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SC Court of Appeals

IN THE
SOUTH CAROLINA COURT OF APPEALS [OR SUPREME COURT]

Case No. 2020-001467 _____ *

Pastors, Sr Pastor Michael Davis
Associate Pastor, Maria Rene Davis
For "The Cornerstones Cathedral "nka "The Truth
Outreach" of West Union, SC

Appellant,

From the Appeal from OCONEE COUNTY
COURT OF COMMON
PLEAS _____

Case No. 2020-001467 _____

v.
RURAL ECONOMIC DEVELOPMENT
CORP, LLC DBA ABL CONSULTING, INC
"The Rock Worship Center
And International Palm Oil and Biodiesel LLC,

Hon. R. SCOTT SPROUSE CIRCUIT _____
COURT JUDGE

[APPELLANT'S BRIEF]

Pastors, SR Pastor Michael Davis
Associate Pastor Maria Rene Davis

[Pro Se]

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM OCONEE COUNTY
COURT OF COMMON PLEAS

SC Court of Appeals

R. SCOTT SPROUSE CIRCUIT COURT JUDGE

Appellate Case No. 2020-001467

PASTORS, SR. PASTOR MICHAEL DAVIS
ASSOCIATE PASTOR, MARIA IRENE DAVIS,
For "The Cornerstone Cathedral" nka "THE TRUTH
OUTREACH" of West Union, SC

APPELLANT

Versus

RURAL ECONOMIC DEVELOPMENT CORP. LLC
Dba ABL Consulting, INC, "The Rock Worship Center"
And International Palm Oil and Biodiesel LLC,

RESPONDENTS

AMENDED NOTICE OF APPEAL

APPELLANT, appeals the judgment of the Honorable R. Scott Sprouse, Order dated 5th day of November 2020, E-filed November 5, 2020, and received by the Appellant's attorney from the Clerk of Court E-file November 5, 2020 and immediately mailed to Appellant, for Civil Action 2019-CP-37-585.

Appellant informs the Court that a Notice of and Motion for Reconsideration is being e-filed with the Court of Common Pleas November 5, 2020, by Appellant's attorney, for Civil Action 2019-CP-37-585.

Appellant raises the same issues on appeal as was raised by the Appellant's initial filing with the Court, a copy of which is attached.

The Court based upon the First Amendment to the United States of America, has ruled that any congregations internal property dispute is only when the property either real or Personal or both is when a religious or doctrinal controversy is the bases for the dispute. Presbyterian Church in the U. S. v. Mary Elizabeth Blue Hull Memorial Presbyterian

Church 393 U.S. 440 (1969).

The Court is required to inquire as to the dispute only based on neutral principles of law. For example, fraud, misrepresentation, any civil torts, and a dispute between contending congregations (such as we have here) So, when deciding issues that are civil in nature and are not doctrinal or ecclesiastical the Court is allowed to decide the civil disputes.

The Court was not requested to determine who was and who were members of the Congregation by the doctrines of the congregation, but as requested, who were the members when the church congregation as was in place January 2016 and who were or was the congregation January 2016.

Both Plaintiff and Defendants claim both follow the same doctrinal basis, the question is which congregation was in charge of the church at the time in question. If not, then any one or more persons could and in this case did, claim to be a new congregation and ousted the Plaintiff from the congregational Church.

The question before the Court was which congregation properly was in charge as both Congregations state by their pleadings and exhibits that both congregations adhere to the Same ecclesiastical language from the congregation's Constitution and Bylaws.

Further as the Court rulings have shown, the Court generally will not seek to adjudicate the use of church funds or the misuse of church funds. Complained of by Plaintiff is the use of church funds while Plaintiff was Pastor by a non-member of the congregation. The use of the funds was by Plaintiff an embezzlement not an interpretation of how to use Church funds, as the funds were alleged to be taken and used for personal use, not for any church purposes.

Further, Plaintiff has shown the Court that the congregation presently operating the church have used the church's real estate to build a house, from a mortgage taken by the alleged new pastor and at that time the pastor's husband. Plaintiff has provided the Court information as to the congregation in place, to obtain a new mortgage. Plaintiff has shown by the Plaintiff's pleadings that the use of the church funds was in no manner part of a church doctrine.

APPELLANT MOTION FOR TEMPORARY INJUNCTION

Appellant is requesting the Appeals Court to issue an Order for a Temporary Injunction, as stated by the initial filing and repeated here, the cancellation of the Lis Pendens in Civil Action Number **2018-CP-3-00489**, which is still an ongoing action, which was made by Motion of Desimber Wattleton, and no other Defendant, and was ruled on and Ordered by the Court in Civil Action 2019-CP-37-585, no other party filed any Motion to cancel the Lis Pendens.

Appellant argues that because the Lis Pendens was cancelled the Respondents will sell the real property of the Appellant, during the pendency of the Civil Action 2018-CP-37-00489, which was stated by the Motion for the Cancellation of the Lis

Pendens

Further the Appellant request the Appeal Court to hear and rule on the issues raised by The Civil Action and the Judge's Order especially as to the issue of are the actions of the Respondents "ecclesiastical"? When the Appellant raised issues if fraud, breach of trust, an illegal deed, and other issues not part of the dogma or tenants of the congregation, especially the Membership of the church.

December 15,2021



Sr. Pastor Michael Davis for the The Truth Outreach

Associate Pastor Maria Davis for The Truth Outreach

1003 Easley Bridge Rd

Greenville, SC 29611

Other Counsel of record

Angela Nichole Lane for "REDC" and The Rock Worship

Post Office Box 851

Sandy Springs SC 29677

For Civil Action 2019-CP-37-585

Desimber Wattleton for "The Truth Outreach "Church

185 Cornerstone Dr, West Union, SC 29696

Or 720 West Main Street

Laurens SC 29360

For Civil Action 2018-CP-367-489

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COURT OF COMMON PLEAS

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APPELLANT

Versus

RURAL ECONOMIC DEVELOPMENT CORP. LLC
Dba ABL Consulting, INC, "The Rock Worship Center"
And International Palm Oil and Biodiesel LLC,

RESPONDENTS

PROOF OF SERVICE

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

- 1) Angela Nichole Lane for "REDC" and "The Rock Worship", Post Office - 185 Box 851, Sandy Springs SC 29677, for Civil Action 2019-CP-37-585, Cornerstone Church West Union SC 29696
 - 2) Desimber Wattleton for "The Truth Outreach" Church, nka "The Rock Worship" 720 West Main St. Laurens, SC for Civil Action 2018-CP-37-489
- or by personal in hand service; or both, on the date noted below.

December 15, 2021 *same Brief request*

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

*Oconee County Clerk of Court
via Certified letter*

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SC Court of Appeals

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