

**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

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SC Court of Appeals

Of whom Wesley Edward Smith, III is the Appellant  
Lower Case Number 2022-CP-10-02468  
Appellant Case No. 2023-001498

**WESLEY EDWARD SMITH III RESPONDS IN ACCORD WITH CERTIFICATE OF COMPLIANCE OF RULE 11 AND LOCAL RULES 37.01 and 37.02**

The undersigned, pursuant to rule 11, of the Federal Rules of Civil Procedures, and Local Rules 37.01 and 37.02, hereby affirms as Plaintiff/Petitioner Pro Se. that consultations with State of South Carolina et al or its opposing employed employees as third parties was attempted, who did/ still does related business in association with South Carolina et al., the Honorable President Joe Biden (current Administrator and U. S .President)Honorable Donald Trump (Former Administrator and Honorable George W. Bush Jr. (Former Administrator and U. S President), Honorable Barack Obama (Former Administrator and U. S .President) William Clinton (Former Administrator and U. S . President), Senator Mitch McConnell, U. S, Secretary of State Dr. Anthony Blinkin, Senator Linsey Graham, Dr Anthony Faucci (Chief U S Medical Representative), Ms. Nancy Polesi (Speaker for the House Representation) Honorable Kevin McCarthy, Governor Henry McMaster (current S C Governor) S C Attorney General Alan

Wilson, 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 and allowed to server (separate act per person claiming), from courts conjoining frivolous person to act on the required case by case basis, as previously afforded the defendants listed, absent the proper service of a complaint, Criminal bench Warrant or summons before interrupting and harassing Wesley Edward Smith III on my job under an employee/employer employment contract, while authorized employment rights to work without such interferences, according to law which relief affords the good faith showing or festering Administratively, that allows extension of time compliance with local rule 12.1 and the responsibility of duty of that said movant pursuant rule 7.02 "Duty to Consult before filing any document motions, before perception of a violation pursuant rule 7.09 that denotes such, the Frivolous Act or only files Motions to delay corrected adjudication on name uses and processing of individuals violation to these rule of local law, as enacted to accurately assess appropriation of monetarily distribution per written judgments

By 

Wesley Edward Smith, III

P. O. Box 294

Moncks Corner, South Carolina 29461

(843) 530-7834

November 20, 2023

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**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

Lower Case Number 2022-CP-10-02468

Appellant Case No. 2023-001498

**ISSUE ON APPEAL OVERLOOKED: SERVICE OF MOTION TO THIS WESLEY EDWARD SMITH III AS RESPONSE IN OPPOSITION IN ACCORD WITH MOTION FOR INJUNCTIONS PURSUANT LOCAL RULE 37.01 and 37.02 FOR FAILURE TO DISCLOSE WARN AND COOPERATE WITH RULES OF LAW OR DEFECTION POLCIY PRODUCTS AND LIABILITES ASSESS AND FOR FAILURE TO APPLY SUCH DISCOVERY AND RESTORATIVE JUSTICE ALLOWS FAIR AND EQUAL CROSS EXAMNING OF WITNESS OR ACCUSARS AND RESTORING OF LEGAL RIGHTS TO HEIRS PROPERTY, PARENTAL AND CIVIL DUE PROCEES RIGHTS**

1. Enclosed for you immediate actions is petitioner, Wesley Edward Smith III, request for extension of time pursuant local rule 12.01 to respond to the Motion that produced the Appellant Court Judgment and or Order, petitioning remittitur to the Court of Common Pleas Ninth Judicial Circuit Court located at 100 Broad Street Charleston, South Carolina 29403, requesting court review its rulings, by extension of time to have enforced on reconsideration, **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,**

2. As nowhere in the case Order or Judgment, that I, Wesley Edward Smith III can locate or point in the document provided with the Order, that equal and fair justice was administered to the rule of law, nor does it appear, that the listed individuals acknowledgment of third party hearsay filings the Judgment Order of Honorable Jenny Kitchens, Ordered Remittitur dated November 15, 2023 to the Lower Courts. This request is for discovery of service made from actions pursuant local rule3, 01 4.01 and 5 of correct service from third party of : Sarah Oliver Leonard ESQ, Ashley Zarret Stanley Esq and Kenneth Gregory Wooten Esq of Law Firm Leonard, Stanley And Wooten, who entertained similar parties with the courts in same fashion of in employee/employment business relationships with Mr Charlie Condon, Mr Joe Riley nor Mr. Daniel F. Blanchard III (as District Attorney), who are designed State Officers for the State of

South Carolina, being denoted as State and Public Officials intervening, arbitrarily taking legal advantages, which allows at all times, this deprivation of this rights while acting under the color of law, as alleged by infringing (untimely latching, deceiving disruptions) upon the judicial legal processing and the employment contracts that exist between that employee and that employer to resolve any breaches to employee handbooks, statutes Or Constitutional requirements statutory right and due process privileges of Private Citizen as employees employment work environments, as proper service in this court Order. Alleged failure to timely service its own summons and Complaints against this Wesley Edward Smith III (as third party alleged to cause me legal harms for the lack of services required by rule of law which case ended in a "Deceptive Wavering of Wesley Edward Smith III legal right to recover properties and other items, as Motions were not disclosed in proper possession is legally contestable and questionable for corrective services.

3. Relief is sought for suit in equity, declaratory Judgment, affirmed injunctive relief based upon information produced by this court and Court Order 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 and time will allow amending by order to Dismiss pursuant rule 12(b) failure to state a claim for relief as nowhere shown that the following Order/Judging complied pursuant local rule 26, 01 26.02, 26.03 26.04 26.05 (etc etc) Local rule 3 for the venue that was chosen, 4 absent a complaint , 5 and absent the State officer Summon that was with attached as authorization by courts Motion, Summon and Criminal Bench Warrant, for production of motion and Order in Judging, that is not in compliance with 37.01. 37.02 compliances with Rule 11, for which the extension of time will allow further inquiry of State officers Mr. Charlie Condon, Mr. Joe Riley nor Mr. Daniel F. Blanchard to adhered requirements of Witnesses depositions or to cross examine and rebut, their written facts as the alleged injured. Discovery of third parties not afforded discovery of the State Officers witness or State employed interns, as the declared representation.

**CERTIFICATE OF SERVICE**

I, Wesley Edward Smith III, certify that on November 20<sup>th</sup>, 2023, sent Certificate of Compliance with Rule 11, Motion to dismiss, Petition to Extend by local rule 12.01 findings and Notice to Appeal judgment was sent by First Class Mail via United States Mail on all parties listed in this action to the following:

To Honorable Jenny Abbott Kitchen Clerk of  
Court South Carolina Court of Appeals  
P O Box 11629  
Columbia, S C 29211

**PURSUANT LOCAL RULE 83, VI.01 CERTIFICATION**

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

Executed on: November 20, 2023

  
Wesley Edward Smith III

P O Box 294

Moncks Corner, South Carolina 29461

EMAIL: [wsmittyd4@gmail.com](mailto:wsmittyd4@gmail.com)

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Retail



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