

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)
)
The Protestant Episcopal Church In The)
Diocese Of South Carolina; The Trustees of)
The Protestant Episcopal Church in South)
Carolina, a South Carolina Corporate Body;)
All Saints Protestant Episcopal Church, Inc.;)
Christ St. Paul's Episcopal Church;)
Church Of The Cross, Inc. and Church)
Of The Cross Declaration Of)
Trust; Church Of The Holy Comforter;)
Church of the Redeemer;)
Holy Trinity Episcopal Church; St. Luke's)
Church, Hilton Head Island;)
St. Bartholomews Episcopal Church;)
St. Davids Church; St. James' Church,)
James Island, S.C.; St. Paul's Episcopal)
Church of Bennettsville, Inc.;)
The Church Of St. Luke and St.)
Paul, Radcliffeboro; The Church Of Our)
Saviour Of The Diocese of South Carolina;)
The Church Of The Epiphany (Episcopal);)
The Church Of The Good Shepherd,)
Charleston, SC; The Church Of The Holy)
Cross; The Church Of The Resurrection,)
Surfside; The Protestant Episcopal Church,)
Of The Parish Of Saint Philip, In Charleston,)
In The State Of South Carolina; The)
Protestant Episcopal Church, The Parish Of)
Saint Michael, In Charleston, In The State)
Of South Carolina and St. Michael's Church)
Declaration Of Trust; The Vestry and)
Church Wardens Of St. Jude's Church Of)
Walterboro; The Vestry And Church)
Wardens Of The Episcopal Church Of)
The Parish Of St. Helena and The Parish)
Church of St. Helena Trust; The Vestry and)
Church Wardens Of The Episcopal Church)
Of The Parish Of St. Matthew; The Vestry)
and Wardens Of St. Paul's Church,)
Summerville; Trinity Church)
of Myrtle Beach; Trinity Episcopal Church;)
Trinity Episcopal Church, Pinopolis; Vestry)
and Church-Wardens Of The Episcopal)

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

Case No. 2013-CP-18-00013

**SUPPLEMENT TO MOTION FOR
CLARIFICATION OF JURISDICTION
AND FOR OTHER RELIEF**

Church Of The Parish Of Christ Church;)
Vestry and Church Wardens Of The)
Episcopal Church Of The Parish Of St.)
John's, Charleston County; The Vestries and))
Churchwardens of the Parish of St.)
Andrew)
)
PLAINTIFFS,)
)
v.)
)
The Episcopal Church (a/k/a, The)
Protestant Episcopal Church in the)
United States of America); The Episcopal)
Church in South Carolina)
DEFENDANTS.)
_____)

This supplements the motion filed on March 22, 2018 conforming to changed facts since its filing and to the list of issues filed with the Court on August 2, 2018. Two factual assertions made in the March motion have changed: The United States Supreme Court denied Plaintiffs’ Petition for Certiorari and the South Carolina District Court refused to allow Defendants to add most of the state law issues, already present here, to that federal action.

The grounds for the motion arise out of the same predicate: “This Court must exercise jurisdiction to clarify [and decide] issues that remain” regarding *The Protestant Episcopal Church in South Carolina, et al.*, 421 S.C. 211, 800 S.E. 2d 82 (2017) (“Collective Opinions”). Because of the changed factual circumstances, the grounds may now be articulated with greater clarity. They are these:

- This Court has jurisdiction to take whatever action is necessary to resolve issues which are necessary to this Court’s ability factually, legally and constitutionally to implement the Collective Opinions.
- Two of the four Justices who considered whether to hear the issues raised by the

Petition for Rehearing recognized that the Collective Opinions left “great uncertainty”, provided “little to no coherent guidance” and would require “more litigation involving these issues.” Order, Supreme Court of South Carolina, November 17, 2017.

- Enforcement of the judgment “according to law” or taking action consistent with the Collective Opinions requires the determination of what the Collective Opinions held and what action would be consistent with those holdings.
- As stated in the Plaintiffs Unresolved Issues List, the Collective Opinions did not decide, as to each parish church, the factual issue of the existence of express trusts; there is a dispute as to the Court’s ruling on the appropriate beneficiary of the Trustee’s assets and; the Plaintiffs/Counterclaim Defendant’ defenses have not been heard.

September 24, 2018

Respectfully submitted,

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