

The Supreme Court of South Carolina

Ex parte: The Episcopal Church (a/k/a The Protestant Episcopal Church in the United States of America) and The Episcopal Church in South Carolina, Petitioners,

v.

Edgar W. Dickson, in his official capacity as Dorchester County Circuit Court Judge, Respondent.

In re: 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; Christ the King, Waccamaw; 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; Saint Luke's Church, Hilton Head; St. Matthews Church; St. Andrews Church-Mt. Pleasant Land Trust; St. Bartholomews Episcopal Church; St. David's Church; St. James' Church, James Island, S.C.; St. John's Episcopal Church of Florence, S.C.; St. Matthias Episcopal Church, Inc.; St. Paul's Episcopal Church of Bennettsville, Inc.; St. Paul's Episcopal Church of Conway; 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, S.C.; 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 Prince George Winyah; The Vestry and Church Wardens of The Church of The Parish of St. Helena and The Parish Church of St. Helena Trust; The Vestry and Church Wardens 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 Church of The Parish of Christ Church; Vestry and Church Wardens of The Episcopal Church of the Parish of St. John's, Charleston County; and The Vestries and Churchwardens of The Parish of St. Andrews, Plaintiffs - Interveners,

v.

The Episcopal Church (a/k/a The Protestant Episcopal Church in the United States of America) and The Episcopal Church in South Carolina, Defendants.

Appellate Case No. 2019-000463



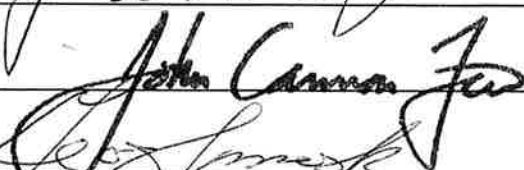

ORDER

Petitioners have filed a petition with this Court seeking a writ of mandamus directing Respondent, Dorchester County Circuit Court Judge Edgar W. Dickson, "to enforce this Court's mandate" in *Protestant Episcopal Church in the Diocese of South Carolina v. Episcopal Church*, 421 S.C. 211, 806 S.E.2d 82 (2017), *cert. denied*, 138 S. Ct. 2623 (2018), "by effectuating the transfer of possession and control of the diocesan property and the property of 29 of the parishes at issue and providing any further relief consistent with that mandate." Petitioners state they filed a petition to enforce the judgment that has been pending in the circuit court since May 2018.

A motion to intervene and a return to the petition for a writ of mandamus have been submitted by the remaining parties in the underlying appeal (Intervenors). Intervenors argue a writ of mandamus is not appropriate as Respondent is currently scheduling hearings to review the petition to enforce the judgment, as well as a separate action filed in the circuit court under the Betterments Act. *See* S.C. Code

Ann. § 27-27-10 (Supp. 2018). Petitioners have advised the Court that they do not oppose the motion to intervene.

We grant the motion to intervene. Because Respondent is in the process of scheduling hearings on the matters filed in the circuit court, we are confident that Respondent will resolve the petition to enforce the judgment, as well as any related matters that are pending, in an expeditious manner. As a result, we deny the petition for a writ of mandamus.

	C.J.
	J.
	J.
	J.

Hearn, J., not participating.

Columbia, South Carolina

June 28, 2019

cc:

Christopher Ernest Mills, Esquire
Steffen N. Johnson, Esquire
C. Pierce Campbell, Esquire
Thomas Christian Davis, Esquire
Harry Arthur Oxner, Esquire
Andrew Spencer Platte, Esquire
C. Alan Runyan, Esquire
Thornwell F. Sowell, III, Esquire
Bess Jones DuRant, Esquire
Robert R. Horger, Esquire
William A. Scott, Esquire
Matthew Terry Richardson, Esquire
Wallace K. Lightsey, Esquire
D. Reece Williams, III, Esquire
John Carroll Moylan, III, Esquire
Henrietta U. Golding, Esquire

Stephen A. Spitz, Esquire
George J. Kefalos, Esquire
Oana Dobrescu Johnson, Esquire
Harry Roberson Easterling, Jr., Esquire
Mark V. Evans, Esquire
Lawrence B. Orr, Esquire
Steven Smith McKenzie, Esquire
Saunders M. Bridges, Jr., Esquire
Robert S. Shelton, Esquire
David B. Marvel, Esquire
David L. DeVane, Esquire
Henry Pickett Wall, Esquire
William A. Bryan, Esquire
Allan R. Holmes, Sr., Esquire
David Booth Beers, Esquire
Mary E. Kostel, Esquire
Thomas S. Tisdale, Jr., Esquire
Jason S. Smith, Esquire
Charles H. Williams, Esquire
Ivon Keith McCarty, Esquire
David Spence Cox, Esquire
Amanda A. Bailey, Esquire
C. Mitchell Brown, Esquire
William C. Marra, Esquire
Charles J. Cooper, Esquire
G. Mark Phillips, Esquire
W. Foster Gaillard, Esquire
Henry E. Grimbball, Esquire
Francis Marion Mack, Esquire
Peter Brandt Shelbourne, Esquire
Susan Pardue MacDonald, Esquire
James Kent Lehman, Esquire
John B. Williams, Esquire
Allan Poe Sloan, III, Esquire
Joseph C. Wilson, IV, Esquire
John Furman Wall, III, Esquire
The Honorable Edgar W. Dickson