IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Jurisdiction of the Armed Forces and Chaplaincy, Plaintiff, v. Anglican Church in North America, Defendant.	)	Civil Action No. 2:25-cv-12848-BHH **ORDER**

On October 6, 2025, Plaintiff Jurisdiction of the Armed Forces and Chaplaincy ("Plaintiff" or "Jurisdiction") filed a complaint for preliminary injunctive relief and damages against Defendant Anglican Church in North America ("Defendant" or "Anglican Church").[1] (ECF No. 1.) On October 7, 2025, Plaintiff filed motion for temporary restraining order, or in the alternative, for preliminary injunction. (ECF No. 6.) In the motion, Plaintiff asks the Court to restrain Defendant from the following:

> a. using Plaintiff's Service Mark "Jurisdiction of the Armed Forces and Chaplaincy," Plaintiff's original corporate name "Special Jurisdiction of the Armed Forces and Chaplaincy," Plaintiff's Trademark "Anglican Chaplains," Plaintiff's Trademarked Logo, and the unique title of Plaintiff's head, the "Bishop of the Armed Forces and Chaplaincy";
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> b. representing that Bishop Jones is no longer the "Bishop of the Armed Forces and Chaplaincy" or that the Anglican Church has replaced him in that position;

[1] Plaintiff's complaint includes the following claims against Defendant: (1) infringement of registered service mark for Plaintiff's current name, "Jurisdiction of the Armed Forces and Chaplaincy," which has been registered with the United States Patent and Trademark Office; (2) infringement of a registered trademark logo; (3) commercial misrepresentation under the Lanham Act, § 43(a)(1)(A); (4) false advertising under the Lanham Act, § 43(a)(1)(B); (5) violation of the South Carolina Unfair Trade Practices Act; (6) misappropriation of corporate identity; (7) tortious interference with employer contracts; (8) tortious interference with chaplain contracts; (9) slander of title; and (10) temporary restraining order/preliminary injunction. (ECF No. 1.)

> c. representing that Plaintiff lacks the capacity to endorse Anglican Chaplains who originate from the Anglican Church or any other Anglican diocese or province;
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> d. slandering Plaintiff or Bishop Jones in private or public; and
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> e. threatening or recruiting any chaplains, mission, chapels, or parishes that are in or under Plaintiff's jurisdiction.

(ECF No. 6 at 26.)

The Court held an emergency hearing on October 8, 2025, following which the Court entered a text order deferring its ruling on the matter until it could be fully briefed. (ECF No. 10.) The Court instructed Defendant to file its response to Plaintiff's motion by October 13 and Plaintiff to file any reply by October 15. The Court then reconvened the hearing on October 17, 2025.

Now, for the reasons set forth on the record during the October 17 hearing and for the reasons set forth herein, the Court grants in part and denies in part Plaintiff's motion for preliminary injunction.[2]

STANDARD OF REVIEW

Federal Rule of Civil Procedure 65 establishes the procedure for federal courts to grant preliminary injunctions. "The purpose of a preliminary injunction is merely to preserve the relative positions of the parties until a trial on the merits can be held." *United States v. South Carolina*, 840 F. Supp. 2d 898, 914 (D.S.C. 2011) (quoting *Univ. of Tex. v.*

[2] Plaintiff's motion requests a temporary restraining order, or alternatively, a preliminary injunction, but as the Court explained at the hearing on October 17, because the matter has been fully briefed and both parties have had ample opportunity to be heard, the question for the Court is whether to grant a preliminary injunction.

Camenisch, 451 U.S. 390, 395 (1981)). "A plaintiff seeking a preliminary injunction must establish that [1] he is likely to succeed on the merits, [2] that he is likely to suffer irreparable harm in the absence of preliminary relief, [3] that the balance of the equities tips in his favor, and [4] that an injunction is in the public interest." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). "To obtain a preliminary injunction under the *Winter* test, a movant must make a 'clear showing' of [the] four requirements." *Alkebulanyahh v. Nettles*, 2011 WL 2728453, at *3 (D.S.C. July 13, 2011); *see also Dewhurst v. Century Aluminum Co.*, 649 F.3d 287, 290 (4th Cir. 2011) ("*Winter* thus requires that a party seeking a preliminary injunction . . . must clearly show that it is likely to succeed on the merits.") (internal quotation marks omitted). As the Supreme Court has noted, a preliminary injunction is "an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief." *Winter*, 555 U.S. at 22.

DISCUSSION

At the hearing on October 17, this Court explained that it does not intend to entangle itself into an internal canonical dispute over the Anglican Church's ecclesiastical structure, as that would clearly run afoul of the First Amendment. However, the Court also acknowledged that some of the issues presented by Plaintiff may be ripe and appropriate for the Court's consideration, such as Plaintiff's trademark claims and questions arising under 28 C.F.R. § 17.655 (concerning ecclesiastical endorsing organizations).

After hearing arguments from the parties, counsel for Defendant effectively conceded that Defendant would refrain from using Plaintiff's service mark "Jurisdiction of the Armed Forces and Chaplaincy," Plaintiff's trademark, "Anglican Chaplains," and

Plaintiff's trademarked logo. (*See* ECF No. 23 at 17, 21-22, 51.) Additionally, after review of the evidence of record and the applicable law, the Court finds that Plaintiff has met its burden under *Winter* as to these three items, and the Court thus grants Plaintiff's motion for a preliminary injunction as to those three items. (*Id.* at 52.)

As to the remainder of Plaintiff's motion, however, and after additional consideration, the Court finds that Plaintiff has failed to make a clear showing of a likelihood of success on the merits. As the Court noted at the hearing, in fact, very little about this case is clear. And as the Court also noted, there is some concern that certain of Plaintiff's requests wade into ecclesiastical matters that are not appropriate for this Court to resolve, e.g., Plaintiff's request that Defendant be precluded from representing that Bishop Jones is no longer the "Bishop of the Armed Forces and Chaplaincy" or that the Anglican Church has replaced him in that position. Furthermore, as noted on several occasions during the hearing, the record abounds in material factual disputes, and the Court does not find it appropriate to resolve those factual disputes at this time and based on the current record. Lastly, as to Plaintiff's request that the Court restrain Defendant from slandering Plaintiff or Bishop Jones, the Court simply notes that law already exists to prevent slander.

In conclusion, and based on the record currently before the Court, the Court grants Plaintiff's request for an order restraining Defendant from using Plaintiff's service mark "Jurisdiction of the Armed Forces and Chaplaincy," Plaintiff's trademark "Anglican Chaplains," and Plaintiff's trademarked logo. However, the Court denies Plaintiff's motion in all other respects.

Accordingly, Plaintiff's motion for preliminary injunction (ECF No. 6) is granted in part and denied in part as outlined in this order.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

November 6, 2025
Charleston, South Carolina