc  
Senior Pastor Michael Davis  
The Cornerstone Cathedral



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

---

**A filing has been submitted to the court RE:** 2019CP3700585

**Official File Stamp:** 07-23-2020 04:25:55 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Document(s) Submitted:** ADR/Notice of ADR ADR/Notice of ADR  
**Filed by or on behalf of:** Amanda Watkins

This notice was automatically generated by the Court's auto-notification system.

---

**The following people were served electronically:**

Bryan Francis Hickey  
Angela Nichole Lane for REDC, The Rock Worship Center, Rural Economic Development Corporation LLC  
James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

Thomas Porcher Stoney, II  
International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
The Truth Outreach Of West Union Sc  
Senior Pastor Michael Davis  
The Cornerstone Cathedral



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

---

**A filing has been submitted to the court RE:** 2019CP3700585

**Official File Stamp:** 06-23-2020 09:49:38 AM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Event(s):**  
Notice/Notice of Appearance  
**Filed by or on behalf of:** Angela Nichole Lane

This notice was automatically generated by the Court's auto-notification system.

---

**The following people were served electronically:**

James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
Rural Economic Development Corporation Llc  
The Truth Outreach Of West Union Sc  
The Rock Worship Center  
REDC  
Senior Pastor Michael Davis  
The Cornerstone Cathedral



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
NOTICE OF ELECTRONIC FILING [NEF]

---

**A filing has been submitted to the court RE:** 2019CP3700585

**Official File Stamp:** 06-01-2020 11:13:14 AM  
**Court:** CIRCUIT COURT  
Common Pleas  
Oconee  
**Case Caption:** Michael Davis , plaintiff, et al VS Mark Vincent Day , defendant, et al  
**Document(s) Submitted:** Letter/Letter Letter/Letter  
**Filed by or on behalf of:** Amanda Watkins

This notice was automatically generated by the Court's auto-notification system.

---

**The following people were served electronically:**

James P. O'Connell for Michael Davis, Maria Irene Davis

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

International Palm Oil and Biodiesel LLC  
Associate Pastor Maria Davis  
Rural Economic Development Corporation LLC  
The Truth Outreach Of West Union Sc  
The Rock Worship Center  
REDC  
Senior Pastor Michael Davis  
The Cornerstone Cathedral

**James P. O'Connell**  
**Attorney at Law**  
**139 Grace Drive**  
**Easley, South Carolina 29640**  
**Phone/Fax: (864)220-0005**  
jpatrickoconnell@yahoo.com

May 26, 2020

CLERK OF COURT  
COURT OF COMMON PLEAS  
POST OFFICE BOX 678  
WALHALLA, SOUTH CAROLINA (SC) 29691

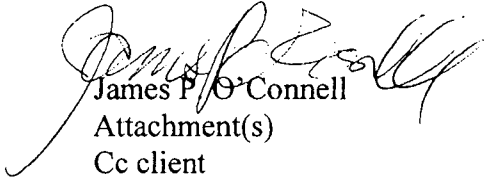
RE: Pastor(s) Michael Davis and Maria Davis, v Rural Economic Development Corporation, LLC et al 2019-CP-37-00585

Dear CLERK OF COURT:

1. Thank you for your filing of the Affidavit of Default, and the Affidavit(s) of service on Defendants.
2. I am at this time, requesting a Default hearing. Please phone office either Tuesday or Friday mornings, to set or schedule the Default hearing, and of course by email anytime.

Advise promptly in writing.

Cordially yours,

  
James P. O'Connell  
Attachment(s)  
Cc client

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,  
Associate Pastor, MARIA IRENE DAVIS)  
FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH" )  
of West Union SC  
PLAINTIFF, )

Civil Action **2019-CP-37-585**

-versus-

RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
And "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive West Union SC  
DEFENDANTS.

HEARING REQUEST  
NOTICE OF AND MOTION  
FOR  
DEFAULT HEARING  
AFFIDAVIT IN  
SUPPORT

I, WE, The Pastors, Michael Davis and Maria Davis, do, here under oath state and affirm the following statements:

1. THE COURT IS REQUESTED TO REVIEW THE previous actions filed in this matter as above reported in the caption.
2. Plaintiffs have been fighting the Defendants since 2016 as to the take over of the Truth Outreach once Cornerstone Cathedral of West Union SC.
3. Plaintiffs request that the Court find the Defendants in Default,
  - a. Due to the factual issues presented, b. due to the Court repeatedly stating the Defendants had to have legal representation. c. Based on information received from the service by Pastor Maria Davis pursuant to the Order of the Court restoring Pastor Maria Davis suit 2018-CP-37-489,

- i. Rural Economic Development Corporation, LLC, responded to the notice and the service of Interrogatories and Request to Produce, that Rural Economic Development Corporation LLC, was not a legal entity until August, 9, 2018,
- ii. could not have received of any conveyance;
- iii. therefore that conveyance is a void transfer; deed recorded March 6, 2018,
- iv. DEED Book 2341 pages 10-19; (notice change of address);
- v. further, the void deed appears to be executed February 26, 2017;
- vi. while the original suit was active;
- v. then the void deed was recorded after the Court ruled that the suit against Pastor Mike Davis was dismissed.

Further: 4. Reference is made to another suit 2019-CP-37-347 citing page 2 of 8, paragraph 9. And, reference is made to suit filed against Senior Pastor Mike Davis, ended in dismissal April 5, 2018, C. A. 2016-CP-37-0060, which originally restored Pastor Davis.

After dismissal a deed from The Cornerstone Cathedral to Rural Economic Development Corporation LLC, 220 North Main Street, Ste 500, Greenville SC 29601; was filed along with two mortgages, and,

Based on information received from Discovery pursuant to the Order of the Court restoring 2018-CP-37-489, Rural Economic Development Corporation, LLC, responded to the notice that Rural Economic Development Corporation LLC, was not a legal entity until August, 9, 2018, could not have received of any conveyance; therefore that conveyance is a void transfer; deed recorded March 6, 2018, DEED Book 2341 pages 10-19; while the original suit was active;

Further, 5. Reference is made to Wattleton's suit 2019-CP-37-347 citing page 2 of 8, paragraph 9., was the founder, owner, and operator of Rural Economic Development Corporation LLC. And Mark Day has appeared in Court for that Entity, 2018-CP-37-489; Wattleton states Mark Day was given authority to respond to legal matter, page 3 of 8 paragraph 11, even though he is not a licensed attorney in South Carolina.

See on page 2 of 8, paragraph 10., cites ongoing litigation with previous pastor. and, page 6 of 8, paragraph 20.

See page 4 of 8, Paragraph 15., illegally encumbering church property.

Also, page 4 of 8, paragraph 16. for obtaining loans by Fraudulent behavior, stating funds from the loans, were not utilized in any form or fashion for the benefit of the church, page 7 of 8, paragraph 22.

Further, the deed filed of record, March 6, 2018, in Deed Book 2341 pages 10-19. That Deed is recorded after the Order from the Bench from the hearing held February 22, 2018, tax map sheet number appears to be Map 176sub 00 blk 01 parc 035. that Deed, indicates the buyer Defendant t "REDC" and that the documents filed were not prepared be a licensed attorney in the state of SC.

signature and their alleged rights and powers to sell. Plaintiff requests a recession of the real estate sale and a declaration that the real estate as allegedly transferred is illegal.

SWORN TO UNDER OATH

This date June 17, 2020  
BEFORE a Notary Public for South  
Carolina My Commission expires: 2-22-2029

Notary Public for South Carolina

Print Name here: James P. O'Connell

s/MICHAEL "MIKE" DAVIS PASTOR of  
and FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH"  
of West Union SC

Michael Davis

SWORN TO UNDER OATH

This date June 17, 2020  
BEFORE a Notary Public for South  
Carolina My Commission expires: 2-22-2029

Notary Public for South Carolina

Print Name here: James P. O'Connell  
James P. O'Connell

s/Maria Irene Davis PASTOR of  
and FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH"  
of West Union SC

Maria Davis

Respectfully submitted.  
June 17 2020

s/JAMES P. O'CONNELL #4259  
ATTORNEY FOR PLAINTIFFS

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,  
Associate Pastor, MARIA IRENE DAVIS)  
FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH" )  
of West Union SC

Civil Action **2019-CP-37-585**

PLAINTIFF, )

-versus-

HEARING REQUEST  
NOTICE OF AND MOTION  
FOR  
DEFAULT HEARING

RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
And "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive  
West Union SC

DEFENDANTS.

PLEASE TAKE NOTICE, THE UNDERSIGNED ATTORNEY, for the DEFENDANT  
will on \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_:\_\_\_\_\_ a.m.  
or as soon thereafter as the Court will hear, move before the Court for a Default as to the  
above captioned Defendants and for an Order, granting the relief sought, Pursuant to  
SCRCP Rule 55 and per SCRCP Rule 59.

FOR AN ORDER GRANTING THE FOLLOWING RELIEF TO PLAINTIFF:

1. The removal of the Defendants from the church.
2. The removal of the Defendants from the church real property and personal property.
3. The extinguishing of any deed by the Defendants in relationship to the church real

property.

TO: DEFENDANTS and attorney if any, NAMED ABOVE, YOU ARE SUMMONED AND REQUIRED TO APPEAR AND DEFEND the pleading, in this action; which is this date, served upon you, with Summons and Notice. **YOU ARE DIRECTED** to serve your pleading responding to the pleading served by the Defendant's attorney at: 139 Grace Drive, Easley, South Carolina 29640 or by certified mail at same address or hand delivery. Within **TEN(10) DAYS** after the day of service, not to include the day of service; and **IF YOU FAIL TO RESPOND OR ANSWER** or otherwise plead, within the time noted, Defendant WILL apply to the Court for the relief demanded in the pleading and JUDGMENT will be entered against you by DEFAULT.

Said motion is based on the pleadings on file and all applicable statutory and case law and any oral argument or written memorandum of law the court may allow. SCRCF Rule 11 does not apply, as the Defendants are in Default as to responding to the Amended Complaint, and, based on this action and other actions, consultation would be of no use.

*June 13*, 2020

s/James P. O'Connell #4259  
139 Grace Drive, Easley SC 29640  
Phone/Fax 864-220-0005  
jpatrickoconnell@yahoo.com

|                                        |   |                                        |
|----------------------------------------|---|----------------------------------------|
| STATE OF SOUTH CAROLINA                | ) | IN THE COURT COMMON PLEAS              |
|                                        | ) | TENTH JUDICIAL CIRCUIT                 |
| COUNTY OF OCONEE                       | ) |                                        |
|                                        | ) |                                        |
| Pastors, Sr. Pastor Michael S. Davis   | ) |                                        |
| Associate Pastor Maria Irene Davis     | ) |                                        |
| For "Cornerstone Cathedral" n/k/a "The | ) |                                        |
| Truth Outreach" of West Union SC       | ) | Civil Action: <b>2019-CP-37-585</b>    |
|                                        | ) |                                        |
| Plaintiff(s),                          | ) |                                        |
|                                        | ) |                                        |
| vs.                                    | ) |                                        |
|                                        | ) |                                        |
| RURAL ECONOMIC DEVELOPMENT             | ) | <b>OBJECTION TO MOTION FOR DEFAULT</b> |
| CORP., aka "REDC", THE ROCK            | ) | <b>JUDGMENT</b>                        |
| WORSHIP CENTER & INTERNATIONAL         | ) |                                        |
| PALM OIL and BIODIESEL LLC             | ) |                                        |
| Defendant(s).                          | ) |                                        |
|                                        | ) |                                        |
|                                        | ) |                                        |
|                                        | ) |                                        |

**OBJECTION TO MOTION FOR DEFAULT JUDGMENT**

Defendant, Rural Economic Development Corp., "REDC" and The Rock Worship Center by their attorney, responds to plaintiff's motion for default judgment against these defendants. REDC and The Rock Worship Center object to the Plaintiff's motion for default judgment, and respectfully shows the Court the following:

1. Plaintiff's initial Complaint was filed on September 20, 2019.
2. Defendants timely responded to Plaintiff's initial Complaint and was present in court during all proceedings relevant to this action.
3. Plaintiff filed its Amended Summons and Complaint on February 5, 2020.
4. Plaintiff's Amended Complaint was filed more than ninety days after the filing and service of his initial Complaint. Defendants have never been served with a motion to amend the initial Complaint by

Plaintiff. Defendants have not been served with any orders granting a motion to amend the initial Complaint. Plaintiff's Amended Complaint was therefore not properly filed pursuant South Carolina Rules of Civil Procedure.

5. Plaintiff admits to mailing its Amended Summons and Complaint to Defendants via regular mail and states "as the parties have been previously been served with the Complaint as originally filed in this action" (Pl's Motion for Default pg. 1, ¶ 1).

6. Plaintiff's Amended Complaint makes new or additional claims in that Plaintiff states a cause of action for illegal transfer in his Amended Complaint (Pl's Amended Complaint pg. 1) but not in his initial Complaint. Plaintiff also alleges unjust enrichment in his Amended Complaint (Pl's Amended Complaint pg. 5) but not in his initial Complaint. Plaintiff was required under Rule 5 of South Carolina Rules of Civil Procedure to serve the Amended Complaint pursuant to Rule 4 of South Carolina Rules of Civil Procedure because he raised new/additional claims. Plaintiff by his own admission did not perfect service on the Defendants of his Amended Summons and Complaint pursuant to Rule 4.

7. Plaintiff's affidavit of service swears to service of the Amended Complaint by mail on February 2, 2020. However, Plaintiff's Amended Complaint appears to have been filed with the Court on February 5, 2020. Plaintiff could not have perfected service upon the Defendants prior to actually filing the action with the Court.

8. Further, Defendants communicated to the clerk of court on February 7, 2020 that its post office box had to be closed due to the necessity to separate from a joint owner of that post office box. Defendants were instructed to provide the updated address once the new post office box was opened. During this time, mail received at the closed post office box was returned undelivered.

9. Plaintiff is aware that Defendant never received its Amended Summons and Complaint. However, Plaintiff did not move the Court for service by publication or any other means and therefore

Plaintiff failed to perfect service upon the Defendants.

10. Plaintiff's insufficient service of process caused Defendants a lack of notice as to its Amended Complaint and any motion to amend its Complaint.

11. Plaintiff's Amended Complaint was improperly filed without leave of Court and without notice/consent of Defendants.

12. Based on the foregoing, Defendants respectfully request that the Court deny this motion for default judgment.

The Angela Lane Law Firm, LLC

s/Angela N. Lane  
Angela N. Lane  
Attorney for Defendants  
112 Essex Drive  
Anderson SC 29621  
Telephone: 864-326-5421  
South Carolina Bar No.: 101544

Dated:  
July 3, 2020

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
Pastors, Sr. Pastor Michael S. Davis )  
Associate Pastor Maria Irene Davis )  
For "Cornerstone Cathedral" n/k/a "The )  
Truth Outreach" of West Union SC )  
Plaintiff(s), )  
vs. )  
RURAL ECONOMIC DEVELOPMENT )  
CORP., aka "REDC", THE ROCK )  
WORSHIP CENTER & INTERNATIONAL )  
PALM OIL and BIODIESEL LLC )  
Defendant(s). )  
\_\_\_\_\_ )

IN THE COURT COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Civil Action: **2019-CP-37-585**

**OBJECTION TO MOTION FOR DEFAULT  
JUDGMENT**

**OBJECTION TO MOTION FOR DEFAULT JUDGMENT**

Defendant, Rural Economic Development Corp., "REDC" and The Rock Worship Center by their attorney, responds to plaintiff's motion for default judgment against these defendants. REDC and The Rock Worship Center object to the Plaintiff's motion for default judgment, and respectfully shows the Court the following:

1. Plaintiff's initial Complaint was filed on September 20, 2019.
2. Defendants timely responded to Plaintiff's initial Complaint and was present in court during all proceedings relevant to this action.
3. Plaintiff filed its Amended Summons and Complaint on February 5, 2020.
4. Plaintiff's Amended Complaint was filed more than ninety days after the filing and service of his initial Complaint. Defendants have never been served with a motion to amend the initial Complaint by

Plaintiff. Defendants have not been served with any orders granting a motion to amend the initial Complaint. Plaintiff's Amended Complaint was therefore not properly filed pursuant South Carolina Rules of Civil Procedure.

5. Plaintiff admits to mailing its Amended Summons and Complaint to Defendants via regular mail and states "as the parties have been previously been served with the Complaint as originally filed in this action" (Pl's Motion for Default pg. 1, ¶ 1).

6. Plaintiff's Amended Complaint makes new or additional claims in that Plaintiff states a cause of action for illegal transfer in his Amended Complaint (Pl's Amended Complaint pg. 1) but not in his initial Complaint. Plaintiff also alleges unjust enrichment in his Amended Complaint (Pl's Amended Complaint pg. 5) but not in his initial Complaint. Plaintiff was required under Rule 5 of South Carolina Rules of Civil Procedure to serve the Amended Complaint pursuant to Rule 4 of South Carolina Rules of Civil Procedure because he raised new/additional claims. Plaintiff by his own admission did not perfect service on the Defendants of his Amended Summons and Complaint pursuant to Rule 4.

7. Plaintiff's affidavit of service swears to service of the Amended Complaint by mail on February 2, 2020. However, Plaintiff's Amended Complaint appears to have been filed with the Court on February 5, 2020. Plaintiff could not have perfected service upon the Defendants prior to actually filing the action with the Court.

8. Further, Defendants communicated to the clerk of court on February 7, 2020 that its post office box had to be closed due to the necessity to separate from a joint owner of that post office box. Defendants were instructed to provide the updated address once the new post office box was opened. During this time, mail received at the closed post office box was returned undelivered.

9. Plaintiff is aware that Defendant never received its Amended Summons and Complaint. However, Plaintiff did not move the Court for service by publication or any other means and therefore

Plaintiff failed to perfect service upon the Defendants.

10. Plaintiff's insufficient service of process caused Defendants a lack of notice as to its Amended Complaint and any motion to amend its Complaint.

11. Plaintiff's Amended Complaint was improperly filed without leave of Court and without notice/consent of Defendants.

12. Based on the foregoing, Defendants respectfully request that the Court deny this motion for default judgment.

The Angela Lane Law Firm, LLC

s/Angela N. Lane  
Angela N. Lane  
Attorney for Defendants  
112 Essex Drive  
Anderson SC 29621  
Telephone: 864-326-5421  
South Carolina Bar No.: 101544

Dated:  
July 3, 2020

# Constitution and Bylaws

## of

### *The Truth Outreach*

#### **Status**

The ministry was incorporated by the State of South Carolina and received its charter on December 6, 2010. It is also recognized by the South Carolina Tax Commission as a tax exempt organization, and has obtained an Employer ID number from the Internal Revenue Service (57-108-3428).

#### **Article I. Name**

The name of the church shall be **"THE TRUTH OUTREACH."**

#### **Article II. Purpose**

*Section 1.* To establish and maintain a place or places of worship of Almighty God our Heavenly Father, and the Lord Jesus Christ, His only Begotten Son, through the Holy Spirit, and for the promotion of Christian fellowship and edification, bearing witness to all biblical truths.

*Section 2.* To obey in our capacity the Great Commission and bring people to a personal acquaintance with Jesus Christ through proclamation of the gospel. (Matt. 28:18-20; Mark 16:15-20; Act 1:18, 8:4)

*Section 3.* To solicit, receive funds and maintain a fund or funds; real or personal property or both; to use and supply for a whole or any part of the principal or income thereof; for the purpose of this Church and to assist missionaries in preaching the Gospel of Jesus Christ in any part of the world.

#### **Article III. Prerogatives**

Section 1. This church shall have the right to govern itself according to the standards of the New Testament Scriptures. (Eph. 4:1-16; 1 Cor. 12:27-28)

Section 2. To have a membership which is determined by the local Church and to discipline its members according to the Scriptures.

Section 3. To choose or call its Pastor, elect its officers and handle other business pertaining to its life as a local Church.

Section 4. To purchase or acquire by gift, bequest or otherwise (either directly or as Trustee) and to own, hold in trust, use, sell, convey, mortgage, lease, or otherwise dispose of any estate or chattels as

may be necessary for the furtherance of its purposes. All things should be done in accordance with its Constitution and By-Laws or as the same may be hereafter modified or amended.

Section 5. This church recognizes marriage as a biblical institution established by God clearly described in scripture (Genesis 2:22-24; Matt. 19:4-6). This church recognizes that marriage is the uniting of one man and one woman in covenant commitment. Accordingly, this Church, its pastors and its staff, will not participate in same sex marriages, nor shall its property or resources be used for such purposes.

#### **Article IV. Affiliation**

**Believing in the independence of the local church, with full freedom of deliberation decision and deportment under God, without restriction or denomination from any outside individual, organization, or institution. This church is to be autonomous and self-governing (Under Christ) and will not affiliate with any organization, which seeks to exercise control over the church.**

#### **Article V. Beliefs**

This church shall accept and believe the Holy Scriptures as the Holy Scriptures as the revealed Word of God, the all-sufficient rule for faith and practice, and for the purpose of maintaining unity; it shall adopt the Statement of Fundamental Beliefs, namely:

1. **The Scriptures Inspired.** The Bible consisting of the SIXTY SIX BOOKS is the inspired Word of God, a revelation from God to man, the infallible rule of faith and conduct, and is superior to conscience and reason, but not contrary to reason (Heb. 4:12; 2 Pet. 1:20-21; 2 Tim. 3:15-17).
2. **The One True God.** The One True God has revealed Himself as the eternally self-existent, self-revealed "I AM", and has further revealed Himself as embodying the principles of relationship and association of the Trinity as Father, Son and Holy Ghost (1 John 5:7; Deut. 6:4; Is. 43:10-11; Matt. 28:19; Mark 12:29; Matt. 28:19; Mark 12:29; Matt. 3:16-17; John 14:16-17).
3. **Jesus Christ.** In the deity of our Lord Jesus, Christ, His virgin birth, in His sinless life, in His miracles, in His ascension to the right hand of The Father, in His personal future return to this earth in power and glory, to rule for a thousand years. (John 1:1; Luke 1:26-38; Hebrews 7:26; John 2:11; II Cor. 5:15; John 20:26-31; Acts 1:9; I Thess. 4:16-17; Rev. 20:1-6)
4. **Surrender.** In total surrender of one's life to the Master, Jesus Christ. In confessing Him as Lord and Master giving Him full right of control in the life of the believer. (Rom. 10:9)
5. **Salvation.**
  - a. **Condition of Salvation.** The only means of being cleansed from sin is through repentance and faith in the precious blood of Christ. The Grace of God, which bringeth salvation, hath appeared to all men through the preaching of repentance toward God and faith toward the Lord Jesus Christ; man is saved by the washing of regeneration and renewing of the Holy Ghost, and being justified by grace through faith, he becomes as heir of God according to the hope of eternal life. (Rev. 1:5; Luke 24:47; Rom. 10:13-15;
  - b. **The Evidence of Salvation.** The inward evidence of the believer of his salvation is the direct witness of the spirit. (Rom. 8:16) The outward evidence to all men is a life of righteousness and true holiness (Rom. 6:22)

6. **Baptism in Water.** The ordinance of baptism of the Holy Spirit by who's indwelling the Christian is enabled to live a holy life.
7. **Baptism in the Holy Spirit.** The baptism of the Holy Spirit by who's indwelling the Christian is enabled to live a holy life.
8. **The Casting Out of Demons.** Believers are empowered to cast out demons in the name of Jesus Christ by the spoken Word of God and by prayer and fasting.
9. **Divine Healing.** Deliverance from sickness is provided for in the atonement and is the privilege of all believers. (Is. 53:4; Matt. 8:16-17; Mark 16:18-20; James 5:14-16)
10. **The Lord's Supper.** The Lord's Supper, consisting of the bread and the fruit of the wine, is a memorial of Christ's suffering and death and a prophecy of His second coming and is entrusted on all believers "until He comes." (Luke 22:17-20; I Cor. 10:16-17, 11:23-32)
11. **The Church.** The church is the body of Christ, the habitation of God through the Spirit, with divine appointments for the fulfillment of the Great Commission. Each believer born of the Spirit is an integral part of the Church. (Eph. 1:22-23; 2:19-22; Heb. 12:23)
12. **The Ministry and Evangelism.** A divinely called and scripturally ordained ministry has been provided by our Lord for a twofold purpose: (1) for the evangelization of the world and (2) the edifying of the body of Christ. (Mark 16:15-20; Eph. 4:11-13)
13. **The Redemptive Work of Christ.** The redemptive work of Christ on the cross provides healing for the human body in answer to believing prayer. (James 5:15)
14. **The Blessed Hope.** The rapture of the church in Christ second coming. (Rom. 8:23; I Cor. 15:51-52; I Thess. 4:16-18; Tit. 2:13)

## Article VI. Ordinances

Baptism—The ordinance of baptism by water immersion in the Name of the Father, Son and Holy Ghost.

The Lord's Supper—The Lord's Supper is a symbolic act of obedience whereby members of the Church through partaking of the Bread and the Fruit of the Vine commemorate the willing sacrificial death of Jesus Christ and anticipate his coming.

Anointing With Oil—The anointing of the sick with oil and laying on of hands for healing.

Dedication—The dedication of children shall be observed at stated times and whenever requested.

Marriage—Marriage shall be performed between a man and a woman at stated times after counseling with approval of the Pastor.

(Matt. 19:13-15, 28:19; Acts 2:38; I Cor. 11:23-25; James 5:14-16)

## ARTICLE VII. OFFICERS.

**Section 1.** The officers of the church shall be the Pastor, President, Secretary, Treasurer, and the members of the Church Board of Directors.

**Section 2.** No officer of the Board shall be allowed to hold more than one office.

**Section 3.** All officers of the church must qualify according to the scriptural qualifications described in Acts 6:3, Romans 12:10-13, and I Timothy 3:8-13.

**Section 4.** No officer, with the exception of the Pastor, shall hold the same office for more than two consecutive terms except with two-thirds majority vote of the members.

**Section 5.** No person shall be considered eligible for nomination as an officer of the official board unless he has been a tithing member in good standing with the Church for at least six months and is at least 21 years of age.

#### **ARTICLE VIII. MEMBERSHIP**

Individuals shall be eligible for membership in this Church, who give evidence of personal living faith in the Lord Jesus Christ, are regular tithers and who voluntarily subscribe to the Beliefs of Faith and agree to be governed by the Constitution and By-Laws as herein stated.

#### **ARTICLE IX. MEETINGS**

**Section 1.** Meetings for public worship shall be held on each Sunday and during the week as may be provided for under the direction of the Pastor and the Official Board, under the leadership of the Pastor. The meetings shall consist of preaching, instruction and evangelism for all who wish to attend.

**Section 2.** Special Services; All Special Services will be set by the Pastor and aided by the Deacons and members of the Church.

**Section 3.** One (1) service notice shall be given to the Church for any business meeting. There shall be a regular business meeting held on the first Sunday night of every quarter. (Time may be changed to a different day that week to accommodate scheduling) There shall be an annual business meeting of the Church in the month of December at which time the reports of all officers shall be read and the election of officers shall take place.

**Section 4.** Special business meetings of the Church may be called by one service notice when necessary by the Pastor, Secretary or by the majority of the Board after notice has been given by the Pastor or by the Secretary.

**Section 5.** Quorum- No record of any regular or special business meeting of the Church shall be made unless majority or more voting members shall be present to constitute a quorum.

**Section 6.** The official board shall meet at least twice a year and at other times as it deems necessary to conduct business of the Church.

**Section 7.** No meeting other than official church meetings shall be called for the discussion of church affairs or business. Members attending or taking part in unauthorized meetings shall jeopardize their voting privileges.

**Section 8.** Charges of misconduct shall be in writing and must be signed by the accuser before official action is taken. Upon finding proof of misconduct, the official board may call a hearing and appropriate action be taken. No minutes shall be taken of these proceedings.

**Section 9.** The Lords Supper. The Lords Supper is a symbolic act of obedience whereby members of the Church through partaking of the Bread and the Fruit of the Vine commemorate the death of Jesus Christ and anticipate His coming.

1. **The Lord's Supper shall be observed at least quarterly on the first Sunday of each quarter.**
2. **The Lords Supper will be during the morning worship hour.**
3. **The Pastor and Deacons are responsible for the administration of the Lord's Supper.**
4. **The Deacons are responsible for the physical preparation of the Lord's Super.**

#### **ARTICLE X. FINANCES**

The Church shall be financed according to the scriptural method of Tithes and Offerings by the members and friends of the congregation. (Mal. 3:10; Matt 23:23; Heb 7:4-9; 1 Cor. 16:1-2; 2 Cor. 9:1: 6-15)

#### **ARTICLE XI. PROPERTY.**

**Section 1.** All property (real or chattel) shall be taken, held, sold, transferred or conveyed in the name of the Church.

**Section 2.** No real property of the Church shall be sold, leased, mortgaged or otherwise alienated without authorization by at least a two-thirds majority vote by the membership at a regular or special business meeting of the Church, solely called for the purpose of consideration of the proposal.

**Section 3.** Chattels of the value of \$10,000.00 or more shall be subject to the same restrictions as given in Section 2 for real property. In order to expedite the business of the Church, the Official Board shall have the right to dispose as they see fit of chattels, singly or in the aggregate, below the value of \$10,000.00.

**Section 4.** The Pastor and the Secretary of the Church shall certify in such conveyance, lease, or mortgage that the same has been duly authorized by the vote of the membership or by the official board if Section 3 applies. Such certificate shall be held to be conclusive evidence thereof. A listing of all chattels covered by Section 3 above of the value of \$10,000.00 or more shall be listed and be presented by the Treasurer at each business meeting and included in the minutes of such meetings

**Section 5.** In the event that the Church here in mentioned ceases to function as a Church body, then the mentioned property, real or chattel may be disposed of and the entire proceeds shall be handed over to a religious, charitable organization similar in purpose in Article II, that is qualified for exemption under Sec. 501(c) (3), Internal Revenue Code. The official board is empowered with the authority to conduct this transaction upon the consent of two-thirds of the membership of the Church in a meeting specifically called to discuss this matter.

#### **Article XII: Amendments**

Amendments to this constitution may be made by a 2/3 vote of the members of the Church who are in attendance at any regular business meeting or special business meetings called for purpose, provided that due notice be given at public services two weeks prior to the proposed change. Each amendment shall be presented in writing at the previous meeting and copies of the proposed amendment furnished to each member present. The board maintains the right to amend this constitution by full unanimous vote of all voting members when certain circumstances or influences threaten the beliefs, the congregation, vitality, finances, or spirituality of this church without giving prior notice. However, notice of changes must be announced, either verbally or written, within two weeks after an amendment has been passed.

# **By-Laws**

## **Article I. Membership**

### **Section 1. Standards of Membership**

- a) Evidence of a genuine experience in regeneration. (John. 1:12-13; 3:3 ; 1 Pet. 1:18-25)
- b) Evidence of consistent Holy Christian life. (Rom. 6:4, 11-13; Eph. 4:1-3,15, 17-32; 1 John 1:6-7)
- c) Baptism in water by immersion. (Matt. 28: 19-20; Rom. 6:1-12; Acts 8:36-38)
- d) Full adherence to the "Beliefs" as set forth in the Constitution.
- e) Willingness and faithfulness to tithe and contribute regularly to the support of the Church according to his/her ability. (Acts. 11;29; 1 Cor. 9:13-14; 11 Cor. 9:7; 16:1-2 ; 8:1-4)

### **Section 2. Standards of Family Life**

- a) **Marriage**: All marriages shall be conducted between a man and a woman in accordance with the Scriptures. Marriage is honorable in all. (Heb 13:4; 1 Cor. 7:9; Eph. 5:22-31; 2 Cor. 6:14; Matt. 19: 5-6; Mark 10: 7-9)
- b) **Divorce**: Divorce is acceptable only as provided in the Scriptures. (1 Cor. 6:15-20; 7:10-11, 39; Mark 10:7-12; Matt. 19:5-11; Mal. 2:15-16)

### **Section 3. Voting Privileges**

- a) All active members of the Church.

### **Section 4. Reception of Members**

- a) Persons desiring to become members of the Church shall make the fact known to the Pastor; the Pastor shall examine the applicant according to the standard of membership.
- b) The Pastor shall present to the Church those who apply for membership with his recommendation. After due consideration, those recommended by the Pastor shall be publicly welcomed and entered into the Church's' membership book.

### **Section 5. Discipline and Revision of the Roster**

- a) Any member of the Church who shall willingly excuse himself/herself from the regular services for a period of one month shall be contacted by the Pastor and/or by the Committee. Prolonged absence without reason will result in suspension of voting rights. Any member, under charges, shall be temporarily suspended from the voting membership pending investigation and final decision in his/her case.

- b) Unscriptural conduct or doctrinal departure from the Tenets of Faith held by this Church shall be considered sufficient grounds for which any person may be disqualified as a member. Such discipline shall be made known to the congregation. (Matt. 18:15-17; Rom. 16:17; 1 Cor. 5:9-13; Tit. 3:10-11).
- c) The Board shall be authorized to revise the membership roll of the church semi-annually and to remove from the list of active members: the names of the deceased and those who have withdrawn from the fellowship or may have fallen into sin and whose lives may have become inconsistent with the standards of the church.
- d) If a member is removed for cause, the one whose name is removed shall be notified of the Board's action by the Secretary.

## **Article II. Duties of Officers**

### **Section 1. The Pastor**

The Church finds its leadership under the Lord Jesus Christ in its Pastor. He should be honored in his sacred office as the spiritual head of the Church, and shall be general supervisor of all its activities. He shall provide for all the services of the Church and shall arrange for all special meetings, giving due regard to the Church. No person shall be invited to speak or preach without his approval.

### **Section 2. The President**

He shall be the President of the corporation and shall be the chairman of all committees. He can call out the business meeting with the knowledge of the secretary.

### **Section 3. The Secretary**

He shall call the meetings of the Board and regular and special Business meetings of the Church. He shall keep the minutes of the meetings of the Official Board and of the annual and special business meetings of the Church. He shall keep a record of the membership in the Church roster book and perform any other clerical duties as part of his responsibilities. He shall be the custodian of all legal documents and be in possession of the corporate seal. All official correspondence of the church shall be handled through the office of the church Secretary.

### **Section 4. The Treasurer**

- a) He shall be entrusted with all the finances of the Church and shall keep at the discretion of the official board, an itemized record of receipts and disbursements in accordance with accepted business practice. He shall adhere to Article XI of the Constitution which governs the disposition of property, both real and chattel.

- b) All funds shall be disbursed by checks. Checks are to be signed by any two or three members of the Official Board, one of which must be the Treasurer or if covered by Section 2 above, such checks are to be signed by the two persons to whom authority is delegated by the Official Board.
- c) He shall present a financial report at the regular meetings of the Church.
- d) He shall present a financial status report to the general Church at the end of every quarter.
- e) His accounts should be audited under the direction of the Board.
- f) The financial records shall be open for examination by any member in good standing.

### **Article III. The Official Board**

**Section 1.** The official board shall consist of the Pastor, President, Secretary, Treasurer, and Council Members.

**Section 2.** The President shall be the Chairman of the Official Board but in the event the Church is temporarily without a President, the Church shall be empowered to provide for their own chairman from the membership to conduct matters on behalf of the Church.

**Section 3.** They shall determine the amount of all salaries paid by the church. They shall employ temporary help for any work of the church and for the maintenance of the building.

**Section 4.** They may invite department heads or individuals to sit with the Board in conference but may not give them voting privileges of the official Board.

**Section 5.** They shall be authorized to make such expenditures as may be necessary to conduct business and to make such purchases as are required for normal operation. They may negotiate loans when such do not require alienation of property. They may sell or otherwise dispose of any chattel of the value of \$1,000.00 or less without the vote of the Church.

**Section 6.** They shall act in the capacity of a public committee if the Church is without a Pastor or Associate Pastor. In the temporary absence of the Pastor or Associate Pastor the Board shall act with respect to the wishes of the Pastor or Associate Pastor.

**Section 7.** They shall meet and inspect all real property proposed for purchase, sale, or other disposition for a period of six months in order to make an appropriate recommendation for consideration at the upcoming business meetings.

### **Section 8. The Church Council**

- a) The Church Council shall consist of a Pastor, President, Secretary, Treasurer and elected members.
- b) They shall conduct all the routine business of the Church and provide for the orderly conduct of all church business according to accepted business practice.
- c) They shall have all governing rights not specifically delegated to others.
- d) They shall meet quarterly for the conduct of routine business and at other times when necessary.
- e) They may invite department heads or individuals to sit with the committee in conference but may not give them the right of voting with the church council.

#### **Article IV. Annual Business Meeting**

The annual business meeting of the church shall be held in December. Due notice of this meeting shall be given at the Sunday service two weeks prior to the meeting by the Secretary. In addition, any proposals for discussion shall be made known to all members at the two Sunday morning services prior to the meeting dates.

#### **Article V. Elections and Vacancies**

**Section 1.** The President, Secretary, Treasurer and the Church Council members shall be elected annually by majority vote by the Church members.

**Section 2.** Those elected at any business meeting shall assume their offices as of the date of their election.

#### **Section 3. SECRET BALLOT**

- a) All nominative elections shall be by secret ballot.
- b) All other elections shall be held by secret ballot by request from the majority of members.

#### **Section 4. VACANCY IN THE PASTORATE**

- a) In case of vacancy in the Pastorate, the Board, acting in the capacity of a Pulpit Committee, after prayerful inquiry and judicious council, with the leading of the Holy Spirit, shall select an available Scripturally qualified Minister as nominee to the office of Pastorate and without delay, shall present his name for approval by the Church. A majority vote shall be required for such an appointment.
- b) Should the Pastor/Associate pastor resign, he should give 30 days notice of his intention. If the Pastor's term is not extended he shall be granted sixty days to find another position. Except where moral turpitude is involved when he shall be dismissed immediately.
- c) Should the Pastor/Associate Pastor teach contrary to Gospel of Christ, or cause dissensions, or in any way prove his inability or unfitness as a Pastor shall be removed by a majority vote of qualified members of the Church at a special meeting called for that purpose by the Secretary of the Church with the approval of the Board members. Such a meetings shall be presided over by the President of the Church.

#### **Section 5. VACANCY IN OTHER OFFICES**

- a) Any other office may be declared vacant by an act of the majority of the Board. Grounds for such action shall be:
  - i. Unscriptural Conduct
  - ii. Doctrinal Departure from the Tenets of Faith
  - iii. Incompetence in Office
  - iv. Insubordination
- b) Any irregular vacancy shall be filled at the next regularly held business meeting by the same elective procedures established for annually scheduled election in December. Such elections

shall be for the unexpired term of the vacated office. The Board is empowered to fill by appointment any irregular vacancy until the next congregational business meeting.

## **Article VI. Departments**

### **Section 1. Sunday School**

- a) The Sunday school shall be conducted as a branch of the activities of the Church.
- b) The Sunday School Superintendent and teachers shall be elected annually by the church membership by a majority vote.
- c) The officers of the Sunday school together with the President shall constitute the executive committee of the Sunday School.
- d) Sunday School funds shall be committed to the custody of the Church Treasurer. Sunday School business is subject to review of the official board who shall have final authority in disputes.

### **Section 2. Youth Department**

The Youth Department shall be known as The Truth Outreach Youth. The purpose of this department shall be to promote fellowship and service among the young people of the Church. It should be organized as subservient to the Church body and under the supervision of the Pastor. A Youth Pastor shall be elected annually by the church members by majority vote. The Truth Outreach Youth Fellowship funds shall be committed to the custody of the church Treasurer. The Truth Outreach Youth Fellowship business is subject to review of the official Board who shall have final authority in case of dispute.

### **Section 3. Women's and Men's Ministry**

The women and men of the Church shall constitute these separate Fellowships. They shall each have a Coordinator who will work under the guidance of the Pastor. They shall meet at stated times for the purpose of fostering closer fellowship, engaging in intercessory prayer for various requests and to assist in the Church ministry in a practical way.

## **Article VII. Finance**

**Section 1.** The Board shall determine all salaries subject to Article III, Section 3 and shall have general supervision in all financial matters in every department of the Church. All records are subject to audit.

**Section 2.** The amount and manner of the Pastor's financial support shall be determined by the Board, and any agreement is subject to ratification by the Church by a majority vote at any regular or special business meeting when such vote is requested and subject to Article III Section 3 of the By-Laws.

**Section 3.** No money transactions may occur unless done with the knowledge and consent of the President, Secretary and Treasurer. At least two signatures are required for money withdrawals,

## **Article IX. Amendments**

These By-Laws may be amended at any regular or special business meetings of the Church by a two-thirds majority vote by the membership present provided that public notice of two weeks has been given of intent of proposed changes of By-Laws and proposed amendments have been announced publicly on the two Sundays prior to the date of meeting by the President or the Secretary. If any member(s) want to make an amendment to the Constitution, he or she shall turn the same in writing to the Church Board for their review at least three weeks prior to the business meeting. The board maintains the right to amend these bylaws by full unanimous vote of all voting members when certain circumstances or influences threaten the beliefs, the congregation, vitality, finances, or spirituality of this church without giving prior notice. However, notice of changes must be announced, either verbally or written, within two weeks after an amendment has been passed.

#### Article X.

All the church records, documents, materials, papers or any other church property must be turned over to the church within two weeks of discontinuing or resigning from any Church office. Legal action under South Carolina Law will be undertaken if otherwise.

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF OCONEE )  
)

IN THE COURT OF COMMON PLEAS

TENTH JUDICIAL CIRCUIT

MARIE RENE DAVIS, Associate  
Pastor for "The Cornerstone Cathedral"  
aka "The Truth Outreach of West Union,  
185 Cornerstone Drive, West Union SC 29696

LIS PENDENS for

A M E N D E D

PLAINTIFF,

-versus-

Civil Action No. 2018-CP-37-489

Mr. Mark Day for  
RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
and  
Desimber Wattleton-Jones and Christopher Jones  
at "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive  
West Union SC

NOTICE of PENDING SUIT

AMENDED

COMPLAINT

DEFENDANTS.

JURY TRIAL REQUESTED

Plaintiff named above by and through his undersigned attorney, hereby makes the following NOTICE IS GIVEN AND GRANTED, that an action or suit has been begun and is now pending or Order issued, in the above referred to Court or the Office of the Master in Equity or Special Referee: UPON THE COMPLAINT of the named, PLAINTIFF, against the named DEFENDANTS, for a Complaint for Cancellation of Deed and Return of Real

Estate and for Money Owed, Plaintiff, named above as shown by the Complaint filed with and in the Office of the Clerk of Court and concerning the charges and or issues as reported in the Complaint and hereinbelow: The real estate and or premises, owned of record by Defendants, is at the time of filing and of this Notice, is described as: ALL THAT certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County

That alleged deed is believed to have been filed of record, March 6, 2018, in Deed Book 2341 pages 10-19. The tax map sheet number appears to be Map 176 sub 00 blk 01 parc 035. and by attachment Exhibit "A" incorporated by reference as to a more particular description.

s/JAMES P. O'CONNELL  
Attorney for the PLAINTIFF  
James P. O'Connell #4259  
139 Grace Drive  
Easley, South Carolina 29640  
Phone/Fax: (864) 220-0005&498-7210

September 27, 2018

EXHIBIT "A"

STATE OF SOUTH CAROLINA

TITLE TO REAL ESTATE

COUNTY OF OCONEE

QUIT CLAIM DEED

185 Cornerstone Drive  
West Union, South Carolina 29696

KNOW ALL MEN BY THESE PRESENT, That We, the Trustees of The Cornerstone Cathedral (Grantor), in the State aforesaid, for and in consideration of the sum of TEN and 00/100 (\$10.00) Dollars and other considerations: 

The Cornerstone Cathedral, a South Carolina Corporation, in the State aforesaid (the receipt whereof is hereby acknowledged), by all authority have granted, bargained, sold, sell and released, and by these present do grant, bargain, sell and release unto to said Rural Economic Development Corporation, LLC, (Grantee), a South Carolina Corporation, its successors, heirs and assigns forever, to wit:

All that certain piece, parcel or tract of land containing 23.095 acres, more or less, lying and being situated in the old Blue Ridge School District, Wagner Township, Oconee County, South Carolina on Highway 28 near the Intersection of Highway 11 known as Tracts A and A1 respectively, and being more particularly described on a plat thereof by Wayne R. Garland, R.L. S. #5298, dated December 3, 1984, and having the following metes and bounds, to wit:

BEGINNING at the northwesternmost point of the above described property, thence, N 53 Degrees, 56 37' E for a said plat recorded at P52, page 26 on March 4, 1985, distance of 604.23 feet to an Iron pin; thence, S 58 Deg. 0' E for a distance of 42.76 feet to the centerline of South Carolina Highway 28; thence, along centerline of abovesaid highway N 36 Deg. 8' 33"W distance of 1070.91 feet to an Iron pin, thence, S 87 Deg. 26' 15' W for a distance of 1295.86 feet to an Iron pin, thence, N 9 Deg. 23' 17" W for a distance of 836.32 feet back to the point of BEGINNING.

SUBJECT TO THE FOLLOWING:

THAT CERTAIN PURCHASE MONEY MORTGAGE GIVEN BY GRANTEE TO GRANTOR EXECUTED CONTEMPORANEOUSLY HERewith AND RECORDED TOGETHER HERewith AT DEED BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, Records of the Register of Deeds for Oconee County aforesaid.

DERIVATION:

The above described property was acquired by the Grantors herein as set forth in the preamble hereto. Property was conveyed to Cornerstone Cathedral from Arthur Brown Estate Trust by Glenda Brown referenced Trustees as Trustees, deed reference, Book 399 Page 278 records of the Register of deeds for Oconee County South Carolina.

WHEREAS, the abovesaid Trustees, co-trustees hold a power to execute sale, and transfer under said trust and will.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in any wise incident or appertaining which Arthur Brown, the testator and trustor,

ELECTRONICALLY FILED - 2018 Oct 02 9:26 AM - OCONEE - COMMON PLEAS - CASE#2018LP3700134  
ELECTRONICALLY FILED - 2020 Jul 24 5:20 PM - OCONEE - COMMON PLEAS - CASE#2019CP3700585



Doc ID: 005517870004 Type: DEE

BK 2501 PG 299-302

There has been no title check nor any title opinion rendered.  
STATE OF SOUTH CAROLINA

DEED

COUNTY OF OCONEE

## PREAMBLE

**WHEREAS**, The Corner Stone Cathedral, incorporated March 15, 1979 by the State of South Carolina, and Tax exempt August 29, 1979, IRS ID#57-108-3428, The name of the church is THE CORNERSTONE CATHEDRAL, located in West Union, South Carolina AND also, the Corner Stone Cathedral, located at 185 Cornerstone Drive, West Union, S. C. 29696; became THE TRUTH OUTREACH by charter December 6, 2010, Constitution and Bylaws of THE TRUTH OUTREACH, by Secretary of State South Carolina, November 13, 2015; and, whereas, Pastor Davis, has pastored since 2009, and continued as the Senior Pastor; and,

**WHEREAS**, suit was filed against Senior Pastor Mike Davis, was ended in dismissal April 5, 2018, C. A. 2016-CP-37-0060, as to all actions of Senior Pastor Michael Davis THE TRUTH OUTREACH Church of West Union, S. C.;

**WHEREAS**, there was an alleged deed from The Cornerstone Cathedral to Rural Economic Development Corporation LLC, 220 North Main Street, Ste 500, Greenville SC 29601; and,

**WHEREAS**, the alleged deed to Rural Economic Development Corporation, LLC, of which was not a legal entity until August, 9, 2018, could not have received of any conveyance; therefore that conveyance is a void transfer; deed recorded March 6, 3018, DEED Book 2341 pages 10-19; (notice change of address); further, the void deed appears to be executed February 26, 2017; the void deed was recorded after the Court ruled that the suit by the alleged Grantor was dismissed. .

KNOW ALL MEN BY THESE PRESENTS, that **THE CORNERSTONE CATHEDRAL**, duly organized 15<sup>th</sup> day of March 1979, (hereinafter called "Grantor"), for and in consideration of the sum of continuation teaching and instructing from THE HOLY BIBLE, and Ten (\$10.00) and 00/100 Dollars to the Grantor in hand paid at and before the sealing of these presents by **THE TRUTH OUTREACH formerly known as The Cornerstone Cathedral, Senior Pastor Michael "Mike" Davis**, (hereinafter called "Grantee") in the State aforesaid, (the receipt of which is hereby acknowledged) has granted, bargained, sold and released, and by the Presents does grant, bargain, sell and release, unto the Grantee, his heirs, successors and assigns:

ALL that certain piece, parcel or tract of land, containing 23.095 acres more or less, lying and being in the old Blue Ridge School District, Wagner Township, Oconee County, South Carolina On the easternmost side of SC highway 28 near the intersection of Highway 11 known as Tracts A and A1 and being more particularly described by plat thereof by Wayne R. Garland Surveyor dated December 3, 1984, Plat Book 52 page 26, see also Deed Book 1066 page 165 December 28 1999; reference is craved to plat for a more complete description.

Tax map 176-00-01-035, physical address: 185 Cornerstone Drive, West Union, S. C. 29696

The above described real estate was acquired by the Grantor by deed of Arthur Brown Estate Trust by Glenda Brown as Trustee Deed Book 399 page 278, ROD Clerk of Court Oconee County SC. See also Deed Book 429-209; Deed Book 545 page 231, August 2, 1988.and the Void conveyance Deed Boook 2341 at page 10 recorded March 6, 2018.

2019 SEP 10 10:43

page 1

FILED OCONEE COUNTY, SC  
ANNA K. DAWSON  
REGISTER OF DEEDS

Book: 2501 Page: 299 Seq: 1

ELECTRONICALLY FILED - 2020 Jul 24 5:20 PM - OCONEE - COMMON PLEAS - CASE#2019CP3700585

03369 15°  
Kot: Corner Stone Cathedral  
1003 Easting Bridge Rd  
Greenville SC 29611

Grantee's address: The Truth Outreach Church, West Union, Senior Pastor Mike Davis and Pastor Maria Davis, 1003 Easley Bridge Road, Greenville, South Carolina (SC) 29611

There has been no title check nor any title opinion rendered.

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, his Heirs, Successors and Assigns forever.

And the Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the premises unto the Grantee, His Heirs and Assigns against itself and its successors and against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, to all Grantor's right, title and interest thereto during its period of ownership of this property which was obtained as a result of any just and valid claim proven.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal.

Date: 9-10-2019

Signed, Sealed and Delivered in the Presence of: Senior Pastor Michael "Mike" Davis  
THE TRUTH OUTREACH CHURCH fka

The Corner Stone or Cornerstone Cathedral West Union, South Carolina Pursuant to the Bylaws of The Truth Outreach Church

Nancy Cantrell  
Witness 1

James Cantrell  
Witness 2

STATE OF SOUTH CAROLINA )  
COUNTY OF Pickens )

ACKNOWLEDGMENT/SC SECTION 30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for South Carolina do hereby certify that Senior Pastor Mike Davis, the duly authorized officer of The Truth Outreach Church, as Senior Pastor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 10 day of September, 2019

James Cantrell  
Notary Public for South Carolina

My Commission expires: 2-22-2029

September 10, 2019AFFIDAVIT

Personally appeared before me the undersigned, who being duly sworn, deposes and says:  
I have read the information on this affidavit and I understand such information. The  
property being transferred is located at address of real property:

185 Cornerstone Drive West Union SC 29696  
Tax Map 176-00-01-035

The Corner Stone Cathedral to The Truth Outreach Church

4(a) ☐ subject to the deed recording fee as a transfer for consideration, paid or to be paid  
in money or money's worth

(b) ☐ subject to the deed recording fee as a transfer between a corporation, a partnership,  
or other entity and a stockholder, partner or owner of the entity, or

(c) ☒ exempt from the deed recording fee because (see information section of Affidavit) per Section (L) (if exempt please skip items 4-7/go to Item 8 this Affidavit If exempt  
under exemption #14 as described in the information section of Affidavit, did the agent  
and principal relationship exist at the time of the original sale and was the purpose of this  
relationship to purchase the realty? check Yes ☐ or No ☐

Check one of the following if either Item 3(a) or 3(b) has been checked. (see information  
section of this affidavit): (a) ☐ The fee is computed on the consideration paid or to be paid  
in money or money's worth in the amount of \$ \_\_\_\_\_

(b) ☐ The fee is computed on the fair market value of the realty which is \$ \_\_\_\_\_

(c) ☐ The fee is computed on the fair market value of the realty as established for property  
tax purposes which is \$ \_\_\_\_\_

5. Check Yes ☐ or No ☐ to the following: a lien or encumbrance existed on the land,  
tenement or realty before the transfer and remained on the land, tenement, or realty after  
the transfer. If Yes amount of outstanding balance of this lien/encumbrance is:

Office at 139 Grace Office Park US123 Easley Bridge Road

\$ \_\_\_\_ The Deed recording fee is computed as follows (a) Place the amount listed in 4 above here\$ \_\_\_\_ (b) Place the amount listed in Item 5 above here: \$ \_\_\_\_ (if no amount is listed place zero) (c) Subtract line 6(b) from line 6(a) and place result here: 6. \$ \_\_\_\_

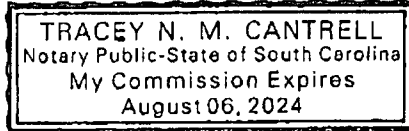
7. The deed recording fee due is based upon on amount listed on Line 6(c) above and the deed recording fee due is: \$ \_\_\_\_.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: \_\_\_\_

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year or both.

Sworn to before me this date: 9/10/19 by Attorney or Deponent [Signature]  
address 139 Grace Dr. Easley SC 29640,  
jpatrickoconnell@yahoo.com  
Phone 864-220-0005 FAX 498-7210

Notary Public for South Carolina Tracey N. M. Cantrell signed  
print name, my commission expires: August 06, 2024.



Office at 139 Grace Office Park US123 Easley Bridge Road

FILED OCONEE COUNTY, SC  
ANNA K. DAWSON  
REGISTER OF DEEDS

2019 SEP 10 P 1:43

STATE OF SOUTH CAROLINA  
OCONEE COUNTY

2018CP3700489

Maria Rene Davis  
The Truth Outreach Of West Union

PLAINTIFF(S)

vs

Alternative Dispute Resolution  
Rule To Show Cause

Mark Day  
Desimber Wattleton Jones  
Abl Consulting, Inc.

DEFENDANTS

07/29/2020

According to court records, you have not submitted the Proof of ADR or Exemption form required by the Standing Order for Alternative Dispute Resolution. We are now required to issue a Rule to Show Cause why sanctions should not be imposed in this case.

Please contact Amanda Watkins immediately at (864) 638-4280, by fax at or by email at [awatkins@oconeesc.com](mailto:awatkins@oconeesc.com), if my records are incorrect.

Sincerely,

Amanda Watkins  
ADR Coordinator

Letter to:

James P. O'Connell  
Desimber Wattleton Jones  
Mark Day

JAMES P. O'CONNELL  
ATTORNEY AT LAW  
139 GRACE DRIVE  
EASLEY, SOUTH CAROLINA 29640  
PHONE/FAX 864-220-0005  
jpatrickoconnell@yahoo.com

July 27, 2020

Common Pleas Court Oconee County  
Attn: Clerk of Court  
Post Office Box 678  
Walhalla, South Carolina (SC) 29691

RE: Maria Rene Davis v. Mark Day et al 2018CP37-0489 Mediator

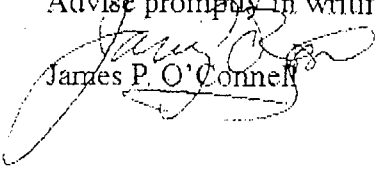
David Hill Keller  
Attorney at Law  
Post Office Box 9037  
Greenville, South Carolina (SC) 29604-9037  
and, ADR Coordinator  
kavlasmith@oconeesc.com  
fax 864-638-4282

RE: Mediation Maria Rene Davis Pastor The Truth Outreach of West Union, v. Mark Day  
for REDC, Desimber Wattleton Jones, Abl Consulting, Inc. 2018-CP-37-00489

Dear Attorney:and Clerk of Court and ADR Coordinator:

My client, Pastor Maria Davis, and I, would requested the above named attorney agree to  
be the Mediator for and in the above stated action, but have not received communication  
with the Defendants as to the selection noted..

Advise promptly in writing. Cordially Yours,

  
James P. O'Connell

|                                        |   |                                      |
|----------------------------------------|---|--------------------------------------|
| STATE OF SOUTH CAROLINA                | ) | IN THE COURT COMMON PLEAS            |
|                                        | ) | TENTH JUDICIAL CIRCUIT               |
| COUNTY OF OCONEE                       | ) |                                      |
|                                        | ) |                                      |
| Pastors, Sr. Pastor Michael S. Davis   | ) |                                      |
| Associate Pastor Maria Irene Davis     | ) |                                      |
| For "Cornerstone Cathedral" n/k/a "The | ) |                                      |
| Truth Outreach" of West Union SC       | ) | Civil Action: <b>2019-CP-37-585</b>  |
|                                        | ) |                                      |
| Plaintiff(s),                          | ) |                                      |
|                                        | ) |                                      |
| vs.                                    | ) |                                      |
|                                        | ) | <b>MEMORANDUM IN SUPPORT OF</b>      |
| RURAL ECONOMIC DEVELOPMENT             | ) | <b>DEFENDANTS' MOTION TO DISMISS</b> |
| CORP., aka "REDC", THE ROCK            | ) |                                      |
| WORSHIP CENTER & INTERNATIONAL         | ) |                                      |
| PALM OIL and BIODIESEL LLC             | ) |                                      |
| Defendant(s).                          | ) |                                      |
|                                        | ) |                                      |

### **MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendants, Rural Economic Development Corp. ("REDC") and The Rock Worship Center, (Collectively "Defendants") hereby move to dismiss Plaintiff's Amended Complaint because the claims asserted by Plaintiff arise from the ecclesiastical decisions of the Defendants. Plaintiff's pending Complaint should be dismissed pursuant to Rules 12(b)(1), (2), (5) and (6) of the South Carolina Rules of Civil Procedure. The grounds for this Motion are as follows:

### **FACTUAL BACKGROUND**

1. The church that is the subject of this action was organized in 1979 under the name, Cornerstone Cathedral.
2. Plaintiff Michael Davis began his tenure as pastor of The Cornerstone Cathedral around 2009.
3. When Plaintiff Michael Davis took over as Pastor of Cornerstone Cathedral, the church consisted of approximately 200 active members in its congregation.

4. During his tenure, active church membership dwindled from around 200 active members to 15 active members.

5. While carrying out his role as the church's pastor, Plaintiff Michael Davis engaged in extramarital affairs with former church member, Elizabeth Estes and also with his co-plaintiff, Plaintiff Maria Davis.

6. Plaintiff Michael Davis allowed Elizabeth Estes to embezzle money from the church for which Ms. Estes was prosecuted and convicted. Ms. Estes also had a child in November 2017, fathered by Plaintiff Michael Davis.

7. Plaintiff Michael Davis continued a long-standing affair with his co-plaintiff, Maria Davis resulting in his wife obtaining a divorce on the ground of adultery.

8. On January 29, 2016 church members called a meeting with Plaintiff Michael Davis to address the church's concerns regarding his conduct and to ask him to voluntarily step down as pastor. Plaintiff Davis refused to voluntarily step down. As a result of his refusal, he was notified that the church would take a vote to terminate him as pastor on Sunday February 14, 2016.

9. On Sunday, February 14, 2016, the allegations against Plaintiff Davis were presented in writing, read aloud, affirmed by witnesses, and in the presence of two Oconee County Police Officers, a vote was held by the congregation members of The Truth Outreach regarding the termination of Michael Davis as Pastor. The vote to terminate Plaintiff Michael Davis as pastor of The Truth Outreach f/k/a Cornerstone Cathedral was unanimous. (**Exhibit 1 Petition for Removal**).

10. The termination of Plaintiff Michael Davis was ratified by the congregation and he was terminated as pastor of the church effective February 14<sup>th</sup>, 2016.

11. The Church's removal petition alleges that Plaintiff Michael Davis yelled, cursed, brandished firearms, and used sexually explicit language during church services.

12. On June 17, 2018, the church accepted a proposal to change the name of the church from Cornerstone Cathedral to the Rock Worship Center and the name was officially changed on August 30, 2018 via filing with the South Carolina Secretary of State. **(Exhibit 2 Resolution).**

13. Subsequent to removal, the Plaintiffs filed these actions in court against the church alleging ownership of the church and its property and effectively ensuring that the church cannot enter any real property transactions regarding the church.

14. Plaintiff Michael Davis recorded a deed on September 10, 2019 naming himself senior pastor of the church and transferring the church's real property to The Truth Outreach and to "Michael Davis, Sr. Pastor". **(Exhibit 3 Michael Davis Deed).**

15. Plaintiff Michael Davis has also filed a lis pendens. **(Exhibit 4 Lis Pendens).**

16. The Plaintiffs appear to have Amended their Complaint on February 7, 2020.

17. Defendants REDC and The Rock Worship Center were never served with the Amended Summons and Complaint. Without regard to their failure to perfect service of the Amended Summons and Complaint, the Plaintiffs moved for a default judgment against the Defendants. The Defendants have filed an objection to that motion.

18. As a result of Plaintiffs' actions, Defendants have been unable to enter into any real estate transactions as potential buyers see this litigation and the September 2019 deed filed by Plaintiff Michael Davis as a cloud in the title to the church's real property.

## ARGUMENTS AND AUTHORITY

### I. **This Action should be Dismissed under SCRCP 12(b)(1) because the Court Lacks Subject Matter Jurisdiction as to the Ecclesiastical Decisions made by Unanimous Vote of the Church Congregation.**

The Rock Worship Center is a Congregational Church as demonstrated by its Constitution & By-Laws. **(Exhibit 5 Church Constitution and Bylaws)**. "A congregational church is an independent organization, governed solely within itself, either by a majority of its members or by such other local organism as it may have instituted for the purpose of ecclesiastical government...." 27 S.C. Jur. Religious Societies § 5.

In Blair v. Blair, the Court of Appeals ruled that "... the actions of Pearson Welcome Baptist Church in changing its name, moving to a new location, transferring the property, and mortgaging it were valid and consistent with Baptist church policy. Because such actions are ecclesiastical in nature, they are not reviewable by this court in the absence of fraud, collusion, or arbitrariness. Blair v. Blair, 302 S.C. 399, 404, 396 S.E.2d 374, 377 (Ct. App. 1990). All action taken by the church has been lawful and in accordance with its principles of self-governance. **(Exhibit 2 Resolution)**.

"[T]he action of church authorities in the deposition of pastors and the expulsion of members is final". Turbeville v. Morris, 203 S.C. 287, 26 S.E.2d 821, 827. The members of the church congregation voted unanimously to remove Michael Davis as pastor on February 14, 2016. **(Exhibit 1 Petition for Removal)**. The vote was taken in accordance with the organizational structure of the church, specifically demonstrating that the congregation is the highest authority existing within the church body. The vote was the final decision of the church in regard to Plaintiff Michael Davis's removal. Neither the church, nor its members,

have voted to adopt an alternative means of church government that may offer any avenue of challenge to the majority vote that took place; therefore, the vote is lawful and final.

The church deemed Plaintiff Michael Davis's conduct unbecoming of a pastor and/or church leader and then terminated his tenure as pastor based upon that conduct. All decisions made by the church in regard to its governance, property transfers and general operations are ecclesiastical in nature and the church's resolution demonstrates that these decisions were made in accordance with, and under the guidelines of the church's constitution and bylaws. Due to the ecclesiastical nature of the church's decisions in terminating Plaintiff Michael Davis and in changing its name and transferring its property, Defendants assert that the Court lacks subject matter jurisdiction and this action should therefore be dismissed.

**II. The Plaintiffs' Complaint should be Dismissed because the Plaintiffs do not have Standing to Maintain this Action and have failed to State a Claim on which the Court can Grant Relief.**

"To have standing to prosecute an action, plaintiff must have a personal stake or interest in subject matter of lawsuit." Brock v. Bennett, 313 S.C. 513, 443 S.E.2d 409 (Ct. App. 1994) In Brock, the Court of Appeals stated that standing is a requirement to maintain an action; and, that, "[n]o justiciable controversy is presented unless the plaintiff has standing to maintain the action." Id. (Ct. App. 1994). "Once it is determined a plaintiff has no standing to prosecute, the court must dismiss the action". Brock v. Bennett, 313 S.C. 513, 519, 443 S.E.2d 409, 413 (Ct. App. 1994).

Plaintiff Michael Davis and Plaintiff Maria Davis do not have a personal stake or interest in the subject matter of this lawsuit. The subject matter of this action is grounded in (1) control of the church formerly known as Cornerstone Cathedral, (2) control of the church's property and (3) control of the church's decisions in regard to that property. "It is well settled in this

state that a majority of the members of a congregational church, such as a baptist church, controls the decisions of the church.” Seldon v. Singletary, 284 S.C. 148, 326 S.E.2d 147 (1985).

When the Plaintiffs commenced this action, Michael Davis was no longer pastor and was not even a member of this church. During his tenure as pastor, Plaintiff Michael Davis did not own or control the church’s property. The church congregation has always maintained this authority. Plaintiffs do not have any right to any of the church’s property and they have no lawful interest in its decisions on the disposition and/or transfer of church property.

“Plaintiffs who were not members of church lacked standing to bring action addressing issue of church property and conduct of its services.” Brock v. Bennett, 313 S.C. 513, 443 S.E.2d 409 (Ct. App. 1994). Plaintiff Maria Davis was a never a member of this church. She was never a pastor and she was never an associate pastor. Like Plaintiff Michael Davis, Maria Davis does not, nor has she ever, had any right to this church, its property or to control of the conduct of the church’s business regarding its property. The Plaintiffs in this action cannot maintain standing because they do not have any personal stake or interest in this church or its property. Due to their lack of standing, no justiciable controversy exists, and the Defendants ask the Court to dismiss this action accordingly. Further, the Plaintiffs lack of standing demonstrate that Plaintiffs have failed to state a claim on which relief may be granted and the action should be dismissed under SCRCP 12(b)(6).

### **III. This Action should be Dismissed under Rule 12(b)(2) for Lack of Personal Jurisdiction and 12(b)(5) for Insufficiency of Service of Process.**

Pursuant to Rule 5 SCRCP, an Amended Summons and Complaint must be served pursuant to Rule 4 SCRCP if the amended summons and complaint raised new or additional claims from the allegations of the initial complaint. The Plaintiffs’ amended complaint raises

new allegations of illegal transfer and unjust enrichment. These causes of action were not in the initial complaint.

The Plaintiffs state in their Motion for Default, that service was accomplished when the amended summons and complaint was mailed to the Defendants via regular mail. Plaintiff, by their own admission, did not perfect service on the Defendants pursuant to Rule 4. Service by regular mail when the amended complaint raises new claims does not satisfy the requirements for service of process under Rule 4 SCRPC. Additionally, the Defendants communicated to the Court on February 7, 2020 that it no longer had access to the post office box on file as the Defendants' address.

Due to the Plaintiffs' failure to serve the amended summons and complaint pursuant to South Carolina Rules of Civil Procedure, the Defendants were never served with the amended pleadings. The Defendants assert that because they were never served with the amended summons and complaint, the Court lacks personal jurisdiction and this action should be dismissed under Rule 12(b)(2) and 12(b)(5) SCRPC.

**THEREFORE**, Defendants request that this Court issue an Order dismissing the Plaintiffs' cause of action for the Plaintiffs' lack of standing, failure to state a claim, lack of subject matter jurisdiction, and insufficient service of process. The Defendants ask that the Court upon any dismissal granted, declare that the Plaintiffs have no interest in the church and no interest in the church's real property. Furthermore, Defendants request an award of all costs and attorney's fees associated with Defendants' Motion to Dismiss, including, but not limited to, attorney's fees incurred for drafting the Motion, attorneys fees incurred for any courtroom appearance associated with this Motion, and the filing fees for this Motion.

Respectfully Submitted,

s/Angela N. Lane  
PO Box 851  
Sandy Springs SC 29677  
864-326-5421 (phone)  
864-226-2320 (fax)  
Attorney for Defendants

NOTICE OF ADR

Michael Davis  
The Cornerstone Cathedral  
Maria Irene Davis

2019CP3700585

**PLAINTIFF(S)**

Filing Date: September 20, 2019

**Vs**

The Rock Worship Center  
Rural Economic Development Corporation Llc  
REDC

**DEFENDANT(S)**

Pursuant to the South Carolina Alternative Dispute Resolution Rules (SCADR), you are required to participate in the following methods of Alternative Dispute Resolution (ADR): mediation or arbitration (binding or non-binding); on or before 300 days from the date of filing of this action. The parties have a right to mutually agree upon the form of ADR and a neutral person(s) to conduct that ADR process. In the event the parties are unable to agree upon the form of ADR, the court hereby designates mediation as the default process of ADR. In the event the parties are unable to agree upon a mediator, the court hereby appoints

Thomas Porcher Stoney II, Stoney And Stoney, Attorneys, PO Box 784, Linville, NC 28646-0784, Phone (843) 709-3174

to serve as mediator. In the event the aforementioned mediator has a conflict of interest or is unable to serve, the alternate mediator is

Bryan Francis Hickey, PO Box 2048, , Greenville, SC 29602, Phone (864) 240-3246

The parties and/or their lawyers shall contact the court-appointed mediator directly regarding scheduling and payment of the court-mandated fee.

A Rule to Show Cause why sanctions should not be imposed may be issued in all cases that fail to file a Proof of ADR or Exemption form indicating evidence of participation in or exemption from an ADR process within 300 days from the date of filing of the action or 90 days from the date of this notice July 23, 2020.

Date: July 23, 2020

Notice of this Order was given by First Class Mail, E-mail, Fax or by the E-Filing Notice of Electronic Filing (NEF). Pro-Se parties were notified by first class mail on 07/23/2020

**Plaintiff Attorney:**

James P. O'Connell  
139 Grace Dr.  
Easley, SC 29640

**Defendant Attorney:**

Angela Nichole Lane  
PO Box 851  
Sandy Springs, SC 29677

ADR Coordinator

Amanda Watkins  
(864) 638-4280  
awatkins@oconeesc.com

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,  
Associate Pastor, MARIA IRENE DAVIS)  
FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH" )  
of West Union SC

Civil Action **2019-CP-37-585**

PLAINTIFF, )

REPLY to OBJECTION to  
HEARING REQUEST  
NOTICE OF AND MOTION  
FOR  
DEFAULT HEARING

-versus-

RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
And "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive  
West Union SC

DEFENDANTS.

PLEASE TAKE NOTICE, THE UNDERSIGNED ATTORNEY, for the PLAINTIFF  
will on July 27, 2020 at 2:00 p.m. or as soon thereafter as the Court will hear, move before the  
Court for a Default as to the above captioned Defendants and for an Order, granting the relief  
sought, Pursuant to SCRPC Rule 55 and per SCRPC Rule 59.

REPLY TO OBJECTION by Defendants:

- A. As to paragraph 1., the Complaint and the Amended Complaint were filed as stated.
- B. As to paragraph 2., Defendants, "REDC" and Rock Worship Center, were represented by  
individuals who were not attorneys, and those individuals did, respond for the Defendants

and did attend all the hearings.

C. As to paragraph 3., the Amended Complaint was filed pursuant to the Order of the Court, and the agreement that the individuals would be dismissed from the action.

D. As to paragraph 4., the individual Defendants requested to be dismissed from the action and as noted the Order of the Court allowed the Amending of the Complaint to remove the individual named Defendants.

Further, D. As to paragraph 4., Defendants were present in Court when the Order to Amend was issued, as the individuals were attempting to represent the corporations.

E. As to paragraph 5., per SCRCR Rule 5(b)(1), service is complete upon mailing. The e filing of the Amended Complaint with Amended Summons and Notice was accomplished as soon as practicable after mailing.

F. As to paragraph 6., the Amended Complaint is substantially the same as the original Filed Complaint, except for the removal of the individual named Defendants, and the Amended Complaint has noted a FIRST CAUSE OF ACTION (Illegal transfer Plaintiff's Property) which is the same as the original Complaint's FOR A SECOND CAUSE OF ACTION Recession of Deed, which contains the request to rescind the deed due to the Illegal transfer of the deed. See page 5, paragraphs 6., through 19.!

Further, as to the claim that there is a new claim of UNJUST ENRICHMENT, see SECOND CAUSE OF ACTION paragraphs 18., and 19. "REDC" ... appears to being unjustly

Enriched”!

G. As to paragraph 7., see SCRCF Rule 5(b)(1), and as reported above.

H. As to paragraph 8., that information was not communicated to Plaintiffs, and Defendants did not communicate to Plaintiff the alleged new addresses. Defendants state Defendants did not provide a forwarding or a new address, see last sentence of paragraph 8.

I. As to paragraph 9., Plaintiff is not aware of the Defendants not receiving the Amended Complaint with Amended Summons and Notice; as the pleadings were sent to all the different addresses provided by Defendants to the Court, with no return mail being received.

J. As to paragraph 10., there was more than sufficient service, as the pleadings were mailed to the different addresses of the Defendants without any return, and that there were no new allegations added to the Amended Complaint.

K. As to paragraph 11., denied, as the pleadings were filed based on the Order of the Court and the Defendant's representatives were present when the Order was issued and by their Agreement.

J. As to paragraph 12., the Motion was properly filed, and served and should be upheld.

Said return or reply to the motion is based on the pleadings on file and all applicable statutory and case law and any oral argument or written memorandum of law the court may allow. SCRCF Rule 11 does not apply, as the Defendants are in Default as to responding to the Amended Complaint, and, based on this action and other actions, consultation would be of no use.

July 18, 2020

s/James P. O'Connell #4259  
139 Grace Drive, Easley SC 29640/Phone/Fax864-220-0005  
jpatrickoconnell@yahoo.com

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
Pastors, Sr. Pastor Michael S. Davis )  
Associate Pastor Maria Irene Davis )  
For "Cornerstone Cathedral" n/k/a "The )  
Truth Outreach" of West Union SC )  
Plaintiff(s), )  
vs. )  
RURAL ECONOMIC DEVELOPMENT )  
CORP., aka "REDC", THE ROCK )  
WORSHIP CENTER & INTERNATIONAL )  
PALM OIL and BIODIESEL LLC )  
Defendant(s). )  
\_\_\_\_\_ )

IN THE COURT COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Civil Action: **2019-CP-37-585**

**MOTION TO DISMISS**

The Defendants, Rural Economic Development Corp. ("REDC") and The Rock Worship Center, move to dismiss the Plaintiffs' Complaint under Rule 12(b) SCRPC for Failure to State a Claim. The Plaintiffs have failed to state to cause of Action against Defendants REDC and The Rock Worship Center.

Respectfully Submitted,

ANGELA LANE LAW FIRM, LLC  
By: /s/ Angela N. Lane  
Angela N. Lane  
SC Bar No.: 101544  
P. O. Box 851  
Sandy Springs SC, 29677  
Attorney for the Defendants

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,  
Associate Pastor, MARIA IRENE DAVIS)  
FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH" )  
of West Union SC  
PLAINTIFF, )

Civil Action **2019-CP-37-585**

REPLY to MOTION to  
MOTION to DISMISS

-versus-

RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
And "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive  
West Union SC  
DEFENDANTS.

PLEASE TAKE NOTICE, THE UNDERSIGNED ATTORNEY, for the PLAINTIFF  
will on \_\_\_\_\_, 2020 at \_\_\_\_\_ m. or as soon thereafter as the Court will hear, move  
before the Court for a Defendant's Motion to Dismiss, as to the above captioned Defendants and  
the Defendants requesting an Order, granting the relief sought, Pursuant to SCRCP Rule 12(b),  
failure to state a claim.

REPLY TO Motion to Dismiss by Defendants:

A. As to the Motion by Rural Economic Development Corp. ("REDC") and The Rock  
Worship Center, failure to state a cause of Action against Defendants.

- B. Plaintiff is understanding that the Motion to Dismiss for failure to state a Cause of Action, must be stated with "particularity" as to the grounds of the Motion.
- C. The Court upon a review of all the pleadings, should not grant the requested Motion. If any facts as alleged and any inferences reasonably deducible from the allegations The Plaintiff's would grant to the Plaintiff's relief under any theory. Also, the action should not be dismissed if the Court believes the Plaintiff would not prevail.

Said return or reply to the motion is based on the pleadings on file and all applicable statutory and case law and any oral argument or written memorandum of law the court may allow. SCRCP Rule 11 does not apply, as the Defendants are requesting a Dismissal due to failure to state a cause of action. And, based on this action and other actions, consultation would be of no use.

July 18, 2020

s/James P. O'Connell #4259  
139 Grace Drive, Easley SC 29640/Phone/Fax 864-220-0005  
jpatrickoconnell@yahoo.com

|                                        |   |                                      |
|----------------------------------------|---|--------------------------------------|
| STATE OF SOUTH CAROLINA                | ) | IN THE COURT COMMON PLEAS            |
|                                        | ) | TENTH JUDICIAL CIRCUIT               |
| COUNTY OF OCONEE                       | ) |                                      |
|                                        | ) |                                      |
| Pastors, Sr. Pastor Michael S. Davis   | ) |                                      |
| Associate Pastor Maria Irene Davis     | ) |                                      |
| For "Cornerstone Cathedral" n/k/a "The | ) |                                      |
| Truth Outreach" of West Union SC       | ) | Civil Action: <b>2019-CP-37-585</b>  |
|                                        | ) |                                      |
| Plaintiff(s),                          | ) |                                      |
|                                        | ) |                                      |
| vs.                                    | ) |                                      |
|                                        | ) | <b>MEMORANDUM IN SUPPORT OF</b>      |
| RURAL ECONOMIC DEVELOPMENT             | ) | <b>DEFENDANTS' MOTION TO DISMISS</b> |
| CORP., aka "REDC", THE ROCK            | ) |                                      |
| WORSHIP CENTER & INTERNATIONAL         | ) |                                      |
| PALM OIL and BIODIESEL LLC             | ) |                                      |
| Defendant(s).                          | ) |                                      |
|                                        | ) |                                      |

### **MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendants, Rural Economic Development Corp. ("REDC") and The Rock Worship Center, (Collectively "Defendants") hereby move to dismiss Plaintiff's Amended Complaint because the claims asserted by Plaintiff arise from the ecclesiastical decisions of the Defendants. Plaintiff's pending Complaint should be dismissed pursuant to Rules 12(b)(1), (2), (5) and (6) of the South Carolina Rules of Civil Procedure. The grounds for this Motion are as follows:

### **FACTUAL BACKGROUND**

1. The church that is the subject of this action was organized in 1979 under the name, Cornerstone Cathedral.
2. Plaintiff Michael Davis began his tenure as pastor of The Cornerstone Cathedral around 2009.
3. When Plaintiff Michael Davis took over as Pastor of Cornerstone Cathedral, the church consisted of approximately 200 active members in its congregation.

4. During his tenure, active church membership dwindled from around 200 active members to 15 active members.

5. While carrying out his role as the church's pastor, Plaintiff Michael Davis engaged in extramarital affairs with former church member, Elizabeth Estes and also with his co-plaintiff, Plaintiff Maria Davis.

6. Plaintiff Michael Davis allowed Elizabeth Estes to embezzle money from the church for which Ms. Estes was prosecuted and convicted. Ms. Estes also had a child in November 2017, fathered by Plaintiff Michael Davis.

7. Plaintiff Michael Davis continued a long-standing affair with his co-plaintiff, Maria Davis resulting in his wife obtaining a divorce on the ground of adultery.

8. On January 29, 2016 church members called a meeting with Plaintiff Michael Davis to address the church's concerns regarding his conduct and to ask him to voluntarily step down as pastor. Plaintiff Davis refused to voluntarily step down. As a result of his refusal, he was notified that the church would take a vote to terminate him as pastor on Sunday February 14, 2016.

9. On Sunday, February 14, 2016, the allegations against Plaintiff Davis were presented in writing, read aloud, affirmed by witnesses, and in the presence of two Oconee County Police Officers, a vote was held by the congregation members of The Truth Outreach regarding the termination of Michael Davis as Pastor. The vote to terminate Plaintiff Michael Davis as pastor of The Truth Outreach f/k/a Cornerstone Cathedral was unanimous. (**Exhibit 1 Petition for Removal**).

10. The termination of Plaintiff Michael Davis was ratified by the congregation and he was terminated as pastor of the church effective February 14<sup>th</sup>, 2016.

11. The Church's removal petition alleges that Plaintiff Michael Davis yelled, cursed, brandished firearms, and used sexually explicit language during church services.

12. On June 17, 2018, the church accepted a proposal to change the name of the church from Cornerstone Cathedral to the Rock Worship Center and the name was officially changed on August 30, 2018 via filing with the South Carolina Secretary of State. **(Exhibit 2 Resolution).**

13. Subsequent to removal, the Plaintiffs filed these actions in court against the church alleging ownership of the church and its property and effectively ensuring that the church cannot enter any real property transactions regarding the church.

14. Plaintiff Michael Davis recorded a deed on September 10, 2019 naming himself senior pastor of the church and transferring the church's real property to The Truth Outreach and to "Michael Davis, Sr. Pastor". **(Exhibit 3 Michael Davis Deed).**

15. Plaintiff Michael Davis has also filed a lis pendens. **(Exhibit 4 Lis Pendens).**

16. The Plaintiffs appear to have Amended their Complaint on February 7, 2020.

17. Defendants REDC and The Rock Worship Center were never served with the Amended Summons and Complaint. Without regard to their failure to perfect service of the Amended Summons and Complaint, the Plaintiffs moved for a default judgment against the Defendants. The Defendants have filed an objection to that motion.

18. As a result of Plaintiffs' actions, Defendants have been unable to enter into any real estate transactions as potential buyers see this litigation and the September 2019 deed filed by Plaintiff Michael Davis as a cloud in the title to the church's real property.

## ARGUMENTS AND AUTHORITY

### I. **This Action should be Dismissed under SCRCP 12(b)(1) because the Court Lacks Subject Matter Jurisdiction as to the Ecclesiastical Decisions made by Unanimous Vote of the Church Congregation.**

The Rock Worship Center is a Congregational Church as demonstrated by its Constitution & By-Laws. **(Exhibit 5 Church Constitution and Bylaws)**. "A congregational church is an independent organization, governed solely within itself, either by a majority of its members or by such other local organism as it may have instituted for the purpose of ecclesiastical government...." 27 S.C. Jur. Religious Societies § 5.

In Blair v. Blair, the Court of Appeals ruled that "... the actions of Pearson Welcome Baptist Church in changing its name, moving to a new location, transferring the property, and mortgaging it were valid and consistent with Baptist church policy. Because such actions are ecclesiastical in nature, they are not reviewable by this court in the absence of fraud, collusion, or arbitrariness. Blair v. Blair, 302 S.C. 399, 404, 396 S.E.2d 374, 377 (Ct. App. 1990). All action taken by the church has been lawful and in accordance with its principles of self-governance. **(Exhibit 2 Resolution)**.

"[T]he action of church authorities in the deposition of pastors and the expulsion of members is final". Turbeville v. Morris, 203 S.C. 287, 26 S.E.2d 821, 827. The members of the church congregation voted unanimously to remove Michael Davis as pastor on February 14, 2016. **(Exhibit 1 Petition for Removal)**. The vote was taken in accordance with the organizational structure of the church, specifically demonstrating that the congregation is the highest authority existing within the church body. The vote was the final decision of the church in regard to Plaintiff Michael Davis's removal. Neither the church, nor its members,

have voted to adopt an alternative means of church government that may offer any avenue of challenge to the majority vote that took place; therefore, the vote is lawful and final.

The church deemed Plaintiff Michael Davis's conduct unbecoming of a pastor and/or church leader and then terminated his tenure as pastor based upon that conduct. All decisions made by the church in regard to its governance, property transfers and general operations are ecclesiastical in nature and the church's resolution demonstrates that these decisions were made in accordance with, and under the guidelines of the church's constitution and bylaws. Due to the ecclesiastical nature of the church's decisions in terminating Plaintiff Michael Davis and in changing its name and transferring its property, Defendants assert that the Court lacks subject matter jurisdiction and this action should therefore be dismissed.

**II. The Plaintiffs' Complaint should be Dismissed because the Plaintiffs do not have Standing to Maintain this Action and have failed to State a Claim on which the Court can Grant Relief.**

"To have standing to prosecute an action, plaintiff must have a personal stake or interest in subject matter of lawsuit." Brock v. Bennett, 313 S.C. 513, 443 S.E.2d 409 (Ct. App. 1994) In Brock, the Court of Appeals stated that standing is a requirement to maintain an action; and, that, "[n]o justiciable controversy is presented unless the plaintiff has standing to maintain the action." Id. (Ct. App. 1994). "Once it is determined a plaintiff has no standing to prosecute, the court must dismiss the action". Brock v. Bennett, 313 S.C. 513, 519, 443 S.E.2d 409, 413 (Ct. App. 1994).

Plaintiff Michael Davis and Plaintiff Maria Davis do not have a personal stake or interest in the subject matter of this lawsuit. The subject matter of this action is grounded in (1) control of the church formerly known as Cornerstone Cathedral, (2) control of the church's property and (3) control of the church's decisions in regard to that property. "It is well settled in this

state that a majority of the members of a congregational church, such as a baptist church, controls the decisions of the church.” Seldon v. Singletary, 284 S.C. 148, 326 S.E.2d 147 (1985).

When the Plaintiffs commenced this action, Michael Davis was no longer pastor and was not even a member of this church. During his tenure as pastor, Plaintiff Michael Davis did not own or control the church’s property. The church congregation has always maintained this authority. Plaintiffs do not have any right to any of the church’s property and they have no lawful interest in its decisions on the disposition and/or transfer of church property.

“Plaintiffs who were not members of church lacked standing to bring action addressing issue of church property and conduct of its services.” Brock v. Bennett, 313 S.C. 513, 443 S.E.2d 409 (Ct. App. 1994). Plaintiff Maria Davis was a never a member of this church. She was never a pastor and she was never an associate pastor. Like Plaintiff Michael Davis, Maria Davis does not, nor has she ever, had any right to this church, its property or to control of the conduct of the church’s business regarding its property. The Plaintiffs in this action cannot maintain standing because they do not have any personal stake or interest in this church or its property. Due to their lack of standing, no justiciable controversy exists, and the Defendants ask the Court to dismiss this action accordingly. Further, the Plaintiffs lack of standing demonstrate that Plaintiffs have failed to state a claim on which relief may be granted and the action should be dismissed under SCRCP 12(b)(6).

### **III. This Action should be Dismissed under Rule 12(b)(2) for Lack of Personal Jurisdiction and 12(b)(5) for Insufficiency of Service of Process.**

Pursuant to Rule 5 SCRCP, an Amended Summons and Complaint must be served pursuant to Rule 4 SCRCP if the amended summons and complaint raised new or additional claims from the allegations of the initial complaint. The Plaintiffs’ amended complaint raises

new allegations of illegal transfer and unjust enrichment. These causes of action were not in the initial complaint.

The Plaintiffs state in their Motion for Default, that service was accomplished when the amended summons and complaint was mailed to the Defendants via regular mail. Plaintiff, by their own admission, did not perfect service on the Defendants pursuant to Rule 4. Service by regular mail when the amended complaint raises new claims does not satisfy the requirements for service of process under Rule 4 SCRPC. Additionally, the Defendants communicated to the Court on February 7, 2020 that it no longer had access to the post office box on file as the Defendants' address.

Due to the Plaintiffs' failure to serve the amended summons and complaint pursuant to South Carolina Rules of Civil Procedure, the Defendants were never served with the amended pleadings. The Defendants assert that because they were never served with the amended summons and complaint, the Court lacks personal jurisdiction and this action should be dismissed under Rule 12(b)(2) and 12(b)(5) SCRPC.

**THEREFORE**, Defendants request that this Court issue an Order dismissing the Plaintiffs' cause of action for the Plaintiffs' lack of standing, failure to state a claim, lack of subject matter jurisdiction, and insufficient service of process. The Defendants ask that the Court upon any dismissal granted, declare that the Plaintiffs have no interest in the church and no interest in the church's real property. Furthermore, Defendants request an award of all costs and attorney's fees associated with Defendants' Motion to Dismiss, including, but not limited to, attorney's fees incurred for drafting the Motion, attorneys fees incurred for any courtroom appearance associated with this Motion, and the filing fees for this Motion.

Respectfully Submitted,

s/Angela N. Lane  
PO Box 851  
Sandy Springs SC 29677  
864-326-5421 (phone)  
864-226-2320 (fax)  
Attorney for Defendants

# PETITION FOR IMMEDIATE REMOVAL

We, The Active Members of The Truth Outreach of West Union, South Carolina, hereby demand the removal of Michael Davis as our pastor. He has completely failed as the spiritual leader of this assembly in his duties as Pastor according to his oath as an ordained minister and The Constitution and Bylaws of this church. The Members specifically allege the following:

- He has taken a church that flourished under the previous leadership and destroyed it by unscriptural conduct, lack of accountability, and complete lack of integrity.
- Due to his incompetence as a pastor and actions committed by him over the course of his leadership the church membership has dwindled from approximately 200 members down to less than 15 active members.
- It has been alleged that he has committed adultery with one or more members of The Truth Outreach of West Union, and The Truth Outreach of Greenville, South Carolina, by his wife, Sharon Davis, who has left the church and filed a Complaint for Divorce.
- Stated by members and other witnesses who have left the ministry, he has allegedly engaged in sexual misconduct with the Pastor of Truth Outreach Greenville, Maria Davis, and the Treasurer of The Truth Outreach West Union, Elizabeth Estes.
- He has failed to attend to his duties as a Pastor to bring before the congregation effective teaching and ministry and has engaged in teaching and conversation that are not scripturally sound according to the doctrine of this church.
- He has exhibited unbecoming conduct as a Pastor on multiple occasions, specifically yelling, cursing, brandishing firearms, and using sexually explicit language in discussion with church members at the church, during Bible Study, during Morning Worship, and away from the church.
- He has misappropriated church finances; Specifically, he has allegedly allowed the Treasurer to embezzle funds intended to sustain the church and also funds specifically set aside from The Tebow Foundation for a special event.

THESE CURRENTLY ACTIVE MEMBERS OF THE TRUTH OUTREACH OF WEST UNION HEREBY SIGN THIS PETITION FOR THE REMOVAL OF MICHAEL DAVIS AS PASTOR OF THE TRUTH OUTREACH CHURCH EFFECTIVE IMMEDIATELY:

Signed: Connie McKee  
Printed: Connie McKee

Signed: Elizabeth Norris  
Printed: Elizabeth Norris

Signed: Susan Harris  
Printed: SUSAN HARRIS

Signed: Lane Norris  
Printed: Lane Norris

Signed: Judy M. Rogers  
Printed: Judy M. Rogers

Signed: Desimer Wattleton  
Printed: Desimer Wattleton

Signed: Susan Harrison  
Printed: Susan Harrison

Signed: Christopher Jones  
Printed: Christopher Jones

Signed: Dianne Green  
Printed: Dianne Green

Signed: Marvin Peeler  
Printed: Marvin Peeler

Signed: Kimberly Hill  
Printed: Kimberly Hill

Signed: \_\_\_\_\_  
Printed: \_\_\_\_\_

Signed: Arthur Hill  
Printed: Arthur Hill

Signed: \_\_\_\_\_  
Printed: \_\_\_\_\_

PETER BUTLER  
Notary Public, State of South Carolina  
My Commission Expires 2/20/2024

Peter Butler  
2-3-16

21 Nov, 2017

## THE CORNERSTONE CATHEDRAL FORMAL EXECUTIVE BOARD RESOLUTION

The undersigned, constituting the Pastor, Trustee, Secretary and Treasurer of The Cornerstone Cathedral, ("Cornerstone"), hereby certifies that the following resolutions have been adopted unanimously:

**RESOLVED**, that according to the Constitution and Bylaws of The Cornerstone Cathedral, Desimber Rose Wattleton, was officially nominated and elected, by majority vote, as Interim Pastor of the Cornerstone Cathedral on Sunday, September 18th, 2016, and by unanimous vote as the Senior Pastor of Cornerstone Cathedral on Sunday, June 25, 2017.

**FURTHER RESOLVED**, that in her capacity as Senior Pastor, she is also the President/CEO of the Cornerstone Board of Directors and acts as Chairperson of all committees according to the Constitution and By-Laws of The Cornerstone Cathedral. With this position resides the sole authority to appoint Board Members and Lay Council, with executive approval, for the purpose of service coordination, general function and ministerial operations.

**FURTHER RESOLVED**, that Desimber Rose Wattleton, as Senior Pastor of The Cornerstone Cathedral, is hereby authorized, empowered and directed to execute and deliver on behalf of Cornerstone Cathedral, any and all instruments, agreements, documents, notices, certificates, or other writings, deemed or required, necessary or convenient in order to effectuate the transactions described in the foregoing resolution in each and every jurisdiction and that such execution shall be solely effective to bind the Church under such terms thereof.

**FURTHER RESOLVED**, having previously held a business meeting on March 5, 2017, and decided unanimously to transfer the property currently owned by the members of The Cornerstone Cathedral to REDC, LLC, of which Pastor Desimber Wattleton, President of the Cornerstone Board of Directors; Susan Harrison, Secretary of the Cornerstone Board of Directors at the time; and Minister Robert Weidendorf, Treasurer of the Board of Directors, were witnesses thereto. It was agreed that The Cornerstone Cathedral Executive Board would serve as the Governing Board of Directors for REDC, LLC as a Community Economic Development Corporation, in order to position the church for government grant funding for community development and outreach initiatives.

**FURTHER RESOLVED**, that Desimber Rose Wattleton, as Senior Pastor of The Cornerstone Cathedral, did

**FURTHER RESOLVED**, that Desimber Rose Wattleton, as Senior Pastor of The Cornerstone Cathedral, with the unanimous consent of The Cornerstone Cathedral Executive Board, was authorized, empowered and directed to file the official name of this church as The Rock Worship Center, which went into immediate effect when officially filed with The South Carolina Secretary of State on August 30, 2018.

**FURTHER RESOLVED**, that following multiple unauthorized financial transactions involving the Church Property located at 185 Cornerstone Drive, West Union, South Carolina, carried out by a former church member on December 27, 2018 and again on February 7, 2019, without the knowledge or consent of Pastor Desimber Rose Wattleton, Board President, or the Governing Board as required by the Constitution and Bylaws of The Cornerstone Cathedral and Rural Economic Development Corporation ("REDC"), The Cornerstone Cathedral Executive Board unanimously decided in an emergency meeting held on Sunday, June 17, 2019 to return the Deed and Title to the church property to the Church itself as soon as reasonably possible to protect the church from further incident.

**FURTHER RESOLVED**, that all liens and encumbrances against the Church Property located at 185 Cornerstone Drive, having now been satisfied and resolved, the Executive Board of The Cornerstone Cathedral now hereby resolves to correct and restore the Deed and Title to the current, official name of the church "The Rock Worship Center" as filed with the South Carolina Secretary of State, and to effectuate all leases, deeds, titles, certificates of existence, utilities, contracts, and all municipal, state, and federal records as may be necessary to align with this resolution.

**FURTHER RESOLVED**, that all such actions described in the proceeding resolutions have been authorized by the Board of Directors, Lay Council, and such responsibilities accepted by those appointed, and are now hereby severally ratified, confirmed, and approved, and adopted as acts on behalf of The Cornerstone Cathedral.

**FURTHER RESOLVED**, that this Resolution shall be entered upon the Minutes and Records of The Cornerstone Cathedral.

IN WITNESS WHEREOF, the undersigned, being the President/CEO, Secretary, and Treasurer of The Cornerstone Cathedral, have executed this Resolution as of the 21st Day of November in the year 2019.

The Cornerstone Cathedral a/k/a The Rock Worship Center:

By: \_\_\_\_\_

Desimber Rose Wattleton, President

By: \_\_\_\_\_

Robert Weidendorf, Trustee

By: \_\_\_\_\_

Stephania Priester, Secretary

By: \_\_\_\_\_

Cleaster Sheppard, Treasurer

STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

ACKNOWLEDGMENT

I, Michama Talley Tate, a notary public for South Carolina do hereby certify that the within named Grantor(s) did personally appear before me this day and acknowledge the due execution of the foregoing instrument.



Doc ID: 005517870004 Type: DEE  
BK **2501** PG **299-302**

There has been no title check nor any title opinion rendered.  
STATE OF SOUTH CAROLINA

DEED

COUNTY OF OCONEE

**PREAMBLE**

**WHEREAS**, The Corner Stone Cathedral, incorporated March 15, 1979 by the State of South Carolina, and Tax exempt August 29, 1979, IRS ID#57-108-3428, The name of the church is THE CORNERSTONE CATHEDRAL, located in West Union, South Carolina AND also, the Corner Stone Cathedral, located at 185 Cornerstone Drive, West Union, S. C. 29696; became THE TRUTH OUTREACH by charter December 6, 2010, Constitution and Bylaws of THE TRUTH OUTREACH, by Secretary of State South Carolina, November 13, 2015; and, whereas, Pastor Davis, has pastored since 2009, and continued as the Senior Pastor; and,

**WHEREAS**, suit was filed against Senior Pastor Mike Davis, was ended in dismissal April 5, 2018, C. A. 2016-CP-37-0060, as to all actions of Senior Pastor Michael Davis THE TRUTH OUTREACH Church of West Union, S. C.;

**WHEREAS**, there was an alleged deed from The Cornerstone Cathedral to Rural Economic Development Corporation LLC, 220 North Main Street, Ste 500, Greenville SC 29601; and,

**WHEREAS**, the alleged deed to Rural Economic Development Corporation, LLC, of which was not a legal entity until August, 9, 2018, could not have received of any conveyance; therefore that conveyance is a void transfer; deed recorded March 6, 3018, DEED Book 2341 pages 10-19; (notice change of address); further, the void deed appears to be executed February 26, 2017; the void deed was recorded after the Court ruled that the suit by the alleged Grantor was dismissed. .

KNOW ALL MEN BY THESE PRESENTS, that **THE CORNERSTONE CATHEDRAL**, duly organized 15<sup>th</sup> day of March 1979, (hereinafter called "Grantor"), for and in consideration of the sum of continuation teaching and instructing from THE HOLY BIBLE, and Ten (\$10.00) and 00/100 Dollars to the Grantor in hand paid at and before the sealing of these presents by **THE TRUTH OUTREACH formerly known as The Cornerstone Cathedral, Senior Pastor Michael "Mike" Davis**, (hereinafter called "Grantee") in the State aforesaid, (the receipt of which is hereby acknowledged) has granted, bargained, sold and released, and by the Presents does grant, bargain, sell and release, unto the Grantee, his heirs, successors and assigns:

ALL that certain piece, parcel or tract of land, containing 23.095 acres more or less, lying and being in the old Blue Ridge School District, Wagner Township, Oconee County, South Carolina On the easternmost side of SC highway 28 near the intersection of Highway 11 known as Tracts A and A1 and being more particularly described by plat thereof by Wayne R. Garland Surveyor dated December 3, 1984, Plat Book 52 page 26, see also Deed Book 1066 page 165 December 28 1999; reference is craved to plat for a more complete description.

Tax map 176-00-01-035, physical address: 185 Cornerstone Drive, West Union, S. C. 29696

The above described real estate was acquired by the Grantor by deed of Arthur Brown Estate Trust by Glenda Brown as Trustee Deed Book 399 page 278, ROD Clerk of Court Oconee County SC. See also Deed Book 429-209; Deed Book 545 page 231, August 2, 1988. and the Void conveyance Deed Boook 2341 at page 10 recorded March 6, 2018.

SEP 10 10 43 AM '18

page 1

FILED OCONEE COUNTY, SC  
ANNA K. DAVISON  
REGISTER OF DEEDS

Book: 2501 Page: 299 Seq: 1

ELECTRONICALLY FILED - 2020 Jul 24 5:20 PM - OCONEE - COMMON PLEAS - CASE#2019CP3700585

03369 15°  
Kee: Corner Stone Cathedral  
1003 Easley Bridge Rd  
Greenville SC 29611

Grantee's address: The Truth Outreach Church, West Union, Senior Pastor Mike Davis and Pastor Maria Davis, 1003 Easley Bridge Road, Greenville, South Carolina (SC) 29611

There has been no title check nor any title opinion rendered.

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, his Heirs, Successors and Assigns forever.

And the Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the premises unto the Grantee, His Heirs and Assigns against itself and its successors and against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, to all Grantor's right, title and interest thereto during its period of ownership of this property which was obtained as a result of any just and valid claim proven.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal.

Date: 9-10-2019

Signed, Sealed and Delivered in the Presence of: Senior Pastor Michael "Mike" Davis  
THE TRUTH OUTREACH CHURCH fka

The Corner Stone or Cornerstone Cathedral West Union, South Carolina Pursuant to the Bylaws of The Truth Outreach Church

Nancy Cantrell  
Witness 1

James Cantrell  
Witness 2

STATE OF SOUTH CAROLINA )  
COUNTY OF Pickens )

ACKNOWLEDGMENT/SC SECTION 30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for South Carolina do hereby certify that Senior Pastor Mike Davis, the duly authorized officer of The Truth Outreach Church, as Senior Pastor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 10 day of September, 2019

James Cantrell  
Notary Public for South Carolina  
My Commission expires: 2-22-2029

September 10, 2019AFFIDAVIT

Personally appeared before me the undersigned, who being duly sworn, deposes and says:  
I have read the information on this affidavit and I understand such information. The  
property being transferred is located at address of real property:

185 Cornerstone Drive West Union SC 29696  
Tax Map 176-00-01-035

The Corner Stone Cathedral to The Truth Outreach Church

4(a) ☐ subject to the deed recording fee as a transfer for consideration, paid or to be paid  
in money or money's worth

(b) ☐ subject to the deed recording fee as a transfer between a corporation, a partnership,  
or other entity and a stockholder, partner or owner of the entity, or

(c) ☒ exempt from the deed recording fee because (see information section of Affidavit)  
per Section (I) (if exempt please skip items 4-7/go to Item 8 this Affidavit If exempt  
under exemption #14 as described in the information section of Affidavit, did the agent  
and principal relationship exist at the time of the original sale and was the purpose of this  
relationship to purchase the realty? check Yes ☐ or No ☐

Check one of the following if either Item 3(a) or 3(b) has been checked. (see information  
section of this affidavit): (a) ☐ The fee is computed on the consideration paid or to be paid  
in money or money's worth in the amount of \$ \_\_\_\_\_

(b) ☐ The fee is computed on the fair market value of the realty which is \$ \_\_\_\_\_

(c) ☐ The fee is computed on the fair market value of the realty as established for property  
tax purposes which is \$ \_\_\_\_\_

5. Check Yes or No to the following: a lien or encumbrance existed on the land,  
tenement or realty before the transfer and remained on the land, tenement, or realty after  
the transfer. If Yes amount of outstanding balance of this lien/encumbrance is:

Office at 139 Grace Office Park US123 Easley Bridge Road

\$ \_\_\_\_ The Deed recording fee is computed as follows (a) Place the amount listed in 4 above here\$ \_\_\_\_ (b) Place the amount listed in Item 5 above here: \$ \_\_\_\_ (if no amount is listed place zero) (c) Subtract line 6(b) from line 6(a) and place result here: 6. \$ \_\_\_\_

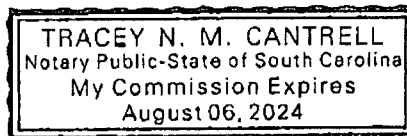
7. The deed recording fee due is based upon on amount listed on Line 6(c) above and the deed recording fee due is: \$ \_\_\_\_.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: \_\_\_\_

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year or both.

Sworn to before me this date: 9/10/19 by Attorney or Deponent [Signature]  
address 139 Grace Dr. Easley SC 29640,  
jpatrickoconnell@yahoo.com  
Phone 864-220-0005 FAX 498-7210

Notary Public for South Carolina Tracey N. M. Cantrell signed  
print name, my commission expires: August 06, 2024.



Office at 139 Grace Office Park US123 Easley Bridge Road

FILED OCONEE COUNTY, SC  
ANNA K. DAVISON  
REGISTER OF DEEDS

2019 SEP 10 P 1:43

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF OCONEE )  
)

IN THE COURT OF COMMON PLEAS  
  
TENTH JUDICIAL CIRCUIT

MARIE RENE DAVIS, Associate  
Pastor for "The Cornerstone Cathedral"  
aka "The Truth Outreach of West Union,  
185 Cornerstone Drive, West Union SC 29696

LIS PENDENS for

A M E N D E D

PLAINTIFF,

-versus-

Civil Action No. 2018-CP-37-489

Mr. Mark Day for  
RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
and  
Desimber Wattleton-Jones and Christopher Jones  
at "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive  
West Union SC

NOTICE of PENDING SUIT

AMENDED

COMPLAINT

DEFENDANTS.

JURY TRIAL REQUESTED

Plaintiff named above by and through his undersigned attorney, hereby makes the following  
NOTICE IS GIVEN AND GRANTED, that an action or suit has been begun and is now  
pending or Order issued, in the above referred to Court or the Office of the Master in  
Equity or Special Referee: UPON THE COMPLAINT of the named, PLAINTIFF, against  
the named DEFENDANTS, for a Complaint for Cancellation of Deed and Return of Real

Estate and for Money Owed, Plaintiff, named above as shown by the Complaint filed with and in the Office of the Clerk of Court and concerning the charges and or issues as reported in the Complaint and hereinbelow: The real estate and or premises, owned of record by Defendants, is at the time of filing and of this Notice, is described as: ALL THAT certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County

That alleged deed is believed to have been filed of record, March 6, 2018, in Deed Book 2341 pages 10-19. The tax map sheet number appears to be Map 176 sub 00 blk 01 parc 035, and by attachment Exhibit "A" incorporated by reference as to a more particular description.

s/JAMES P. O'CONNELL  
Attorney for the PLAINTIFF  
James P. O'Connell #4259  
139 Grace Drive  
Easley, South Carolina 29640  
Phone/Fax: (864) 220-0005&498-7210

September 27, 2018

EXHIBIT "A"

STATE OF SOUTH CAROLINA

TITLE TO REAL ESTATE

COUNTY OF OCONEE

QUIT CLAIM DEED

185 Cornerstone Drive  
West Union, South Carolina 29696

KNOW ALL MEN BY THESE PRESENT, That We, the Trustees of The Cornerstone Cathedral (Grantor), in the State aforesaid, for and in consideration of the sum of TEN and 00/100 (\$10.00) Dollars and other considerations 

The Cornerstone Cathedral, a South Carolina Corporation, in the State aforesaid ( the receipt whereof is hereby acknowledged), by all authority have granted, bargained, sold, sell and released, and by these present do grant, bargain, sell and release unto to said Rural Economic Development Corporation, LLC, (Grantee), a South Carolina Corporation, its successors, heirs and assigns forever, to wit:

All that certain piece, parcel or tract of land containing 23.095 acres, more or less, lying and being situated in the old Blue Ridge School District, Wagner Township, Oconee County, South Carolina on Highway 28 near the Intersection of Highway 11 known as Tracts A and A1 respectively, and being more particularly described on a plat thereof by Wayne R, garland, R.L. S. #5298, dated December 3, 1984, and having the following metes and bounds, to wit:

BEGINNING at the northwesternmost point of the above described property, thence, N 53 Degrees, 56 37' E for a said plat recorded at P52, page 26 on March 4, 1985, distance of 604.23 feet to an iron pin; thence, S 58 Deg. 0' E for a distance of 42.76 feet to the centerline of South Carolina Highway 28; thence, along centerline of abovesaid highway N 36 Deg. 8' 33"W distance of 1070.91 feet to an iron pin, thence, S 87 Deg, 26' 15' W for a distance of 1295.86 feet to an iron pin, thence, N 9 Deg. 23' 17" W for a distance of 836.32 feet back to the point of BEGINNING.

SUBJECT TO THE FOLLOWING:

THAT CERTAIN PURCHASE MONEY MORTGAGE GIVEN BY GRANTEE TO GRANTOR EXECUTED CONTEMPORANEOUSLY HERewith AND RECORDED TOGETHER HERewith AT DEED BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, Records of the Register of Deeds for Oconee County aforesaid.

DERIVATION:

The above described property was acquired by the Grantors herein as set forth in the preamble hereto, Property was conveyed to Cornerstone Cathedral from Arthur Brown Estate Trust by Glenda Brown referenced Trustees as Trustees, deed reference, Book 399 Page 278 records of the Register of deeds for Oconee County South Carolina.

WHEREAS, the abovesaid Trustees, co-trustees hold a power to execute sale, and transfer under said trust and will.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in any wise incident or appertaining which Arthur Brown, the testator and trustor,

ELECTRONICALLY FILED - 2018 Oct 02 9:26 AM - OCONEE - COMMON PLEAS - CASE#2018LP3700134  
ELECTRONICALLY FILED - 2020 Jul 24 5:20 PM - OCONEE - COMMON PLEAS - CASE#2019CP3700585

# Constitution and Bylaws

## of

### *The Truth Outreach*

#### **Status**

The ministry was incorporated by the State of South Carolina and received its charter on December 6, 2010. It is also recognized by the South Carolina Tax Commission as a tax exempt organization, and has obtained an Employer ID number from the Internal Revenue Service (57-108-3428).

#### **Article I. Name**

The name of the church shall be **"THE TRUTH OUTREACH."**

#### **Article II. Purpose**

*Section 1.* To establish and maintain a place or places of worship of Almighty God our Heavenly Father, and the Lord Jesus Christ, His only Begotten Son, through the Holy Spirit, and for the promotion of Christian fellowship and edification, bearing witness to all biblical truths.

*Section 2.* To obey in our capacity the Great Commission and bring people to a personal acquaintance with Jesus Christ through proclamation of the gospel. (Matt. 28:18-20; Mark 16:15-20; Act 1:18, 8:4)

*Section 3.* To solicit, receive funds and maintain a fund or funds; real or personal property or both; to use and supply for a whole or any part of the principal or income thereof; for the purpose of this Church and to assist missionaries in preaching the Gospel of Jesus Christ in any part of the world.

#### **Article III. Prerogatives**

Section 1. This church shall have the right to govern itself according to the standards of the New Testament Scriptures. (Eph. 4:1-16; 1 Cor. 12:27-28)

Section 2. To have a membership which is determined by the local Church and to discipline its members according to the Scriptures.

Section 3. To choose or call its Pastor, elect its officers and handle other business pertaining to its life as a local Church.

Section 4. To purchase or acquire by gift, bequest or otherwise (either directly or as Trustee) and to own, hold in trust, use, sell, convey, mortgage, lease, or otherwise dispose of any estate or chattels as

may be necessary for the furtherance of its purposes. All things should be done in accordance with its Constitution and By-Laws or as the same may be hereafter modified or amended.

Section 5. This church recognizes marriage as a biblical institution established by God clearly described in scripture (Genesis 2:22-24; Matt. 19:4-6). This church recognizes that marriage is the uniting of one man and one woman in covenant commitment. Accordingly, this Church, its pastors and its staff, will not participate in same sex marriages, nor shall its property or resources be used for such purposes.

#### **Article IV. Affiliation**

**Believing in the independence of the local church, with full freedom of deliberation decision and deportment under God, without restriction or denomination from any outside individual, organization, or institution. This church is to be autonomous and self-governing (Under Christ) and will not affiliate with any organization, which seeks to exercise control over the church.**

#### **Article V. Beliefs**

This church shall accept and believe the Holy Scriptures as the Holy Scriptures as the revealed Word of God, the all-sufficient rule for faith and practice, and for the purpose of maintaining unity; it shall adopt the Statement of Fundamental Beliefs, namely:

1. **The Scriptures Inspired.** The Bible consisting of the SIXTY SIX BOOKS is the inspired Word of God, a revelation from God to man, the infallible rule of faith and conduct, and is superior to conscience and reason, but not contrary to reason (Heb. 4:12; 2 Pet. 1:20-21; 2 Tim. 3:15-17).
2. **The One True God.** The One True God has revealed Himself as the eternally self-existent, self-revealed "I AM", and has further revealed Himself as embodying the principles of relationship and association of the Trinity as Father, Son and Holy Ghost (1 John 5:7; Deut. 6:4; Is. 43:10-11; Matt. 28:19; Mark 12:29; Matt. 28:19; Mark 12:29; Matt. 3:16-17; John 14:16-17).
3. **Jesus Christ.** In the deity of our Lord Jesus, Christ, His virgin birth, in His sinless life, in His miracles, in His ascension to the right hand of The Father, in His personal future return to this earth in power and glory, to rule for a thousand years. (John 1:1; Luke 1:26-38; Hebrews 7:26; John 2:11; II Cor. 5:15; John 20:26-31; Acts 1:9; I Thess. 4:16-17; Rev. 20:1-6)
4. **Surrender.** In total surrender of one's life to the Master, Jesus Christ. In confessing Him as Lord and Master giving Him full right of control in the life of the believer. (Rom. 10:9)
5. **Salvation.**
  - a. **Condition of Salvation.** The only means of being cleansed from sin is through repentance and faith in the precious blood of Christ. The Grace of God, which bringeth salvation, hath appeared to all men through the preaching of repentance toward God and faith toward the Lord Jesus Christ; man is saved by the washing of regeneration and renewing of the Holy Ghost, and being justified by grace through faith, he becomes as heir of God according to the hope of eternal life. (Rev. 1:5; Luke 24:47; Rom. 10:13-15;
  - b. **The Evidence of Salvation.** The inward evidence of the believer of his salvation is the direct witness of the spirit. (Rom. 8:16) The outward evidence to all men is a life of righteousness and true holiness (Rom. 6:22)

6. **Baptism in Water.** The ordinance of baptism of the Holy Spirit by who's indwelling the Christian is enabled to live a holy life.
7. **Baptism in the Holy Spirit.** The baptism of the Holy Spirit by who's indwelling the Christian is enabled to live a holy life.
8. **The Casting Out of Demons.** Believers are empowered to cast out demons in the name of Jesus Christ by the spoken Word of God and by prayer and fasting.
9. **Divine Healing.** Deliverance from sickness is provided for in the atonement and is the privilege of all believers. (Is. 53:4; Matt. 8:16-17; Mark 16:18-20; James 5:14-16)
10. **The Lord's Supper.** The Lord's Supper, consisting of the bread and the fruit of the wine, is a memorial of Christ's suffering and death and a prophecy of His second coming and is entrusted on all believers "until He comes." (Luke 22:17-20; I Cor. 10:16-17, 11:23-32)
11. **The Church.** The church is the body of Christ, the habitation of God through the Spirit, with divine appointments for the fulfillment of the Great Commission. Each believer born of the Spirit is an integral part of the Church. (Eph. 1:22-23; 2:19-22; Heb. 12:23)
12. **The Ministry and Evangelism.** A divinely called and scripturally ordained ministry has been provided by our Lord for a twofold purpose: (1) for the evangelization of the world and (2) the edifying of the body of Christ. (Mark 16:15-20; Eph. 4:11-13)
13. **The Redemptive Work of Christ.** The redemptive work of Christ on the cross provides healing for the human body in answer to believing prayer. (James 5:15)
14. **The Blessed Hope.** The rapture of the church in Christ second coming. (Rom. 8:23; I Cor. 15:51-52; I Thess. 4:16-18; Tit. 2:13)

## Article VI. Ordinances

Baptism—The ordinance of baptism by water immersion in the Name of the Father, Son and Holy Ghost.

The Lord's Supper—The Lord's Supper is a symbolic act of obedience whereby members of the Church through partaking of the Bread and the Fruit of the Vine commemorate the willing sacrificial death of Jesus Christ and anticipate his coming.

Anointing With Oil—The anointing of the sick with oil and laying on of hands for healing.

Dedication—The dedication of children shall be observed at stated times and whenever requested.

Marriage—Marriage shall be performed between a man and a woman at stated times after counseling with approval of the Pastor.

(Matt. 19:13-15, 28:19; Acts 2:38; I Cor. 11:23-25; James 5:14-16)

## ARTICLE VII. OFFICERS.

**Section 1.** The officers of the church shall be the Pastor, President, Secretary, Treasurer, and the members of the Church Board of Directors.

**Section 2.** No officer of the Board shall be allowed to hold more than one office.

**Section 3.** All officers of the church must qualify according to the scriptural qualifications described in Acts 6:3, Romans 12:10-13, and I Timothy 3:8-13.

**Section 4.** No officer, with the exception of the Pastor, shall hold the same office for more than two consecutive terms except with two-thirds majority vote of the members.

**Section 5.** No person shall be considered eligible for nomination as an officer of the official board unless he has been a tithing member in good standing with the Church for at least six months and is at least 21 years of age.

## **ARTICLE VIII. MEMBERSHIP**

Individuals shall be eligible for membership in this Church, who give evidence of personal living faith in the Lord Jesus Christ, are regular tithers and who voluntarily subscribe to the Beliefs of Faith and agree to be governed by the Constitution and By-Laws as herein stated.

## **ARTICLE IX. MEETINGS**

**Section 1.** Meetings for public worship shall be held on each Sunday and during the week as may be provided for under the direction of the Pastor and the Official Board, under the leadership of the Pastor. The meetings shall consist of preaching, instruction and evangelism for all who wish to attend.

**Section 2.** Special Services; All Special Services will be set by the Pastor and aided by the Deacons and members of the Church.

**Section 3.** One (1) service notice shall be given to the Church for any business meeting. There shall be a regular business meeting held on the first Sunday night of every quarter. (Time may be changed to a different day that week to accommodate scheduling) There shall be an annual business meeting of the Church in the month of December at which time the reports of all officers shall be read and the election of officers shall take place.

**Section 4.** Special business meetings of the Church may be called by one service notice when necessary by the Pastor, Secretary or by the majority of the Board after notice has been given by the Pastor or by the Secretary.

**Section 5.** Quorum- No record of any regular or special business meeting of the Church shall be made unless majority or more voting members shall be present to constitute a quorum.

**Section 6.** The official board shall meet at least twice a year and at other times as it deems necessary to conduct business of the Church.

**Section 7.** No meeting other than official church meetings shall be called for the discussion of church affairs or business. Members attending or taking part in unauthorized meetings shall jeopardize their voting privileges.

**Section 8.** Charges of misconduct shall be in writing and must be signed by the accuser before official action is taken. Upon finding proof of misconduct, the official board may call a hearing and appropriate action be taken. No minutes shall be taken of these proceedings.

**Section 9.** The Lords Supper. The Lords Supper is a symbolic act of obedience whereby members of the Church through partaking of the Bread and the Fruit of the Vine commemorate the death of Jesus Christ and anticipate His coming.

1. The Lord's Supper shall be observed at least quarterly on the first Sunday of each quarter.
2. The Lords Supper will be during the morning worship hour.
3. The Pastor and Deacons are responsible for the administration of the Lord's Supper.
4. The Deacons are responsible for the physical preparation of the Lord's Supper.

#### **ARTICLE X. FINANCES**

The Church shall be financed according to the scriptural method of Tithes and Offerings by the members and friends of the congregation. (Mal. 3:10; Matt 23:23; Heb 7:4-9; 1 Cor. 16:1-2; 2 Cor. 9:1: 6-15)

#### **ARTICLE XI. PROPERTY.**

**Section 1.** All property (real or chattel) shall be taken, held, sold, transferred or conveyed in the name of the Church.

**Section 2.** No real property of the Church shall be sold, leased, mortgaged or otherwise alienated without authorization by at least a two-thirds majority vote by the membership at a regular or special business meeting of the Church, solely called for the purpose of consideration of the proposal.

**Section 3.** Chattels of the value of \$10,000.00 or more shall be subject to the same restrictions as given in Section 2 for real property. In order to expedite the business of the Church, the Official Board shall have the right to dispose as they see fit of chattels, singly or in the aggregate, below the value of \$10,000.00.

**Section 4.** The Pastor and the Secretary of the Church shall certify in such conveyance, lease, or mortgage that the same has been duly authorized by the vote of the membership or by the official board if Section 3 applies. Such certificate shall be held to be conclusive evidence thereof. A listing of all chattels covered by Section 3 above of the value of \$10,000.00 or more shall be listed and be presented by the Treasurer at each business meeting and included in the minutes of such meetings

**Section 5.** In the event that the Church here in mentioned ceases to function as a Church body, then the mentioned property, real or chattel may be disposed of and the entire proceeds shall be handed over to a religious, charitable organization similar in purpose in Article II, that is qualified for exemption under Sec. 501(c) (3), Internal Revenue Code. The official board is empowered with the authority to conduct this transaction upon the consent of two-thirds of the membership of the Church in a meeting specifically called to discuss this matter.

#### **Article XII: Amendments**

Amendments to this constitution may be made by a 2/3 vote of the members of the Church who are in attendance at any regular business meeting or special business meetings called for purpose, provided that due notice be given at public services two weeks prior to the proposed change. Each amendment shall be presented in writing at the previous meeting and copies of the proposed amendment furnished to each member present. The board maintains the right to amend this constitution by full unanimous vote of all voting members when certain circumstances or influences threaten the beliefs, the congregation, vitality, finances, or spirituality of this church without giving prior notice. However, notice of changes must be announced, either verbally or written, within two weeks after an amendment has been passed.

# **By-Laws**

## **Article I. Membership**

### **Section 1. Standards of Membership**

- a) Evidence of a genuine experience in regeneration. (John. 1:12-13; 3:3 ; 1 Pet. 1:18-25)
- b) Evidence of consistent Holy Christian life. (Rom. 6:4, 11-13; Eph. 4:1-3,15, 17-32; 1 John 1:6-7)
- c) Baptism in water by immersion. (Matt. 28: 19-20; Rom. 6:1-12; Acts 8:36-38)
- d) Full adherence to the "Beliefs" as set forth in the Constitution.
- e) Willingness and faithfulness to tithe and contribute regularly to the support of the Church according to his/her ability. (Acts. 11:29; 1 Cor. 9:13-14; 11 Cor. 9:7; 16:1-2 ; 8:1-4)

### **Section 2. Standards of Family Life**

- a) **Marriage**: All marriages shall be conducted between a man and a woman in accordance with the Scriptures. Marriage is honorable in all. (Heb 13:4; 1 Cor. 7:9; Eph. 5:22-31; 2 Cor. 6:14; Matt. 19: 5-6; Mark 10: 7-9)
- b) **Divorce**: Divorce is acceptable only as provided in the Scriptures. (1 Cor. 6:15-20; 7:10-11, 39; Mark 10:7-12; Matt. 19:5-11; Mal. 2:15-16)

### **Section 3. Voting Privileges**

- a) All active members of the Church.

### **Section 4. Reception of Members**

- a) Persons desiring to become members of the Church shall make the fact known to the Pastor; the Pastor shall examine the applicant according to the standard of membership.
- b) The Pastor shall present to the Church those who apply for membership with his recommendation. After due consideration, those recommended by the Pastor shall be publicly welcomed and entered into the Church's' membership book.

### **Section 5. Discipline and Revision of the Roster**

- a) Any member of the Church who shall willingly excuse himself/herself from the regular services for a period of one month shall be contacted by the Pastor and/or by the Committee. Prolonged absence without reason will result in suspension of voting rights. Any member, under charges, shall be temporarily suspended from the voting membership pending investigation and final decision in his/her case.

- b) Unscriptural conduct or doctrinal departure from the Tenets of Faith held by this Church shall be considered sufficient grounds for which any person may be disqualified as a member. Such discipline shall be made known to the congregation. (Matt. 18:15-17; Rom. 16:17; 1 Cor. 5:9-13; Tit. 3:10-11).
- c) The Board shall be authorized to revise the membership roll of the church semi-annually and to remove from the list of active members: the names of the deceased and those who have withdrawn from the fellowship or may have fallen into sin and whose lives may have become inconsistent with the standards of the church.
- d) If a member is removed for cause, the one whose name is removed shall be notified of the Board's action by the Secretary.

## **Article II. Duties of Officers**

### **Section 1. The Pastor**

The Church finds its leadership under the Lord Jesus Christ in its Pastor. He should be honored in his sacred office as the spiritual head of the Church, and shall be general supervisor of all its activities. He shall provide for all the services of the Church and shall arrange for all special meetings, giving due regard to the Church. No person shall be invited to speak or preach without his approval.

### **Section 2. The President**

He shall be the President of the corporation and shall be the chairman of all committees. He can call out the business meeting with the knowledge of the secretary.

### **Section 3. The Secretary**

He shall call the meetings of the Board and regular and special Business meetings of the Church. He shall keep the minutes of the meetings of the Official Board and of the annual and special business meetings of the Church. He shall keep a record of the membership in the Church roster book and perform any other clerical duties as part of his responsibilities. He shall be the custodian of all legal documents and be in possession of the corporate seal. All official correspondence of the church shall be handled through the office of the church Secretary.

### **Section 4. The Treasurer**

- a) He shall be entrusted with all the finances of the Church and shall keep at the discretion of the official board, an itemized record of receipts and disbursements in accordance with accepted business practice. He shall adhere to Article XI of the Constitution which governs the disposition of property, both real and chattel.

- b) All funds shall be disbursed by checks. Checks are to be signed by any two or three members of the Official Board, one of which must be the Treasurer or if covered by Section 2 above, such checks are to be signed by the two persons to whom authority is delegated by the Official Board.
- c) He shall present a financial report at the regular meetings of the Church.
- d) He shall present a financial status report to the general Church at the end of every quarter.
- e) His accounts should be audited under the direction of the Board.
- f) The financial records shall be open for examination by any member in good standing.

### **Article III. The Official Board**

**Section 1.** The official board shall consist of the Pastor, President, Secretary, Treasurer, and Council Members.

**Section 2.** The President shall be the Chairman of the Official Board but in the event the Church is temporarily without a President, the Church shall be empowered to provide for their own chairman from the membership to conduct matters on behalf of the Church.

**Section 3.** They shall determine the amount of all salaries paid by the church. They shall employ temporary help for any work of the church and for the maintenance of the building.

**Section 4.** They may invite department heads or individuals to sit with the Board in conference but may not give them voting privileges of the official Board.

**Section 5.** They shall be authorized to make such expenditures as may be necessary to conduct business and to make such purchases as are required for normal operation. They may negotiate loans when such do not require alienation of property. They may sell or otherwise dispose of any chattel of the value of \$1,000.00 or less without the vote of the Church.

**Section 6.** They shall act in the capacity of a public committee if the Church is without a Pastor or Associate Pastor. In the temporary absence of the Pastor or Associate Pastor the Board shall act with respect to the wishes of the Pastor or Associate Pastor.

**Section 7.** They shall meet and inspect all real property proposed for purchase, sale, or other disposition for a period of six months in order to make an appropriate recommendation for consideration at the upcoming business meetings.

### **Section 8. The Church Council**

- a) The Church Council shall consist of a Pastor, President, Secretary, Treasurer and elected members.
- b) They shall conduct all the routine business of the Church and provide for the orderly conduct of all church business according to accepted business practice.
- c) They shall have all governing rights not specifically delegated to others.
- d) They shall meet quarterly for the conduct of routine business and at other times when necessary.
- e) They may invite department heads or individuals to sit with the committee in conference but may not give them the right of voting with the church council.

## **Article IV. Annual Business Meeting**

The annual business meeting of the church shall be held in December. Due notice of this meeting shall be given at the Sunday service two weeks prior to the meeting by the Secretary. In addition, any proposals for discussion shall be made known to all members at the two Sunday morning services prior to the meeting dates.

## **Article V. Elections and Vacancies**

**Section 1.** The President, Secretary, Treasurer and the Church Council members shall be elected annually by majority vote by the Church members.

**Section 2.** Those elected at any business meeting shall assume their offices as of the date of their election.

### **Section 3. SECRET BALLOT**

- a) All nominative elections shall be by secret ballot.
- b) All other elections shall be held by secret ballot by request from the majority of members.

### **Section 4. VACANCY IN THE PASTORATE**

- a) In case of vacancy in the Pastorate, the Board, acting in the capacity of a Pulpit Committee, after prayerful inquiry and judicious council, with the leading of the Holy Spirit, shall select an available Scripturally qualified Minister as nominee to the office of Pastorate and without delay, shall present his name for approval by the Church. A majority vote shall be required for such an appointment.
- b) Should the Pastor/Associate pastor resign, he should give 30 days notice of his intention. If the Pastor's term is not extended he shall be granted sixty days to find another position. Except where moral turpitude is involved when he shall be dismissed immediately.
- c) Should the Pastor/Associate Pastor teach contrary to Gospel of Christ, or cause dissensions, or in any way prove his inability or unfitness as a Pastor shall be removed by a majority vote of qualified members of the Church at a special meeting called for that purpose by the Secretary of the Church with the approval of the Board members. Such a meetings shall be presided over by the President of the Church.

### **Section 5. VACANCY IN OTHER OFFICES**

- a) Any other office may be declared vacant by an act of the majority of the Board. Grounds for such action shall be:
  - i. Unscriptural Conduct
  - ii. Doctrinal Departure from the Tenets of Faith
  - iii. Incompetence in Office
  - iv. Insubordination
- b) Any irregular vacancy shall be filled at the next regularly held business meeting by the same elective procedures established for annually scheduled election in December. Such elections

shall be for the unexpired term of the vacated office. The Board is empowered to fill by appointment any irregular vacancy until the next congregational business meeting.

## **Article VI. Departments**

### **Section 1. Sunday School**

- a) The Sunday school shall be conducted as a branch of the activities of the Church.
- b) The Sunday School Superintendent and teachers shall be elected annually by the church membership by a majority vote.
- c) The officers of the Sunday school together with the President shall constitute the executive committee of the Sunday School.
- d) Sunday School funds shall be committed to the custody of the Church Treasurer. Sunday School business is subject to review of the official board who shall have final authority in disputes.

### **Section 2. Youth Department**

The Youth Department shall be known as The Truth Outreach Youth. The purpose of this department shall be to promote fellowship and service among the young people of the Church. It should be organized as subservient to the Church body and under the supervision of the Pastor. A Youth Pastor shall be elected annually by the church members by majority vote. The Truth Outreach Youth Fellowship funds shall be committed to the custody of the church Treasurer. The Truth Outreach Youth Fellowship business is subject to review of the official Board who shall have final authority in case of dispute.

### **Section 3. Women's and Men's Ministry**

The women and men of the Church shall constitute these separate Fellowships. They shall each have a Coordinator who will work under the guidance of the Pastor. They shall meet at stated times for the purpose of fostering closer fellowship, engaging in intercessory prayer for various requests and to assist in the Church ministry in a practical way.

## **Article VII. Finance**

**Section 1.** The Board shall determine all salaries subject to Article III, Section 3 and shall have general supervision in all financial matters in every department of the Church. All records are subject to audit.

**Section 2.** The amount and manner of the Pastor's financial support shall be determined by the Board, and any agreement is subject to ratification by the Church by a majority vote at any regular or special business meeting when such vote is requested and subject to Article III Section 3 of the By-Laws.

**Section 3.** No money transactions may occur unless done with the knowledge and consent of the President, Secretary and Treasurer. At least two signatures are required for money withdrawals,

## **Article IX. Amendments**

These By-Laws may be amended at any regular or special business meetings of the Church by a two-thirds majority vote by the membership present provided that public notice of two weeks has been given of intent of proposed changes of By-Laws and proposed amendments have been announced publicly on the two Sundays prior to the date of meeting by the President or the Secretary. If any member(s) want to make an amendment to the Constitution, he or she shall turn the same in writing to the Church Board for their review at least three weeks prior to the business meeting. The board maintains the right to amend these bylaws by full unanimous vote of all voting members when certain circumstances or influences threaten the beliefs, the congregation, vitality, finances, or spirituality of this church without giving prior notice. However, notice of changes must be announced, either verbally or written, within two weeks after an amendment has been passed.

#### Article X.

All the church records, documents, materials, papers or any other church property must be turned over to the church within two weeks of discontinuing or resigning from any Church office. Legal action under South Carolina Law will be undertaken if otherwise.

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
Pastors, Sr. Pastor Michael S. Davis )  
Associate Pastor Maria Irene Davis )  
For "Cornerstone Cathedral" n/k/a "The )  
Truth Outreach" of West Union SC )  
Plaintiff(s), )  
vs. )  
RURAL ECONOMIC DEVELOPMENT )  
CORP., aka "REDC", THE ROCK )  
WORSHIP CENTER & INTERNATIONAL )  
PALM OIL and BIODIESEL LLC )  
Defendant(s). )

IN THE COURT COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Civil Action: **2019-CP-37-585**

**OBJECTION TO MOTION FOR DEFAULT  
JUDGMENT**

**OBJECTION TO MOTION FOR DEFAULT JUDGMENT**

Defendant, Rural Economic Development Corp., "REDC" and The Rock Worship Center by their attorney, responds to plaintiff's motion for default judgment against these defendants. REDC and The Rock Worship Center object to the Plaintiff's motion for default judgment, and respectfully shows the Court the following:

1. Plaintiff's initial Complaint was filed on September 20, 2019.
2. Defendants timely responded to Plaintiff's initial Complaint and was present in court during all proceedings relevant to this action.
3. Plaintiff filed its Amended Summons and Complaint on February 5, 2020.
4. Plaintiff's Amended Complaint was filed more than ninety days after the filing and service of his initial Complaint. Defendants have never been served with a motion to amend the initial Complaint by

Plaintiff. Defendants have not been served with any orders granting a motion to amend the initial Complaint. Plaintiff's Amended Complaint was therefore not properly filed pursuant South Carolina Rules of Civil Procedure.

5. Plaintiff admits to mailing its Amended Summons and Complaint to Defendants via regular mail and states "as the parties have been previously been served with the Complaint as originally filed in this action" (Pl's Motion for Default pg. 1, ¶ 1).

6. Plaintiff's Amended Complaint makes new or additional claims in that Plaintiff states a cause of action for illegal transfer in his Amended Complaint (Pl's Amended Complaint pg. 1) but not in his initial Complaint. Plaintiff also alleges unjust enrichment in his Amended Complaint (Pl's Amended Complaint pg. 5) but not in his initial Complaint. Plaintiff was required under Rule 5 of South Carolina Rules of Civil Procedure to serve the Amended Complaint pursuant to Rule 4 of South Carolina Rules of Civil Procedure because he raised new/additional claims. Plaintiff by his own admission did not perfect service on the Defendants of his Amended Summons and Complaint pursuant to Rule 4.

7. Plaintiff's affidavit of service swears to service of the Amended Complaint by mail on February 2, 2020. However, Plaintiff's Amended Complaint appears to have been filed with the Court on February 5, 2020. Plaintiff could not have perfected service upon the Defendants prior to actually filing the action with the Court.

8. Further, Defendants communicated to the clerk of court on February 7, 2020 that its post office box had to be closed due to the necessity to separate from a joint owner of that post office box. Defendants were instructed to provide the updated address once the new post office box was opened. During this time, mail received at the closed post office box was returned undelivered.

9. Plaintiff is aware that Defendant never received its Amended Summons and Complaint. However, Plaintiff did not move the Court for service by publication or any other means and therefore

Plaintiff failed to perfect service upon the Defendants.

10. Plaintiff's insufficient service of process caused Defendants a lack of notice as to its Amended Complaint and any motion to amend its Complaint.

11. Plaintiff's Amended Complaint was improperly filed without leave of Court and without notice/consent of Defendants.

12. Based on the foregoing, Defendants respectfully request that the Court deny this motion for default judgment.

The Angela Lane Law Firm, LLC

s/Angela N. Lane

Angela N. Lane

Attorney for Defendants

112 Essex Drive

Anderson SC 29621

Telephone: 864-326-5421

South Carolina Bar No.: 101544

Dated:  
July 3, 2020

|                                        |   |                                        |
|----------------------------------------|---|----------------------------------------|
| STATE OF SOUTH CAROLINA                | ) | IN THE COURT COMMON PLEAS              |
|                                        | ) | TENTH JUDICIAL CIRCUIT                 |
| COUNTY OF OCONEE                       | ) |                                        |
|                                        | ) |                                        |
| Pastors, Sr. Pastor Michael S. Davis   | ) |                                        |
| Associate Pastor Maria Irene Davis     | ) |                                        |
| For "Cornerstone Cathedral" n/k/a "The | ) |                                        |
| Truth Outreach" of West Union SC       | ) | Civil Action: <b>2019-CP-37-585</b>    |
|                                        | ) |                                        |
| Plaintiff(s),                          | ) |                                        |
|                                        | ) |                                        |
| vs.                                    | ) |                                        |
|                                        | ) |                                        |
| RURAL ECONOMIC DEVELOPMENT             | ) | <b>OBJECTION TO MOTION FOR DEFAULT</b> |
| CORP., aka "REDC", THE ROCK            | ) | <b>JUDGMENT</b>                        |
| WORSHIP CENTER & INTERNATIONAL         | ) |                                        |
| PALM OIL and BIODIESEL LLC             | ) |                                        |
| Defendant(s).                          | ) |                                        |
|                                        | ) |                                        |
|                                        | ) |                                        |
|                                        | ) |                                        |

**OBJECTION TO MOTION FOR DEFAULT JUDGMENT**

Defendant, Rural Economic Development Corp., "REDC" and The Rock Worship Center by their attorney, responds to plaintiff's motion for default judgment against these defendants. REDC and The Rock Worship Center object to the Plaintiff's motion for default judgment, and respectfully shows the Court the following:

1. Plaintiff's initial Complaint was filed on September 20, 2019.
2. Defendants timely responded to Plaintiff's initial Complaint and was present in court during all proceedings relevant to this action.
3. Plaintiff filed its Amended Summons and Complaint on February 5, 2020.
4. Plaintiff's Amended Complaint was filed more than ninety days after the filing and service of his initial Complaint. Defendants have never been served with a motion to amend the initial Complaint by

Plaintiff. Defendants have not been served with any orders granting a motion to amend the initial Complaint. Plaintiff's Amended Complaint was therefore not properly filed pursuant South Carolina Rules of Civil Procedure.

5. Plaintiff admits to mailing its Amended Summons and Complaint to Defendants via regular mail and states "as the parties have been previously been served with the Complaint as originally filed in this action" (Pl's Motion for Default pg. 1, ¶ 1).

6. Plaintiff's Amended Complaint makes new or additional claims in that Plaintiff states a cause of action for illegal transfer in his Amended Complaint (Pl's Amended Complaint pg. 1) but not in his initial Complaint. Plaintiff also alleges unjust enrichment in his Amended Complaint (Pl's Amended Complaint pg. 5) but not in his initial Complaint. Plaintiff was required under Rule 5 of South Carolina Rules of Civil Procedure to serve the Amended Complaint pursuant to Rule 4 of South Carolina Rules of Civil Procedure because he raised new/additional claims. Plaintiff by his own admission did not perfect service on the Defendants of his Amended Summons and Complaint pursuant to Rule 4.

7. Plaintiff's affidavit of service swears to service of the Amended Complaint by mail on February 2, 2020. However, Plaintiff's Amended Complaint appears to have been filed with the Court on February 5, 2020. Plaintiff could not have perfected service upon the Defendants prior to actually filing the action with the Court.

8. Further, Defendants communicated to the clerk of court on February 7, 2020 that its post office box had to be closed due to the necessity to separate from a joint owner of that post office box. Defendants were instructed to provide the updated address once the new post office box was opened. During this time, mail received at the closed post office box was returned undelivered.

9. Plaintiff is aware that Defendant never received its Amended Summons and Complaint. However, Plaintiff did not move the Court for service by publication or any other means and therefore

Plaintiff failed to perfect service upon the Defendants.

10. Plaintiff's insufficient service of process caused Defendants a lack of notice as to its Amended Complaint and any motion to amend its Complaint.

11. Plaintiff's Amended Complaint was improperly filed without leave of Court and without notice/consent of Defendants.

12. Based on the foregoing, Defendants respectfully request that the Court deny this motion for default judgment.

The Angela Lane Law Firm, LLC

s/Angela N. Lane  
Angela N. Lane  
Attorney for Defendants  
112 Essex Drive  
Anderson SC 29621  
Telephone: 864-326-5421  
South Carolina Bar No.: 101544

Dated:  
July 3, 2020

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,  
Associate Pastor, MARIA IRENE DAVIS)  
FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH" )  
of West Union SC  
PLAINTIFF, )

Civil Action **2019-CP-37-585**

-versus-

HEARING REQUEST  
NOTICE OF AND MOTION  
FOR  
DEFAULT HEARING  
AFFIDAVIT IN  
SUPPORT

RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
And "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive West Union SC  
DEFENDANTS.

I, WE, The Pastors, Michael Davis and Maria Davis, do, here under oath state and affirm the following statements:

1. THE COURT IS REQUESTED TO REVIEW THE previous actions filed in this matter as above reported in the caption.
2. Plaintiffs have been fighting the Defendants since 2016 as to the take over of the Truth Outreach once Cornerstone Cathedral of West Union SC.
3. Plaintiffs request that the Court find the Defendants in Default,
  - a. Due to the factual issues presented, b. due to the Court repeatedly stating the Defendants had to have legal representation. c. Based on information received from the service by Pastor Maria Davis pursuant to the Order of the Court restoring Pastor Maria Davis suit 2018-CP-37-489,

- i. Rural Economic Development Corporation, LLC, responded to the notice and the service of Interrogatories and Request to Produce, that Rural Economic Development Corporation LLC, was not a legal entity until August, 9, 2018,
- ii. could not have received of any conveyance;
- iii. therefore that conveyance is a void transfer; deed recorded March 6, 2018,
- iv. DEED Book 2341 pages 10-19; (notice change of address);
- v. further, the void deed appears to be executed February 26, 2017;
- vi. while the original suit was active;
- v. then the void deed was recorded after the Court ruled that the suit against Pastor Mike Davis was dismissed.

Further: 4. Reference is made to another suit 2019-CP-37-347 citing page 2 of 8, paragraph 9. And, reference is made to suit filed against Senior Pastor Mike Davis, ended in dismissal April 5, 2018, C. A. 2016-CP-37-0060, which originally restored Pastor Davis.

After dismissal a deed from The Cornerstone Cathedral to Rural Economic Development Corporation LLC, 220 North Main Street, Ste 500, Greenville SC 29601; was filed along with two mortgages, and,

Based on information received from Discovery pursuant to the Order of the Court restoring 2018-CP-37-489, Rural Economic Development Corporation, LLC, responded to the notice that Rural Economic Development Corporation LLC, was not a legal entity until August, 9, 2018, could not have received of any conveyance; therefore that conveyance is a void transfer; deed recorded March 6, 2018, DEED Book 2341 pages 10-19; while the original suit was active;

Further, 5. Reference is made to Wattleton's suit 2019-CP-37-347 citing page 2 of 8, paragraph 9., was the founder, owner, and operator of Rural Economic Development Corporation LLC. And Mark Day has appeared in Court for that Entity, 2018-CP-37-489; Wattleton states Mark Day was given authority to respond to legal matter, page 3 of 8 paragraph 11, even though he is not a licensed attorney in South Carolina.

See on page 2 of 8, paragraph 10., cites ongoing litigation with previous pastor. and, page 6 of 8, paragraph 20.

See page 4 of 8, Paragraph 15., illegally encumbering church property.

Also, page 4 of 8, paragraph 16. for obtaining loans by Fraudulent behavior, stating funds from the loans, were not utilized in any form or fashion for the benefit of the church, page 7 of 8, paragraph 22.

Further, the deed filed of record, March 6, 2018, in Deed Book 2341 pages 10-19. That Deed is recorded after the Order from the Bench from the hearing held February 22, 2018, tax map sheet number appears to be Map 176sub 00 blk 01 parc 035. that Deed, indicates the buyer Defendant t "REDC" and that the documents filed were not prepared be a licensed attorney in the state of SC.

signature and their alleged rights and powers to sell. Plaintiff requests a recession of the real estate sale and a declaration that the real estate as allegedly transferred is illegal.

SWORN TO UNDER OATH

This date June 17, 2020

BEFORE a Notary Public for South

Carolina My Commission expires: 2-22-2029

Notary Public for South Carolina

Print Name here: James P. O'Connell

s/MICHAEL "MIKE" DAVIS PASTOR of  
and FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH"  
of West Union SC

Michael Davis

SWORN TO UNDER OATH

This date June 17, 2020

BEFORE a Notary Public for South

Carolina My Commission expires: 2-22-2029

Notary Public for South Carolina

Print Name here: James P. O'Connell  
James P. O'Connell

s/Maria Irene Davis PASTOR of  
and FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH"  
of West Union SC

Maria Davis

Respectfully submitted.  
June 17, 2020

s/JAMES P. O'CONNELL #4259  
ATTORNEY FOR PLAINTIFFS

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
TENTH JUDICIAL CIRCUIT

Pastors, Sr. Pastor Michael Davis,  
Associate Pastor, MARIA IRENE DAVIS)  
FOR "The Cornerstone Cathedral"  
n/k/a "THE TRUTH OUTREACH" )  
of West Union SC

Civil Action **2019-CP-37-585**

PLAINTIFF, )

-versus-

HEARING REQUEST  
NOTICE OF AND MOTION  
FOR  
DEFAULT HEARING

RURAL ECONOMIC DEVELOPMENT  
CORP., "REDC", 220 North Main Street Ste. 500  
Greenville SC 29601, dba ABL Consulting, Inc.  
944 Dexter St. NE, Aiken SC 29801  
And "THE TRUTH OUTREACH" Church  
185 Cornerstone Drive  
West Union SC

DEFENDANTS.

PLEASE TAKE NOTICE, THE UNDERSIGNED ATTORNEY, for the DEFENDANT  
will on \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_:\_\_\_\_\_ a.m.  
or as soon thereafter as the Court will hear, move before the Court for a Default as to the  
above captioned Defendants and for an Order, granting the relief sought, Pursuant to  
SCRCP Rule 55 and per SCRCP Rule 59.

FOR AN ORDER GRANTING THE FOLLOWING RELIEF TO PLAINTIFF:

1. The removal of the Defendants from the church.
2. The removal of the Defendants from the church real property and personal property.
3. The extinguishing of any deed by the Defendants in relationship to the church real

property.

TO: DEFENDANTS and attorney if any, NAMED ABOVE, YOU ARE SUMMONED AND REQUIRED TO APPEAR AND DEFEND the pleading, in this action; which is this date, served upon you, with Summons and Notice. **YOU ARE DIRECTED** to serve your pleading responding to the pleading served by the Defendant's attorney at: 139 Grace Drive, Easley, South Carolina 29640 or by certified mail at same address or hand delivery. Within **TEN(10) DAYS** after the day of service, not to include the day of service; and **IF YOU FAIL TO RESPOND OR ANSWER** or otherwise plead, within the time noted, Defendant WILL apply to the Court for the relief demanded in the pleading and JUDGMENT will be entered against you by DEFAULT.

Said motion is based on the pleadings on file and all applicable statutory and case law and any oral argument or written memorandum of law the court may allow. SCRPC Rule 11 does not apply, as the Defendants are in Default as to responding to the Amended Complaint, and, based on this action and other actions, consultation would be of no use.

*June 13*, 2020

s/James P. O'Connell #4259  
139 Grace Drive, Easley SC 29640  
Phone/Fax 864-220-0005  
jpatrickoconnell@yahoo.com

To whom it may concern;

My Name is Kimberly Hill  
My family and I have have been  
going to the Truth Outreach  
formerly known as Cornerstone  
for the past 9 years. How  
ever the past 2 years, we had  
left because of Seperation of Pastor  
Michael Davis and Sharon Davis.

My family and I were lead to  
Jesus Christ and Our faith, throug  
the teaching of Pastor Michael Davis.  
While we were no longer attending  
Church, We were contacted by a  
Susan Harrison to come up

to the church. We were handed a 3 page print out of what we now know were false accusations. Stating that Pastor Michael Davis and Elizabeth of stealing \$4,000 from the Tim Tebow Foundation and also committing adultery on his wife. Even though we were no longer members, we were coursed into signing the petition to vote Pastor Michael Davis out of the church. I was also asked to call my sister and Brother in law who were also former members

of The Truth Outreach who  
was only intown visiting as  
they had moved out of state.  
They signed the petition as  
well. We all feel awful because  
it was wrong, yet we will  
NOT be attending the truth  
Outreach until Pastor Davis  
comes back.

Thank you.

Kenny Hill  
864-784-1276  
5-31-18

David Hill  
5/31/18

---

PRIORITY MAIL

UNITED STATES POSTAL SERVICE®

PRIORITY MAIL

PRIORITY MAIL POSTAGE REQUIRED

Expected delivery date specified for domestic use.  
Most domestic shipping.  
USPS Tracking included for domestic and many international destinations.  
Limited international insurance.  
When used internationally, a customs form is required.

PRIORITY MAIL

UNITED STATES POSTAL SERVICE®  
VISIT US AT USPS.COM  
ORDER FREE SUPPLIES ONLINE

|                                          |                 |                                            |
|------------------------------------------|-----------------|--------------------------------------------|
| UNITED STATES POSTAL SERVICE®            |                 | Retail                                     |
| <b>P</b>                                 | US POSTAGE PAID |                                            |
|                                          | <b>\$12.25</b>  |                                            |
|                                          |                 | Origin: 29606<br>08/24/21<br>4536250273-08 |
| PRIORITY MAIL 2-DAY®                     |                 |                                            |
|                                          |                 | 2 Lb 5.00 Oz<br>1006                       |
| EXPECTED DELIVERY DAY: 08/28/21          |                 |                                            |
| SHIP TO:                                 |                 | C076                                       |
| 1220 SENATE ST<br>Columbia SC 29201-3769 |                 |                                            |
| USPS SIGNATURE® TRACKING #               |                 |                                            |
|                                          |                 |                                            |
| 9510 8103 7349 1175 6394 79              |                 |                                            |

FROM: Pastor Maria Davis  
1003 Easley Bridge  
Columbia SC 29611  
RECEIVED JUN 28 2021  
SC Court of Appeals  
TO: Court of Appeals  
1220 Senate St  
Columbia, SC  
29201

MAING ENVE  
FOR DOSTIC AND INTER

Service member full name:  
Rank (optional):  
Military organization or unit:

APD/FPO (Air/Army Post Office)  
or Fleet Post Office  
with 9 digit Zip Code:

|                                    |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| FOR DOMESTIC AND INTERNATIONAL USE |                          |                          |                          |                          |                          |                          |                          |                          |                          |
| <input type="checkbox"/>           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| APO or FPO                         |                          | AA AE AP                 |                          | ZIP                      |                          | FOUR                     |                          |                          |                          |

|                |
|----------------|
|                |
| PS000000000058 |

The packaging is the property of the U.S. Postal Service and is provided solely for use in sending Priority Mail® and Priority Mail International® and must be returned to the nearest Post Office. This package is for use in sending Priority Mail® and Priority Mail International® and must be returned to the nearest Post Office. The packaging is the property of the U.S. Postal Service and is provided solely for use in sending Priority Mail® and Priority Mail International® and must be returned to the nearest Post Office.

DuPont Tyvek®  
Protect What's Inside®