

Isaac Smith, Jr.
2916 1/4 W. Vernon Avenue
Los Angeles, CA 90008

August 7, 2022

RECEIVED
AUG 08 2022
SC Court of Appeals

The South Carolina Court of Appeals
Post Office Box 11628
Columbia, SC 29211

1220 Senate Street
Columbia, SC 29201

Attention: V. Claire Allen
Chief Deputy Clerk

Re: Request for clarification
Appellate Case Number: 2021-001434
Circuit Court Number: 2019-CP-32-01270

Isaac Smith, Jr., Plaintiff
vs.
Sonja L. Lewis, Defendant

Dear Ms. V. Claire Allen:

As per your most recent correspondence dated July 29, 2022, I am seeking clarification of my constitutional due process rights. I realize your court does not give legal advice, however I am being denied access to your court and in the process my due process rights are severely violated.

I filed a motion for a protection order. A hearing was held, to which I had no notice of, to determine if I could receive the protective order. I had no notice of the hearing and the record of the case filed with the Lexington County Clerk of Court due not show any notice of hearing sent to the plaintiff.

Notice of a hearing is one of the basic principles of Constitutional Due Process. I never received any notice of the hearing and I am the plaintiff, Isaac Smith, Jr. There is no copy of any record of notice of the hearing being sent by the court or the defendant's attorney. Furthermore, the filing that accompanied the electronic order states that the Plaintiff, Isaac Smith could not be served electronically and must be served by traditional means. I never received any service of the order nor the notice of the hearing to which was held without my presence by any tradition means of any means and all.

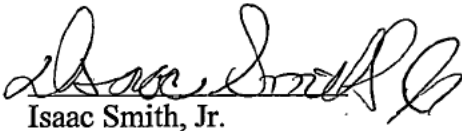
What we have is a blatant denial of the Plaintiff, Isaac Smith's, constitutional right to due process. As a result of that lack of notice I am being denied access to the Court of Appeal and the South Carolina Supreme Court. The purpose of the Court of Appeal and the South Carolina Supreme Court is remedy denial of due process such as the due process that was denied me.

The court of appeal used as its reasoning for dismissing my appeal and sending a remitter to the circuit court was my lack of filing a transcript. The court in its decision ignored the fact that the hearing was held with a court reporter present and there was no transcript available to file.

I have enclosed a copy of the electronically generated order and the notice of filing of the order that is in the clerk of court's recorded on the file of the case. I am merely seeking justice and my due process. Please consult with the Court and determine if the Court will allow me notice and opportunity to be heard. I was not asking for a rehearing. I was asking for a reinstatement of the appeal. A reinstatement of an appeal in situations such as mine are routinely granted.

I, Isaac Smith, Jr. has not received my official first class mailing of the notice or a copy of the electronically generated order. If you have any questions, please do not hesitate to contact me.

Sincerely,



Isaac Smith, Jr.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2019CP3201270

Official File Stamp: 11-21-2019 01:14:56 PM
Court: CIRCUIT COURT
Common Pleas
Lexington
Case Caption: Isaac Smith Jr VS Sonja I Lewis
Document(s) Submitted: Order/Electronic Form 4 Order/Electronic Form 4
Filed by or on behalf of: William P. Keesley

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Kenneth Allen Davis for Sonja I Lewis

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Isaac Smith, Jr for Isaac Smith, Jr
Isaac Smith, Jr for Isaac Smith, Jr

2019 NOV 21 11:15 AM CIRCULAR COMMON PLEAS COURT #2019CP3201270

must
013-0

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

A hearing on this motion was scheduled for November 19, 2019. At the designated time, defense counsel was present, but the plaintiff failed to appear. The file reflects that the pro se plaintiff filed a motion for continuance on November 7, 2019, but the continuance request referred to a hearing schedule for October 24, which date had obviously passed. Assuming that was a mistake and that the request was to continue this hearing, no continuance had been granted by the Chief Judge for Administrative Purposes. The file reflects that the plaintiff resides in Los Angeles, California, but the reason stated for the continuance request is not related to travel or unavailability. Since the plaintiff failed to appear, failed to obtain a continuance, and failed to provide anything to substantiate his motion for protective order, the motion is dismissed for failure to prosecute.

2019 NOV 21 14:19 PM ALEX IN ACTION 24 COMMON PLEAS CASE#20190832012701

Isaac Smith, Jr
PLAINTIFF(S)

Sonja I Lewis
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT:** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

The plaintiff's motion for a protective order is dismissed for failure to prosecute. He must respond to discovery.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 11/21/2019

Isaac Smith, Jr for Isaac Smith, Jr
Isaac Smith, Jr for Isaac Smith, Jr

RECEIVED
AUG 08 2022
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

FILED ELECTRONICALLY FILED 2019 NOV 20 11:19 PM IN THE COMMON PLEAS COURT, LEXINGTON COUNTY, SOUTH CAROLINA. CASE# 2019CR0201270

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

AUG 08 2022

SC Court of Appeals

Appeal from the Court of Common Pleas for Lexington County, South Carolina

William P. Keesley, Circuit Court Judge

Case No. 2021-001434

Isaac Smith, Jr..... Appellant,

v.

Sonja L. Lewis..... Respondent,

PROOF OF SERVICE

I, Isaac Smith, Jr, Appellant, served upon the Respondent this letter requesting clarification by placing the same in the United States Mail, first class postage prepaid, addressed to the following as shown below this 8th day of August, 2022.

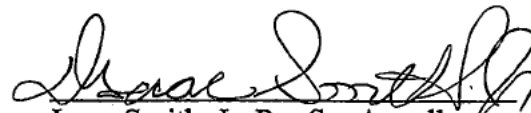
Sonja Lewis
605 Morning Drive
College Park, GA 30349

Sonja Lewis
1141 Allen Street,
Cayce, South Carolina 29033

Elnora J. Dean
1401 Calhoun St,
Columbia, SC 29201

Boykin & Davis
270 Stoneridge Drive
Columbia, SC 29210

Lexington County Circuit Court
205 E Main St #146,
Lexington, SC 29072

A handwritten signature in black ink, appearing to read "Isaac Smith, Jr.", written over a horizontal line.

Isaac Smith, Jr. Pro Se, Appellant
2916 ¼th West Vernon Avenue
Los Angeles CA 90008

July 8, 2022