

FORM 1
NOTICE OF VOID
JUDGEMENT/ORDER

RECEIVED

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

JUL 12 2024
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Joseph Strickland, Master in Equity

Case No. 2023-CP-400-3343
Appellate Case No. 2023-001826

FREEDOM MORTGAGE
CORPORATION,

Respondent,

v.

Sherman Smith,

Appellant.

NOTICE OF VOID JUDGEMENT/ORDER

I, Me, My, or Myself, also known as sherman smith, a man living upon the land, without the corporation called STATE OF S.C, do hereby provide Notice of Void Judgment, by Declaration, as follows; I am NOT under your corporate Jurisdiction and say as follows: Whenever a Master in Equity is dealing with a statute, like SOUTH CAROLINA Government Code, or the SOUTH CAROLINA Penal Code, or SOUTH CAROLINA Code of Procedure, YOU become a clerk working for the prosecutor;

“...judges who becomes involved in enforcement of mere statutes (civil or criminal in nature and otherwise), acts as mere “clerks” of the involved agency...” K.C. Davis, ADMIN. LAW, Ch. 1 (CTP. West’s 1965 Ed.)

“It is the accepted rule, not only in state courts, but, of the federal courts as well, that when a judge is enforcing administrative law, they are described as mere ‘extensions of the administrative agency for superior reviewing purposes’ as a ministerial clerk for an agency...” 30 Cal 596; 167 Cal 762.

“When acting to enforce a statute and its subsequent amendments to the present date, the judge of the municipal court is acting as an administrative officer and not in a judicial capacity; courts administrating or enforcing statutes do not act judicially, but merely ministerially...but merely act as an extension as an agent for the involved agency – but only in a “ministerial” and not a “discretionary” capacity...” Thompson v. Smith,

154 S.E. 579, 583; Keller v. P.E., 261 US 428; F.R.C. v. G.E., 281, U.S. 464 [emphasis added]

1. Appellant declares that all orders that have been filed in reference to court cases (Case No. 2023-CP-400-3343 and Appellate Case No. 2023-001826) are void judgements/orders due to lack of personal and subject matter jurisdiction.
2. A void judgement/order is one that is rendered by a court which lacked jurisdiction, either of the subject matter or the parties. Wahl v. Round Valley Bank 38 Ariz, 411, 300 P. 955(1931), Tube City Mining & Milling Co. v. Otterson, 16 Ariz. 305, 146 P. 203(1914); and Millken v. Meyer, 311 U.S. 457, 61 S. CT. 339, 85 L. Ed. 2d 278 (1940).
3. Appellant has provided evidence for the record of his status of non-citizen state national, which places him solely in the jurisdiction of the common law. The results of an FOIA request of records regarding Appellant's status as a "U.S. Citizen" from the U.S. Department of homeland security, U.S. Citizenship and Immigration services National Records Center. Location P.O. Box 648010 Lee's Summit, MO 64064-8010. The results state a search of the (PCIS) Public-centric Identity Services found no records of Appellant's U.S. Citizenship.
4. Respondent has failed to provide evidence of lawful standing on the subject matter jurisdiction because there is no evidence; there is no lawful binding contract, complete with 4 essential elements that make a contract lawful & binding. Those elements are 1. full disclosure, 2. equal consideration, 3. lawful terms and condition, and 4. the wet ink signatures of both parties (corporations cannot sign because they have no right of mind to contract since they are soul-less legal fictions; and furthermore, no third party can sign a contract on their behalf).
5. There is no evidence that Respondent had lawful jurisdiction over the subject matter and therefore were not constitutionally qualified to initiate the foreclosure process with the courts, which is; fraud upon the courts (in re village of Willowbrook, 37 Ill. App. 3rd 393(1962) malicious prosecution, identity theft & securities fraud.
6. When a judge is operating as a clerk masquerading as a Judge, he cannot do anything judicial, **it is a nullity** – **"Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities"** Burns v. Sup., Ct., SF, 140 Cal. 1
7. Once jurisdiction is challenged, it must be proven – **"Where a court failed to observe safeguards, it amounts to denial of due process of law, court is deprived of juris."** Merritt v. Hunter, C.A. Kansas 170 F2d 739

"Jurisdiction can be challenged at any time," and "Jurisdiction, once challenged, cannot be assumed and must be decided." Basso v. Utah Power & Light Co. 395 F 2d 906, 910

“Defense of lack of jurisdiction over the subject matter may be raised at any time, even on appeal.” Hill Top Developers v. Holiday Pines Service Corp. 478 So. 2D, 368 Fla a DCA 1985)

“Once challenged, jurisdiction cannot be assumed, it must be proved to exist.” Stuck v. Medical Examiners 94 CA 2D 751. 211 P2d 289

“There is no discretion to ignore that lack of jurisdiction.” Joyce v. US, 474 F2d 215

“Where jurisdiction is contested, the burden of establishing it rests upon the plaintiff.” Loos v. American Energy Savers, Inc., 168 Ill. App. 3d 558, 522 N.E. 2d 841(1988)

“The burden of proving jurisdiction rests upon the party asserting it.” Bindell v. City of Harvey, 212 Ill. App.3d 1042, 571 N..2d 1017(1st Dist. 1991)

“Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted.” Lantana v. Hopper, 102 F. 2d 188; Chicago v. New York 37 F. Supp. 150

8. The Appellant has previously served Notices upon FREEDOM MORTGAGE CORPORATION and its attorney, and the Court of Appeals and the lower courts all have ignored all attempts to validate their authority to bother me, and the Appellant filed challenges to jurisdiction by special appearance and these individuals have not answered one word, or even attempted to prove jurisdiction.
9. In order to prove jurisdiction, there MUST be a contract **“It is impossible to prove jurisdiction exists absent a substantial nexus with the state, such as voluntary subscription to license. All jurisdictional facts supporting claim that supposed jurisdiction exists must appear on the record of the court.”** PipeLine v. Marathon/ 102 S. Ct. 3858 quoting Crowell v. Benson 883 US 22
10. No corporation has standing to do anything in any court; and FREEDOM MORTGAGE CORPORATION IS a corporation; **“My opinion is and long has been that the mayor and alderman of a city corporation, or the president and directors of a bank, or the president and directors of a railroad company and of other similar corporations, are the true parties that sue and are sued as trustees and representatives of the constantly changing stockholders....A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States.”** Rundle v. Delaware & Raritan Canal Company 55 U.S. 80 (1852) [emphasis added]. In other words, FREEDOM MORTGAGE CORPORATION is a FICTION, and CANNOT bring a Man into a court.
11. **“A judge ceases to sit as a judicial officer because the governing principles because the governing principles of administrative law provides that courts are prohibited from substituting their evidence, testimony, record, arguments, and rationale for that of the agency. Additionally, courts are prohibited from substituting their judgments for that of the agency.”** AISI v. US, 568 F2d 284. **“An officer who acts in violation of the Constitution ceases to represent the**

government.” Brookfield Const. Co. v. Stewart, 284 F. Supp. 94.

12. The clerk masquerading as a judge committed treason, and a seditious conspiracy pursuant to your own state and federal codes – **“when a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act or acts of treason.”** US v. Will, 449 US 200,216, 101 S Ct, 471, 66 Led 2nd 392, 406 (1980)
Cohens v. Virginia, 19 US (6 Wheat) 264, 404, 5 Led 257 (1821)

13. **“An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”** Norton v. Shelby County, 118 U.S. 425, p. 442

“An unconstitutional law is void, and is as no law. An offence created by it is not a crime.” Ex parte Siebold, 100 U.S. 371, 376 (1880), quoted with approval in Fay v. Noia, 372 U.S. 391, 408 (1963)

“No one is bound to obey an unconstitutional law and no courts are bound to enforce it.” 16th American Jurisprudence 2d, Section 177 late 2nd, Section 256.

14. When a clerk masquerading as a judge deliberately uses invisible contracts to enslave a Man, he walks away from any immunity he may enjoy, and becomes personally liable – **“Judge loses his absolute immunity from damage actions only when he acts in clear absence of all jurisdiction or performance of an act which is not judicial in nature.”** Schucker v. Rockwood, 846 F. 2d 1202

“When enforcing mere statutes, judges of all courts do not act judicially” and thus are not protected by “qualified” or “limited immunity,” SEE: Owen v. City, 445 U.S. 662; Bothke v. Terry, 713 F2d 1404.

15. The decision in this kangaroo so-called court is brutum fulmen – **“brutum fulmen”:**
“An empty noise; an empty threat. A judgment void upon its face which is in legal effect no judgment at all, and by which no rights are divested, and from which none can be obtained; and neither binds nor bars anyone. Dollert v. Pratt-Hewitt Oil Corporation, tex. Civ. Appl, 179 S. W. 2d 346, 348. *Also, see* Corpus Juris Secundum, “Judgments” §§ 499, 512, 546,549, Black’s Law Dictionary, 4th Edition.

16. All of the assumed authority is under color of law, and NOT real law. **“Color” means “An appearance, semblance, or simulacrum, as distinguished from that which is real. A prima facia or apparent right. Hence, a deceptive appearance, a plausible, assumed exterior, concealing a lack of reality; a disguise or pretext. See also colorable.”** Black’s Law Dictionary, 5th Edition, on page 240.

“Colour color. Signifies a probable plea, but which is in fact false...” Tomlin’s Law Dictionary 1835, Volume 1

“Colorable” means “That which is in appearance only, and not in reality, what it purports to be hence counterfeit feigned, having the appearance of truth.” Windle v. Flinn, 196 Or. 654, 251 P.2d 136, 146.

“Color of law” – Mere semblance of a legal right. An action done under colour of law is one done with the apparent authority of law but actually in contravention of law.” Barron’s Dictionary of Canadian Law, Sixth Edition, page 51.

“Color of law” means “The appearance or semblance, without the substance of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state is action taken under ‘color of law.’” Atkins v. Lanning, D.C. Okl., 415 F. Supp. 186, 188.

17. The clerk masquerading as a judge knows that it is my right to have a neutral and detached judge, but instead chose to conspire with FREEDOM MORTGAGE CORPORATION and thereby participate in a fraud and a nullity;
“It is a fundamental right of a party to have a neutral and detached judge preside over the judicial proceedings.” Ward v. Village of Monroeville, 409 U.S. 57, 61-62, 93 S. Ct 80, 83, 34 L.Ed. 2d 267 (1972); Tumey V. Ohio, 273 U.S. 510, 5209, 47 S. Ct. 437, 440, 71 L. Ed. 749. They assaulted the Respondent with their corporate codes and statutes and the Respondent has served hundreds of documents on them and their superiors stating that the Respondent is not interested in participating in their commercial transactions, and Joseph M. Strickland is their accomplice.
- a. They assaulted the Respondent with their criminal corporation – **“My opinion is and long has been that; “A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above-mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States.”** Rundle v. Delaware & Raritan Canal Company 55 U.S. 80 (1852) [emphasis added]. Joseph M. Strickland is paid directly from the STATE OF SOUTH CAROLINA therefore you have an interest in the case and cannot over see this case, henceforth, you are fired and your administrative clerical decision is VOID.
18. **For all of the foregoing reasons, all of the ORDERS, Judgments, and Decisions, in this case, are absolute nullities and void ab initio.**
19. **“Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea, 10 Coke 68; also Bradley v. Fisher, 13 Wall 335,351.”** Manning v. Ketcham, 58 F. 2d 948.
“A void judgment is one which, from its inception, was a complete nullity and without legal effect” Lubben v. Selective Service System Local Be. No. 27, 453 F. 2d 645, 14 A.L.R. Fed 298 (C.A. 1 Mass. 1972). Hobbs v. U.S. Office of Personnel Management, 485 F. Supp. 456 (M.D. Fla. 1980).
“Void judgment is one which has no legal force or effect whatever, it is an absolute nullity, its invalidity may be asserted by any person whose rights are affected at any time and at any place and it need not be attacked directly but may be attacked collaterally whenever and wherever it is interposed.” City of Lufkin v. McVicker, 510 S.W. 2d 141 (Tex. Civ. App. – Beaumont 1973).
“A void judgement, insofar as it purports to be pronouncement of court, is an absolute nullity” Thompson v. Thompson, 238 S.W. 2d 218 (Tex Civ App. – Waco 1951).
“Void order may be attacked, either directly or collaterally, at any time” In re Estate of Steinfeld, 630 N.E. 2d 801, certiorari denied, See also Steinfeld v. Hoddick, 513 U.S. 809, (Ill. 1994).

“A void judgment is one which, from its inception, is and forever continues to be absolutely null, without legal efficacy, ineffectual to bind the parties or to support a right, of no legal force and effect whatever, and incapable of enforcement in any manner or to any degree.” Loyd v. Director, Dept. of Public Safety, 480 So. 2d 577 (Ala. Civ. App. 1985).

“Not every action by any judge is in exercise of his judicial function. It is not a judicial function for a Judge to commit an intentional tort even though the tort occurs in the Courthouse, when a judge acts as a Trespasser of the Law, when a judge does not follow the law, the judge loses subject matter jurisdiction and The Judge’s orders are void, of no legal force or effect” Yates v. Village of Hoffman Estates, Illinois, 209 F. Supp. 757 (N.D. Ill. 1962)

20. Joseph M Strickland is a bought and paid for clerk masquerading as a judge and held a show – trial in his/her kangaroo court, **“Kangaroo Court. Term descriptive of a sham legal proceeding in which a person’s rights are totally disregarded and in which the result is a foregone conclusion because of the bias of the court or other tribunal.”** Black’s Law Dictionary, 6th Edition, pg. 868.

21. PIG is an acronym which stands for **“Persons In Government** who intend to perjure their oaths.” (if they even have one)

22. Everything you do is a fraud, and everything in Law must follow Maxims of Law, **“Once a fraud, always a fraud.”** 13 Vin. Abr. 539.

“Things invalid from the beginning cannot be made valid by subsequent act.” Trayner, Max. 482. Maxims of Law, Black’s Law Dictionary 9th Edition, page 1862.

“A thing void in the beginning does not become valid by lapse of time.” 1S. & R. 58. Maxims of Law, Black’s Law Dictionary 9th Edition, page 1866

Time cannot render valid an act void in its origin. Dig. 50, 17, 29; Broom, Max. 178, Maxims of Law, Black’s Law Dictionary 9th Edition, page 1862.

“Ex dolo malo non oritur action. Out of fraud no action arises. Cowper, 343; Broom’s Max. 349.” Bouvier’s Maxims of Law, 1856, and any act by any government official, to conceal the fraud becomes an act of fraud;

“fraus est celare fraudem. It is a fraud to conceal a fraud. 1 Vern. 270.” Bouvier’s Maxims of Law, 1856, and fraud is inexcusable and unpardonable;

“Fraus et dolus nemini patrocianari debent. Fraud and deceit should excuse no man. 3 Co. 78.” Bouvier’s Maxims of Law 1856. Any fraud amounts to injustice;

“Quod alias bonum et justum est, si per vim vei fraudem petatur, malum et injustum efficitur. What is otherwise good or just, if sought by force or fraud, becomes bad and unjust. 3 Co. 78.” Bouvier’s Maxims of Law, (1856) and everything these administrative clerks or P.I.G.s do is a fraud and a lie, and they get

their puppets to help them with their assaults, kidnappings, false imprisonments, and thefts of property for their own monetary gain.

“Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth.” Morrison v. Acton, 198 P.2d 590, 68 Ariz. 27 (1948)

“Fraud” may be committed by a failure to speak when the duty of speaking is imposed as much as by speaking falsely. Batty v. Arizona State Dental Board, 112 P.2d 870, 57 Ariz. 239 (1941).

Tell me, Sir, did Joseph M. Strickland tell me they were NOT a REAL JUDGE?

Did I give up any of my God Given Rights to a Trial by Jury?

Was I coerced into some unseen contract with FREEDOM MORTGAGE CORPORATION?

Can you prove in a court of Law that you and your company have an interest in my property?

Can you and your company prove in a court of Law that you can seize property without a warrant?

“Ye are of you father the devil, and the lusts of your father ye will do. He was a murderer from the beginning, and abode not in the truth, because there is no truth in him. When he speaketh a lie, he speaketh of his own: for he is a liar, and the father of it.” John 8:44

“...I know the blasphemy of them which say they are Jews, [or Christians] and are not, but are the synagogue of Satan.” Revelations 2:9

“But the fearful, and unbelieving, and the abominable, and murderers, and whoremongers, and sorcerers [pharmaceutical drug pushers], and idolaters, and all liars, shall have their part in the lake which burneth with fire and brimstone; which is the second death.” Revelations 21:8

I, sherman smith, a natural man of the republic, living in the republic, a common man, does declare that I have scribed an read the foregoing facts, and in accordance with the best of my firsthand knowledge, such are true, correct, complete and not misleading, the whole truth and nothing but the truth, before God, Angels, and everybody who reads this document as witnesses, and pursuant to your rules of evidence.

This declaration is dated this 12th day of July in the year two thousand and twenty-four.

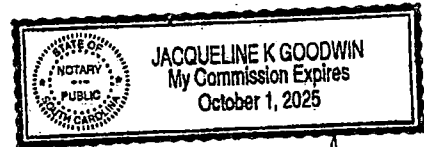
Sherman Smith
Nature living soul, holder of the office of “the people”
A man, inhabitant of the Land
With full responsibility for My actions
With a postal address of:
200 Grandview Circle

Columbia, SC [29229]
Non-Domestic Non-Assumpsit

Sherman Smith UCC 1-308 "without prejudice"

July 12, 2024

Sherman Smith
Sherman Smith
200 Grandview Circle
Columbia, South Carolina 29229
(803) 727-4337
Appellant



Jacqueline K Goodwin 7/12/2024

Other Counsel of Record:

J. Martin Page
BELL, CARRINGTON, PRICE & GREGG LLC
339 Heyward Street, 2nd Floor
Columbia, South Carolina 29201
Attorney for Respondent
(803) 509-5078

RECEIVED

JUL 12 2024
SC Court of Appeals

**FORM 7
PROOF OF SERVICE OF NOTICE OF VOID
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THE STATE OF SOUTH CAROLINA
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[In The Supreme Court]

JUL 12 2024
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
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Joesph Strickland, Master in Equity

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FREEDOM MORTGAGE CORPORATION Respondent,

v.

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Appellant.

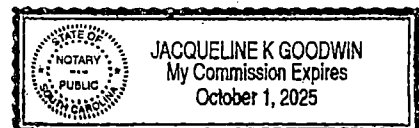
PROOF OF SERVICE

I certify that I have served a Notice of Void Judgment/Order on FREEDOM MORTGAGE CORPORATION by depositing a copy of it in the United States Mail, postage prepaid, on July 12, 2024, addressed to its attorney on record, J. Martin Page, at their office at BELL CARRINGTON PRICE & GREGG, LLC 339 Heyward Street, 2nd Floor Columbia, SC 29201.

July 12, 2024

Sherman Smith UCC 1-308 "without"

Sherman Smith
200 Grandview Circle
Columbia, South Carolina 29229
803-727-4337
Appellant



Jacqueline K Goodwin
7/12/2024