



June 11, 2018

Dear St. Michaelites and Friends:

“Courageous Joy” vs. “Circumstantial Joy” was our theme in worship yesterday, and there is a difference. Our joy is not based on circumstances and happenstances, but on what Jesus has done for us. We also mentioned the fact that Nehemiah’s phrase: “The Joy of the Lord is our Strength” is a profound one (Note, Nehemiah didn’t say “the joy of our circumstance, or the joy of our job etc). Our Joy and strength is found in Christ-Alone. Words we need to hear as we open up social media today to the news that the United States Supreme Court denied our Petition for Writ of Certiorari.

We have attached communication from the Diocese of South Carolina explaining the latest. Let me highlight three important facts as you read it.

1. None of the nearly three dozen churches involved are in any eminent danger of eviction as a result of today’s decision
2. The Diocese of South Carolina will now return to our state courts as we believe the ruling of our State Supreme Court is “virtually unenforceable as written.”
3. The law and facts of our case still favor us and the Diocese plans to continue to press in, even if it requires a second appearance before the South Carolina Supreme Court.

In the meantime, I will be meeting with our leadership team today to come up with a time to gather as a parish family this week and weekend.

On a personal note, so many of you have emailed, texted and called to ask how the Zadig family is doing. In one word, we are fine. Our biggest prayer is that St. Michael’s Church always be that place where the undiluted Gospel of Jesus Christ is preached, taught and caught.

Remember, we are people of courageous and not circumstantial joy, in all of this, choose joy.

Blessings and much love in Christ, ATKZ, Jr.



Diocese of
SOUTH CAROLINA
Making Biblical Anglicans for a Global Age

Diocese's Petition for Cert Denied by United States Supreme Court

Charleston, S.C. (June 11, 2018) – Today the Diocese of South Carolina (Diocese) was informed that the United States Supreme Court denied its [Petition for Writ of Certiorari](#). Doing so leaves in place a [sharply divided ruling](#) that could deprive at least 28 parish churches of their right to properties some have held for over 300 years.

The central issue the high court was asked to review was whether the same rules for determining property ownership applied to church property as in any secular case (neutral principles of law). Courts across the nation have been deeply divided on this issue. There was in this instance, the serendipity of a Minnesota case simultaneously petitioning the Court for review, with essentially identical facts but an opposite outcome in Minnesota. The Court has declined to review either case, leaving in place divisions only it can resolve.

The Rev. Canon Jim Lewis observed, “We are disappointed the Court chose not to resolve a serious division in the lower courts, though our case was a providential opportunity to do so. The essential issue of what the Court means by “neutral principles of law” will remain unresolved for now.”

The Diocese of South Carolina will now return to our state courts, where the case has been remitted to the Dorchester Courthouse where it originated. An element of TEC's argument for the United States Supreme Court to deny our petition was the “fractured” nature of the South Carolina Supreme Court's ruling. Constitutional issues aside, the Diocese believes the conflicted nature of the current State Supreme Court ruling is virtually unenforceable as written. Interpretation and implementation of that ruling, given its five separate opinions, with no unified legal theory even among the plurality of the court, means there are still significant questions to resolve.

The Diocese remains confident that the law and the facts of this case favor our congregations. We plan to continue to press both to their logical conclusion, even if that requires a second appearance before the South Carolina Supreme Court.

Statement by the Rt. Rev. Mark J. Lawrence, Diocesan Bishop: “While, obviously, we are disappointed that the Court did not review this case, our hope remains steadfast in our Heavenly Father. There are many unresolved legal questions which remain before the State Court as well as matters for prayerful discernment as we seek to carry out the mission to which we are called in Jesus Christ. We shall seek his guidance for both.”

LINKS:

A copy of our Petition to the United States Supreme Court and supporting *amicus* briefs can be found here:

https://www.dioceseofsc.org/wp-content/uploads/2018/03/episcopal_church_cert_petition_18_2_9.pdf

https://www.dioceseofsc.org/wp-content/uploads/2018/03/2018_3_29_Professors_-_Beck_et_al_Amici_Brief.pdf

https://www.dioceseofsc.org/wp-content/uploads/2018/03/2018_3_29_scotus_tfca_amicus_brief.pdf

The South Carolina Supreme Court’s Current Ruling:

<http://www.sccourts.org/opinions/HTMLFiles/SC/27731.pdf>

Judge Goodstein’s Final Order from the Trial Court:

http://www.diosc.com/sys/images/documents/tec/15_2_3_final_order.pdf

History of the Case and The Diocese of South Carolina:

<https://www.dioceseofsc.org/news-events/legal-news/>