

STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)

IN THE MAGISTRATES COURT

_____)
_____)
_____)

PETITIONER(S))
VS.)
)

PETITION AND MOTION
FOR ACCESS TO CEMETERY,
BURIAL GROUND, OR GRAVE

_____)
_____)
_____)
RESPONDENT(S))

CIVIL CASE NUMBER

The Petitioner alleges:

1. The Respondent owns or occupies real property located at _____, which is in _____ County.
2. The Petitioner is informed and believes that he should be allowed reasonable ingress and egress to the above-referenced property as it contains a cemetery, burial ground or grave and Petitioner is one of the following:
 - a family member or descendant of a deceased person buried on the private property; or
 - a cemetery plot owner; or
 - a person lawfully participating in a burial; or
 - a person engaging in genealogy research who has received lawful written permission to conduct said research pursuant to SC Code Section 27-43-310(A)(4)(a)(b).
3. On _____, 20____, Petitioner made a written request to _____ (a copy of which is attached hereto) for reasonable access for the purpose of:
 - visiting a grave(s)
 - maintaining the gravesite or cemetery
 - lawfully burying a deceased person in a cemetery or burial plot by those granted rights of burial to that plot
 - conducting genealogy research.
4. Thirty (30) days have passed and the Respondent has failed to respond with a written proposal to allow such access. Petitioner alleges that the defendant has unreasonably denied Petitioner reasonable access to the cemetery, burial ground, or grave, and that this action requesting injunctive relief is therefore proper and necessary.
5. Therefore, Petitioner requests that this Court issue injunctive relief pursuant to § 27-43-310 (C)(4) & (5) of the South Carolina Code of Laws, allowing Petitioner access to the above stated

premises for the statutory purposes mentioned hereinabove.

6. Petitioner requests the following additional relief from this Court:

SWORN to and Subscribed before me)

This ____ day of _____, 20____.)

Notary Public for South Carolina)
My Commission expires: _____)

Signature of Petitioner or Person Filing
on Behalf of Petitioner