

# The South Carolina Court of Appeals

Bank of America, N.A., Respondent,

RECEIVED

v.

NOV 20 2023

Florence S. Bennett and if Florence S. Bennett be deceased then any children and heirs at law to the Estate of Florence S. Bennett, distributees and devisees at law to the Estate of Florence S. Bennett, and if any of the same be dead any and all persons entitled to claim under or through them also all other persons unknown claiming any right, title, interest, or lien upon the real estate described in the complaint herein; Any unknown adults, any unknown infants or persons under a disability being a class designated as John Doe, and any persons in the military service of the United States of America being a class designated as Richard Roe; Wesley E. Smith, III; Stephanie J. Smith, Defendants,

SC Court of Appeals

Of whom Wesley E. Smith III is the Appellant.

Appellate Case No. 2023-001498

The Honorable Mikell R. Scarborough  
Charleston County  
Trial Court Case No. 2022CP1002468

---

ORDER

---

Appellant has failed to submit the notice of appeal filing fee, the complete order on appeal, a proof of service of the notice of appeal, proof of filing with the clerk of the lower court, and an amended notice of appeal, as required by Rule 203 of the South Carolina Appellate Court Rules and the Court's letters dated September 22, 2023 and October 4, 2023. Accordingly, this matter is dismissed. The remittitur

will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY Jenny A. Kitch  
CLERK

Columbia, South Carolina

**FILED**  
**Oct 27 2023**

cc:

Wesley Edward Smith, III  
Sarah Oliver Leonard, Esquire  
Ashley Zarrett Stanley, Esquire  
Kenneth Gregory Wooten, III, Esquire

# THE SOUTH CAROLINA COURT OF APPEALS

BANK OF AMERICA, N A Respondents

v

Florence S Bennett and if Florence S Bennett, be deceased then any Children and heirs at law to the estate of Florence S Bennett, distributes and devisees at law to the Estate of Florence S Bennett, and if any of the same be dead any and all persons entitled to claims under or through them also all other persons unknown claiming any right, title, interest, or lien, upon the real estate described in the complaint herein:  
Any unknown adult, any unknown infants  
Or persons under a disability being a class Designated as John Doe, and any persons In the military service of the United States of America being a class designated as Richard Roe: Wesley E Smith III:  
Stephanie J Smith: Defendants

Of whom Wesley Edward Smith, III is the Appellant

Appellant Case No. 2023-001498

## **BRIEF AND ACKNOWLEDGMENT REASONS OFR FILING NOTICE TO HAVE REMOVED FROM STATE COURT OF APPEALS SOLELY ON THE FACT OF PREEXISTING RESTRAINTS OF PREJUDICE EXISTING OVERLOOKED BY SIMILAILY SITUATED EMPLOYEES AS STATE OFFICERS INEXTRICABLY INTERWOVEN WITH EMPLOYED PER-SONNEL INTRUSION CREATES OTHER THIRD PARTY DOMESTIC DISPUTES**

In accordance with the court order, I, Wesley Edward Smith III (Improperly named by Plaintiff as 'Wesley Smith' and if the court in five (5) business days prove beyond reason to doubt, the name Wesley Edward Smith II was filed and properly corrected) not to be considered as was submitted, the frivolous Act. Act done malicious to me an my family and associates, by name likenesses and name usage to seize all due process and travel procedural rights with prejudicial meanings), submits this request removed ORDER of the State of South Carolina Court of Appeals, Case assigned Number 2023- 001498 of the Honorable Mikell R Scarborough of

Charleston County Trial Court Case no 2022-CP-10-02468, (attached) of Acknowledging that the third party hearsay filings as those person employed, that were similarly situated, unequal and unfair treatment of Wesley Edward Smith, III, while disrespecting the rule of law by infringing upon Constitutional protections and the citizens rights at the same time, as State officers applied.

Appellant brief seek removal for a neutrally fair and more constitutional equitable financially under 42U S C 1915 (b) to proceed or by State Court leave Order 2023-CP-10-02502 to proceed informal paupers, as removal in five (5) days, the will be submit and forward corresponding replies for results, according to the applied rule of administrative law. Allows further prevention of unnecessary harassment and having to endure employment policy and procedural mistreatment as applied under the constitution fourteenth Amendment for all citizen without restraints to judicial process or personal self declared barriers perceived to exist with prejudices, based upon a employed person belief, who believed (based upon court submitted documents) that his behavior is/was acceptable while acting outside the protections of the protecting rule of laws.

November 13, 2023

Respectfully Submitted



Wesley Edward Smith III

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

BANK OF AMERICA, N A

Case Docket No.

( REF State Case No 2:23-cv-02468)

Plaintiff

(By United States of America  
d/b/a Joinder with the President  
citizens and as Chief of  
Administrators Joseph Biden et al  
Respondents)

NOTICE TO APPEAL STATE COURT OFFICERS  
JUDGMENTS ON CONSTITUTIONAL GROUNDS  
AND HAVE TESTED LEGAL SUFFICIENT TO  
TERMINATE EMPLOYMENT CONTRACTS  
RESULTS FROM CONGRESSIONAL  
DECLARATION OF POLICY UNDER 29 U S C 1001  
et set) SUIT IN EQUITY RELIEF JUDICIAL  
REMEDY PER APA of 1946 GUIDELINES

Florence S Bennett and if Florence  
S Bennett, be deceased then any  
Children and heirs at law to the estate  
of Florence S Bennett, distributees  
and devisees at law to the Estate of  
Florence S Bennett, and if any of the  
same be dead any and all persons entitled  
to claims under or through them also all  
other persons unknown claiming any  
right, title, interest, or lien, upon the real  
estate described in the complaint herein:  
Any unknown adult, any unknown infants  
Or persons under a disability being a class  
Designated as John Doe, and any persons  
In the military service of the United States  
of America being a class designated  
as Richard Roe: Wesley E Smith III:  
Stephanie J Smith: DEFENDANTS

Suit Equity NON Jury Trial relief  
or as Administrators Court Requires

**NOTICE AND MOTION TO APPEAL ON STATE COURT LEAVE OF COURT**

1. Attached is the Order from the South Carolina State of Appeal currently under review  
I, Wesley Edward Smith III am being denied access to this court, and seek financial assistance,  
proving my improvise constriction and the proven inability to pay court fees, fines and court

access fees was seeking to appeal the order but denied based on my, Wesley Edward Smith III inability to pay.

2. I Wesley Edward Smith III seek by joinder (due to employment employee/employer relationships) on appeal results of the findings by the South Carolina Court of Appeal for the State of South Carolina Case assigned number Order of the **State of South Carolina Court of Appeals, Case assigned Number 2023- 001498** of the Honorable Mikell R Serborough of Charleston County Trial Court Case no 2022-CP-10-02468, Acknowledging the third party hearsay filings

3. I Wesley Edward Smith III appeal this design on the grounds of suspected deceit in procedural procedures for which I, Wesley Edward Smith III was legally harmed by the listed state officer employees who lack of services of any complaint, summons, criminal bench Summary traffic Warrant, or Certificate of Service Green Cards, as the responsible administrative agency inspecting and instructing on government duty, to ensure proper service to personnel.

4. As such, I Wesley Edward Smith III seek this Court under 28 U S C 1915, to appeal the Judgment (Se attached Order as offered into ordered evidence) from the Charleston County Ninth District Judgment Administration Center, self endorsed orders, but not on constitutional grounds, and to have the judgment review of the grand jury results or verdict or tribunal administration hearing officer Order of prejudices, have not been legally contested under Declaration of Congressional policy under 29 U S C 1001 (et seg), as existing without contenting constitutionally, the state officer prejudicial sanctioning order, that is perceived to interfered with due process and judicial proceedings, and misstatements of third party hearsays) written expression under his fourteenth Amendment (14<sup>th</sup>) amendment right is offensive to Wesley Edward Smith III and adverse actions disrespectfully violated rule 11. This order according to the truth was relied upon as truth the termination from employment as the alleged Frivolous Act.

5. Or this extension of time on State Appeal will allow the procedural reform appointment(s) and timely intervention is viable for having law enforcing agencies, assure/ensure release of any monies or "Trust Funds" afforded this Wesley Edward Smith III under S C Code 27-24-1700 (et seg), and assistance from the Chief Administrator of all Administrative matters for its citizens, intervention is beneficial for the alleged displaced powers of constitutional law, and those law enforcing officers, terminated under similar falsification of similar situated employed State Officers pretenses, unresolved employment terminations, prejudicial legal matters (See exhibit 'A' offered as into as substantive material evidence) for constitutional resolution and enforcement (By United States of America d/b/a Joinder with the President citizens and as Chief of Administrators Joseph Biden et al as the quick answer Respondent)

November 13<sup>th</sup>, 2023

Respectfully Submitted

  
Wesley Edward Smith III

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

BANK OF AMERICA, N A

Case Docket No.

(REF State Case No 2:23-cv-02468)

Plaintiff

WESLEY EDWARD SMITH III  
REPLY IN ACCORD WITH  
CERTIFICATE OF COMPLIANCE  
OF RULE 11

vs

Florence S Bennett and if Florence  
S Bennett, be deceased then any  
Children and heirs at law to the estate  
of Florence S Bennett, distributes  
and devisees at law to the Estate of  
Florence S Bennett, and if any of the  
same be dead any and all persons entitled  
to claims under or through them also all  
other persons unknown claiming any  
right, title, interest, or lien, upon the real  
estate described in the complaint herein:  
Any unknown adult, any unknown infants  
Or persons under a disability being a class  
Designated as John Doe, and any persons  
In the military service of the United States  
of America being a class designated  
as Richard Roe: Wesley E Smith III:  
Stephanie J Smith:

Suit Equity NON Jury Trial relief  
or as Administrators Court Requires

DEFENDANTS

---

The undersigned, pursuant to rule 11, of the Federal Rules of Civil Procedures, hereby affirms as Plaintiff/Petitioner Pro Se. that consultations with State of South Carolina et al or its opposing third parties that does business in association with South Carolina et al,, thee Honorable BANK OF AMERICA N A et al ,with use of Florence S Bennett and if Florence S Bennett, be deceased then any Children and heirs at law to the estate of Florence S Bennett, distributes and devisees at law to the Estate of Florence S Bennett, and if any of the same be

dead any and all persons entitled to claims under or through them also all other persons unknown claiming any right, title, interest, or lien, upon the real estate described in the complaint herein: Any unknown adult, any unknown infants Or as described associated with being privy persons under a disability being a class Designated as John Doe, and any persons Suit Equity NON Jury Trial relief In the military service of the United States or as Administrators Court Requires of America being a class designated as Richard Roe: Wesley E Smith III: Stephanie J Smith: As in association with constitutional rights with Governor Henry McMaster (current S C Governor) S C Attorney General Alan Wilson, by joinder, Mayor Joseph P Riley (former Mayor), Charlie Condom (Former State Solicitor), Commissioner of Social Security Commission (SSI), , Commissioner of the Equal Employment Opportunity Commission (EEOC), General Assembly Local Legislator Marvin Pendarvis, Legislator Wendell Gaillard, Congressman for State of South Carolina Congregant James E Clyburne, as the listed are all associated with government employee or as denoted a private entity, as we were directly related by employment policies and procedures, constitutional due processing, employment code of ethic requirements Guidelines under the APA of 1946, and prohibitions under 42 U S C 2000(e) (et seg) (believe mistreated and denied due process rights due to my age group and National Origin U S C) as these unwarranted attacks, leaves unpaid debts, as to my place of my employment (as speculated suspects listed initiated this frivolous suit against keeping of my employment finances, displacing my employment opportunities from board of directors and from trustee and all associated retirement benefits ) but adversely affecting my 1) economic freedoms 2) third party created this financial hardships and 3) inability to maintain job performance while employed and continually being harassed by the Listed third parties, Wesley Edward Smith III, with employers Cummins Turbo Engines, Carolina Franchise Holding LLC, d/b/a Burger King INC, Piggly Wiggly INC d/b/a Low country Groceries Financiers LLC, Superintendent of Charleston County School District Charleston County School District, Military Magnet Academy, Pepsi Botting Group INC, Honorable Joseph Dawson III, Daniel F Blanchard III and RE/Max Reality, as listed defendants, but not the exhausted list (et al) were made, but the parties were unable to resolve the family, probate, Administrative Tribunal , Civil frivolous and or criminally fraudulent employment matters contained in this Motion.

By 

Wesley Edward Smith, III  
P. O. Box 294  
Moncks Corner, South Carolina 29461  
(843) 530-7834

November 13, 2023

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

BANK OF AMERICA, N A

Case Docket No.

( REF State Case No 2:23-cv-02468)

Plaintiff

WESLEY EDWARD SMITH III  
REPLY MOTION TO DISMISS

vs

Florence S Bennett and if Florence  
S Bennett, be deceased then any  
Children and heirs at law to the estate  
of Florence S Bennett, distributes  
and devisees at law to the Estate of  
Florence S Bennett, and if any of the  
same be dead any and all persons entitled  
to claims under or through them also all  
other persons unknown claiming any  
right, title, interest, or lien, upon the real  
estate described in the complaint herein:

Any unknown adult, any unknown infants  
Or persons under a disability being a class  
Designated as John Doe, and any persons  
In the military service of the United States  
of America being a class designated  
as Richard Roe: Wesley E Smith III:  
Stephanie J Smith:

Suit Equity NON Jury Trial relief  
or as Administrators Court Requires

DEFENDANTS

I. ON NOTICE FOR GRANTING MOTION TO DISMISS

Defendants breached A covenant agreement not kept with the courts, and infringed upon the employment contract agreement that existed between employee/employer relationships. As in light of all the past relationships of the listed employees, who were all associated with, by having a job, employed under the rule of law 42 U S C 2000(e) (et seg). Without characterization or distinctions in processing citizen rights, all employees were to be treated fairly, as law applied equally in a timely manner. Employee/Employers re to adhere to employment under the rule of law as all listed are or were employed under the local private laws and State action were

perceived, unconstitutional, and as local polices bars Constitutional protections

As such, this case should be dismissed as frivolous under 28 U S C 1915(e)(2)(B)\*ii), respectfully.

## **II. RELIEF**

Motion to dismiss based on the fact that third party claims are not supported by law fact nor grounded in constitutional authority, thus based on the rule of law, the motion should be respectfully dismissed and all other third party information regarding the same on this Wesley Edward Smith III expunged from the databases and written court records, for failing to comply to the rule of law F R C Pro 12(b)(6) for hearsay. I seek to amend judgment for harassment (for sexually unwarranted favors for promotion opportunities or fair and equal pay advancements).

In this private employment matter, under ERSIA of 1974 mistakenly overlooked paying of any funds to assist with my, Wesley Edward Smith III funds are being kept in violation of the rule of law, due process timely act .

Timely results due to speculation of the Federal Rule of Civil/Criminal Procedures that a person commits a crime of violates the rule of law under rule 11 and Sanctioned accessed when a person has been proven guilty of or innocent from proven crime, held as criminally liable for the contempt of court that he or she partakes or engages, as the following prohibited acts and especially after knowing my financial hardship to continually denied court access for removal of a judgmental wrong, that sets idly, whereas these acts are the reaction of state officers filings from termination employments that:

*1) the third party listed as alleged was the wrongdoer who initiated the employment termination action against Wesley Edward Smith III, that relied on hearsay and made false representations of legal process and providing false reports to law enforcement officers, as administrators or State officer such information printed on the South Carolina Business letterheads, while operating under close confines of South Carolina Constitutional Law, the color of law while operating under legal and procedural due processing Authority*

*2) that the third party listed as alleged was the wrongdoer intended to deceive the innocent party and the court judicial processing by self endorsing the order of the cases and omitted facts*

*3) I Wesley Edward Smith III the innocent party relied on misrepresentation of third party procedures as a factual according to the enacted posted law without such proof.*

*4) I, Wesley Edward Smith III was legally injured for the third party failure to provide*

*service of a complaint, summon, or a criminal bench warrant for the removal of Wesley Edward Smith III from work place employment, as local enforcement claims have not been seen or heard, in violation of rule 11*

These defendant listed not only filed prejudiced orders overlooked, other third party allegedly denies me, Wesley Edward Smith III continually of my rights, by filing falsified employment police administration reports and at government expenses, continues to waste my time and money seeking a remedy. I, Wesley Edward Smith III, Also seek release from the state officer legal bonds, and restored privileges as an employee , as of a responsible-taxpaying parental and receivership stolen rights to retain properties and other possessions stolen me, premised under fraudulent processes.

**PROOF OF SERVICE**

I, Wesley Edward Smith III, certify that on November 13<sup>th</sup>, 2023, Motion to dismiss and Notice to Appeal judgment on Constitutional grounds and legal Congressional Declaration of policy under 29 U S C 1001 (et seg) to be removed from State of South Carolina due to existing prejudices alone existing was sent in response to the court report and recommendation dated 26 October 2013, submitted opposing reply was sent by First Class Mail via United States Mail on all parties listed in this action to the following: To Honorable Jenny Abott Kitchen Clerk of Court South Carolina Court of Appeals  
P O Box 11629  
Columbia South Carolina 29201

**PENDING REPLY SENT TO:**

United States District Court  
(Attn: Robyn M. Blume Clerk of Court Pro Se  
250 East North Street Suite 2300  
Greenville, South Carolina 29601

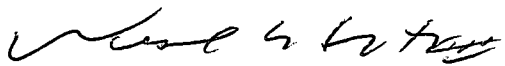
November 13, 2023

Wesley Edward Smith III  
P O Box 294  
Moncks Corner, South Carolina 29461  
EMAIL: [wsmittyd4@gmail.com](mailto:wsmittyd4@gmail.com)

**PURSUANT RULE 83(M) CERTIFICATION**

I, Wesley Edward Smith, III declare under the penalty of perjury that, No attorney has prepared, or assisted in the preparations of the attached Motions

Mr. Wesley Edward Smith III M. Ed



Printed Name of Pro Se

Signature of Pro Se

Executed on: November 13, 2023

Respectfully Submitted

MEDICARE HEALTH INSURANCE

1-800-MEDICARE (1-800-633-4227)

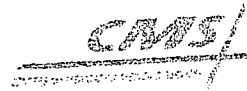
VESLEY E SMITH

8407-A MALE

OSPITAL (PART A) 02-01-2009  
 MEDICAL (PART B) 02-01-2009

1. Carry your card with you when you are away from home.
2. Let your hospital or doctor see your card when you receive hospital, medical, or health services under Medicare.
3. Your card is good wherever you live in the United States.

WARNING: Issued only for use of the named beneficiary. Instructions on this card's medical and ID card take the member back to a copy of Form 1-800-MEDICARE User Card.



Centers for Medicare & Medicaid Services  
 Baltimore, MD 21244-1850  
 800-275-0175

If you have questions about Medicare, call 1-800-MEDICARE (1-800-633-4227) or visit us at www.medicare.gov

Virginia DRIVER'S LICENSE

CUSTOMER NO. A64-24-1503	HEIGHT 6-00	DOB 04-23-1964
CLASS NONE	SEX M	EXPIRES 04-23-2016
ENDORSEMENTS NONE	RESTRICTIONS 0	ISSUED OR 10-02-2008
COURT CODE		

SMITH III, WESLEY EDWARD  
 RICHMOND CITY

RESTRICTIONS

DEFINITIONS

NOTICE: Descriptions for restriction, class, and endorsement codes contained on the back of this license are Virginia specific.

Department of Veterans Affairs

SERVICE CONNECTED

SMITH, WESLEY E III

76637C002

For Questions Concerning Medical Benefits:  
 1-877-222-VETS (8387)  
 www.myhealth.va.gov

POSTMASTER—RETURN TO:  
 Health Eligibility Center  
 2957 Clairmont Road, Suite 200  
 Atlanta, GA 30329

This card is not a credit card or an insurance card

"EHB" IF BENEFITS USED TO RESTORE (M & SSI) PAY!

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY

REPORTS W/ UNTRUTHS  
UNSUPPORTED  
IN THE COURT OF COMMON PLEAS  
3<sup>rd</sup> JUDICIAL CIRCUIT

CASE NO.: 2022-CP-03-02502

WESLEY EDWARD SMITH  
Plaintiff,  
CAROLINA FRANCHISE HOLDINGS (C)  
BERGEN KING INC PAPER  
Defendant.

MOTION AND ORDER INFORMATION  
FORM AND COVERSHEET

2023 JUN -2 PM 3:57  
CLERK OF COURT  
BERKELEY COUNTY, SC

Plaintiff's Attorney: <u>PRO SB</u> , Bar No. _____ Address: <u>P.O. BOX 224 MONK'S LAKE, SC 29961</u> Phone: <u>373 530 3473</u> Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: <u>WKA</u> , Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____
---	---

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information  
 Nature of Motion: ADMINISTRATORS RECALMING OF FACTS AND LAW!  
 Estimated Time Needed: \_\_\_\_\_ Court Reporter Needed:  YES /  NO

SECTION II: Motion/Order Type  
 Written motion attached  
 Form Motion/Order  
 I hereby move for relief or action by the court as set forth in the attached proposed order.  
[Signature] Signature of Attorney for  Plaintiff /  Defendant      29 JUNE 2<sup>nd</sup>, 20 23  
 Date submitted

SECTION III: Motion Fee  
 PAID - AMOUNT: \$ \_\_\_\_\_  
 EXEMPT: (check reason)  Rule to Show Cause in Child or Spousal Support  
 Domestic Abuse or Abuse and Neglect  
 Indigent Status     State Agency v. Indigent Party  
 Sexually Violent Predator Act     Post-Conviction Relief  
 Motion for Stay in Bankruptcy  
 Motion for Publication     Motion for Execution (Rule 69, SCRCP)  
 Proposed order submitted at request of the court; or,  
 reduced to writing from motion made in open court per judge's instructions  
 Name of Court Reporter: \_\_\_\_\_  
 Other: \_\_\_\_\_

JUDGE'S SECTION  
 Motion Fee to be paid upon filing of the attached order.  
 Other: \_\_\_\_\_  
 JUDGE CODE \_\_\_\_\_  
 Date: \_\_\_\_\_, 20 \_\_\_\_\_

CLERK'S VERIFICATION  
 Collected by: [Signature]      Date Filed: 6/02, 20 23  
 MOTION FEE COLLECTED: \$ Unforna Paper  
 CONTESTED - AMOUNT DUE: \$ \_\_\_\_\_

SCCA 233 (11/2003)

\* BOTH GRANTS ME TO PROCEED ON LEAVE  
ADMIN COURTS FOR FORM PAPERS, 1 of 2

STATE OF SOUTH CAROLINA, )  
 )  
COUNTY OF BERKELEY )  
 )  
WESLEY EDWARD SMITH )  
Plaintiff )

IN THE COURT OF COMMON PLEAS  
NINTH JUDICIAL CIRCUIT  
MOTION AND AFFIDAVIT TO  
PROCEED IN FORMA PAUPERIS

vs. )  
 )  
CAROLINA FRANCHISE HOLDING (SOUTH CAROLINA) )  
BULGERKINS, INC Defendant. )

FILE NO. 2022-CP-08-02502

I, WESLEY EDWARD SMITH, being duly sworn, state that I am the Plaintiff and that I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Sworn to and Subscribed before me this 14 day of OCTOBER, 2022.  
 )  
 )  
Notary Public for South Carolina )  
My Commission expires 4/12/2029 )

[Signature]  
Signature of Plaintiff  
Person Filing Complaint on Behalf of Plaintiff

FILED  
2022 OCT 14 PM 5:04  
LISA GUERRY DEBREE  
CLERK OF COURT  
BERKELEY COUNTY, SC

ORDER

- Leave is granted to proceed in forma pauperis without payment of the filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is denied to proceed in forma pauperis.

Dated: 14 OCT, 2022  
BERKELEY, South Carolina

[Signature]  
JUDGE/CLERK OF COURT



NOTICE TO PLAINTIFF: The Court may assess costs against either party at hearing.

IFP  
Approved  
2/2022

# FINANCIAL CERTIFICATE FOR THE DISTRICT OF SOUTH CAROLINA

(for use in § 1983, *Bivens*, and non-habeas civil actions filed by prisoners)

I request that an authorized officer of the institution in which I am confined, or other person designated to review financial information in relation to inmate trust funds, complete this Certificate. If I am granted *in forma pauperis* status, I authorize and consent to collection of the \$350 filing fee in accordance with 28 U.S.C. § 1915(b) until the filing fee is paid in full as well as any amount of costs, sanctions, and/or fees that might be imposed by the court during this litigation. I understand that if I do not qualify for *in forma pauperis* status, I will have to pay \$402 to proceed with my case, which includes the full \$350 filing fee as well as an additional \$52 administrative fee established by the Judicial Conference of the United States. The \$52 administrative fee is not applicable to *in forma pauperis* cases.

WESLEY EDUARDO SMITH  
INMATE NAME (PRINTED)

XXXXXX - 3407  
INMATE (PRISONER) NUMBER

Wesley Smith  
INMATE SIGNATURE

SOUTH CAROLINA  
PLACE OF CONFINEMENT

- ◆ (1) Average monthly deposits to the inmate's account.....\$ ϕ
- ◆ (2) Average monthly balance in the inmate's account calculated for the prior six months period. ....\$ ϕ
- ◆ (3) Current Balance .....\$ UNK
- ◆ (4) Initial Installment Payment - due upon granting of *in forma pauperis* status (Take 20 percent of the greater of lines 1 or 2).....\$ UNK

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

\_\_\_\_\_  
Authorized Officer's Signature

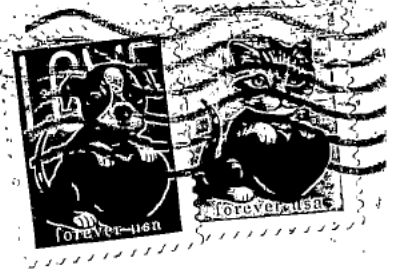
\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Officer's Name and Title

WESLEY EDWARD SMITH  
P.O. Box 294  
Monkton Corner, S.C. 29461

CHARLESTON SC 294

14 NOV 2023 PM 3



**RECEIVED**  
NOV 17 2023  
SC Court of Appeals

HONORABLE JENNY ABBOTT-KITCHENS  
SOUTH CAROLINA COURT OF APPEALS  
P.O. BOX 116 <sup>29</sup>~~29~~  
COLUMBIA S.C. 29204<sup>11</sup>