

STATE OF SOUTH CARLINA)
COUNTY OF _____)

IN THE MAGISTRATES COURT

_____)
_____)
PETITIONER(S))
VS.)
_____)
_____)
RESPONDENT(S)

ORDER
ACCESS TO CEMETERY,
BURIAL GROUND OR GRAVE
(In Response to Petition by Landowner)

CIVIL CASE NUMBER

The petitioner in the above captioned action requests injunctive relief pursuant to 27-43-310 of the South Carolina Code of Laws, alleging that the respondent has refused to accept reasonable conditions of access to the cemetery/burial ground/grave located at _____ pursuant to 27-43-310 (C)(4). After reviewing the pleadings and considering all arguments made by the parties to this action, the Court finds the following facts:

1. The real property subject to this complaint is located at _____ in _____ County.
 Yes No
2. The respondent was properly served and given an opportunity to be heard.
 Yes No
3. The Petitioner provided Respondent with a written proposal for reasonable access to the cemetery, burial ground, or grave located on the subject property pursuant to 27-43-310 (C)(2) (a copy of which is attached hereto). Yes No
4. Respondent has failed and refused to accept Petitioner's terms and conditions for access.
5. Petitioner has requested that this Court issue an Order granting access to Respondent under reasonable terms and conditions pursuant to § 27-43-310 (C)(4), establishing the frequency, hours and duration of such access.
6. The petitioner established by a preponderance of the evidence that respondent failed to accept the proposed reasonable terms and conditions of access pursuant to Section 27-43-310 of the SC Code of Laws. Yes No
7. The Court finds that reasonable access should be granted denied for the following reasons: _____
_____.

8. The Court finds that the following times and periods of access are reasonable for the stated purpose: _____
_____.

9. The Court makes the following additional findings of fact: _____

_____.

THEREFORE, IT IS ORDERED that plaintiff's request for relief is granted/denied. If granted, the respondent shall immediately comply with the terms and conditions of such access as outlined in this Order.

Date

Magistrate