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SC Court of Appeals

**From:** [Sherman Smith](#)  
**To:** [Spencer, Shelby](#); [Court Of Appeals Filings](#)  
**Subject:** case # 2023CP4003343/ 2023-001826  
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200 Grandview Circle  
Columbia SC, 29229  
January 17, 2024

SOUTH CAROLINA COURT OF APPEALS  
1220 Senate St  
Columbia SC, 29201  
Case # 2023CP4003343/ 2023-001826

The Court of Appeals is under the jurisdiction of the Supreme court, The Common Law of the land.

Which is concerning considering the Fraudulent nature case # 2023CP4003343/ appellate case# 2023-

001826 came to be. I have questions that need to be acknowledged directly & on record as to why these

Fraudulent proceedings have been allowed to continue despite all my evidence presented? I have a letter from Shelby Spencer directing me to only refer to FREEDOM MORTGAGE CORPORATION

(a legal fiction) as Freedom Mortgage Corporation. A legal fiction is represented by all capital lettering

under the uniform commercial code and Devine living breathing beings are represented with the 1 st

letter in the name is capital and the rest are lower cased. We know that as a DeVine living being I have

inalienable rights that can not be violated by a corporation. which has no mind or will to sign a lawfully

binding contract and no 3 rd party(employee) can sign on FREEDOM MORTGAGE CORPORATION's behalf.

freedom mortgage corporation is a legal fiction operating in 50 different States and should not be

allowed to lie about its status in representation for the record. Which is why I believe I was instructed to

represent this corporation in this fashion by the court of appeals, which is collusion at minimum. This is

the 1 st fact that would cause this case to be rewarded to me. WHY IS THIS BEING ALLOWED TO HAPPEN?

FREEDOM MORTGAGE CORPORATION also initiated these illegal proceeding after receiving CERTIFIED

MAILED AFFIDAVITS (on record) of which I did not refuse to pay the alleged debt. I offered to pay any

debt that I am lawfully obligated (18 USC 8 defines obligations) to do so. Contingent upon

them

validating the alleged debt. The CERTIFIED MAILED AFFIDAVITS went un rebutted for months. The

Supreme law dictates that FREEDOM MORTGAGE must discharged the alleged debt after 14 days. This

has been ignored by both courts.

IF AN UNREBUTTED AFFIDAVIT stands as truth in commerce and an UNREBUTTED AFFIDAVIT Stands as

judgement, then why hasn't the courts ordered FREEDOM MORTGAGE CORPORATION TO COMPLY and

discharge the debt? Why haven't they been forced to pay remedy as directed in all my letters?

I have produced the clear title with only my name on it, I have produced a certified true copy from the

Secretary of state proving that FMC does not have a perfected lien, making it impossible to foreclose on

my property.

My motion to stay proceedings was denied without proper justification. My motion to show cause and

proof of a valid & lawfully contract was denied simply because they did not respond! A nonresponse to

direct questions that would prove me to be lawfully & the corporation to be operating in fraud, identity

theft and the attempt to illegally foreclose cannot simply be ignored and we move on to the next phase

of them stealing my family's property. I should be made whole immediately. The fact that there was no

transcript available is more proof of fraud and identity theft and collusion.

I have stated to the courts that I do not understand these orders, I do not consent to these proceedings

nor do I agree with these proceedings. Which has been ignored more than 3 times now by individuals

who took an oath of office.

The uniform commercial code 1-308 "without prejudice" means that I reserve certain inalienable legal

rights even if it is not stated in the contract. And a contract built on fraudulent terms is not a lawfully

contract at all.

There are no statutes of limitation when it comes to any fraudulent crimes. I have sufficiently proved my

case repeatedly. While FREEDOM MORTGAGE CORPORATION has been allowed to proceed without any

real evidence produced, without responding to certified mailed affidavits which require certified mailed

Answers, with un rebutted affidavits, without perfected liens, without a lawful contract, without

responding to orders from the courts & myself as the original creditor.

I have also stated on record that FREEDOM MORTGAGE CORPORATION is not the original mortgage

corporation I signed a contract with. The original corporation HOMEPOINT FINANCAIL

## CORPORATION

went out of business 2 years after I signed. They sold my private information without my expressed

written consent to another corporation I did not give my expressed written consent to receive.

That's

securities fraud, identity fraud and a contract created in fraud. Which makes the voids the contract

Uniform commercial code 1-308 "without prejudice" proves that even if I was tricked and "freedom

mortgage" can magically produce a lawful contract with the wet ink signatures of both parties (which

they will not, because they cannot, because it does not exist) they still would not have a lawful contract.

Because there was no 1. full disclosure, 2. no equal consideration, 3. no lawful terms and conditions and

4. no wet ink signatures of BOTH parties. Corporations cannot sign because they have no right or mind

to contract since they are a soul-less legal fiction; furthermore, no 3rd party (employee) can sign a contract

on the behalf of the corporation.

I type these letters under duress, stress, threats of harm & the systematic theft of my rightful & lawful

property.

Every point that I have made needs to be answered directly to justify how these court systems are

behaving. If the administration can simply ignore the law, then there is no law.

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