

FORM 1
NOTICE OF REFUSAL FOR CAUSE &
CONDITIONAL ACCEPTANCE

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

RECEIVED
JUN 27 2025
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Stephanie N. Lawrence,
Master-In-Equity

Case No. 2025-001099
Case No. 2023CP4003343

RICHLAND COUNTY
FILED
2025 JUN 27 PM 3:15
JEANETTE W. MCBRIDE
C.C.P., C.S., & F.C.

Sherman Smith,

Appellant,

v.

FREEDOM MORTGAGE
CORPORATION,

Respondent.

NOTICE OF REFUSAL FOR CAUSE & CONDITIONAL ACCEPTANCE

TO: Catherine Harrison, Deputy, and All Whom It May Concern

NOTICE & RESPONSE PURSUANT TO RULE 240, SCACR

Date: June 30, 2025

I, *Sherman Smith*, a natural & private living man on the land, acting *sui juris*, not a corporate fiction or surety for any legal entity, hereby give lawful notice and return the presentment which I now place on the record as (exhibit A) received from your office & signed by **Catherine Harrison, deputy** (adding her to the list of liable government officials): in which she openly acknowledges receiving notices of my lawful standing status as a **Non-Citizen State national** - which places me under the

Appellate Case No. 2025-001099

Case No. 2023CP4003343

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2. Form 7 (4 Proofs of Service, 1 pg. each)
3. Evidence Exhibit A – Correspondence from Catherine Harrison (1 pg.)
4. Evidence Exhibit B - Certificate Of Trust (2 pgs.)
5. Evidence Exhibit C - South Carolina State Constitution, Declaration of Rights (7 pgs)

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common law jurisdiction and removes any presumption that this tribunal administrative court holds any jurisdiction over me - **confirmed by government issued passport card #C33870692**, my **fee schedule** for when government officials violate that status & my constitutionally protected rights, & my notice of **“Silent Acquiescence”** evidence of the non-living corporation known as **“FREEDOM MORTGAGE CORPORATION”** that has had more than 23 months to prove its claims on the record, yet it has remained silent. Silence is proof of fraud. Making every presentment of appellant to be fact, fact is truth, truth is law.

Catherine Harrison’s presentment acknowledges my status then goes on to violate that status by refusing to act by overturning with prejudice the decision of case # 2023cp4003343 to **fraudulently foreclose and resell private property held in irrevocable trust. (exhibit b):**

- with no evidence of lawful standing on subject matter,
- no lawful contract with the wet ink signatures of both parties
- & no verified claim or injured party.

Catherine Harrison’s presentment goes on to threaten appellant by insinuating that the only way his **constitutional rights will be protected or that he will receive remedy and relief** is by Appellant filing a motion, which would remove him from **common law jurisdiction** and place him in **maritime jurisdiction**. But according to **Article 1, Section 2 of the Declaration of Rights of the South Carolina State Constitution**, **“SECTION 2. Religious Freedom, freedom of speech; *right of assembly and petition*: The General Assembly shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and *petition the government or any department thereof for a redress of grievances.* (1970 (56) 2684; 1971 (57) 315.)**

The statement “If appellant wishes to seek relief from this court, you must serve and file a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules (SCACR).” is a **malicious attempted act to coerce appellant to compel performance under “the color of law”**.

The statement **“no further action will be taken, unless a motion is filed** according to your statutes and codes of maritime jurisdiction, Rule 240 of the South Carolina appellant court rules (SCACR) is a **malicious attempted threat** to force appellant to consent to maritime jurisdiction through the act of filing a motion. Appellant is aware that filing a motion is considered “a minimal contract” that would give this tribunal administration jurisdiction that it currently does not have, so that his rights can be further violated.

Catherine Harrison’s attempt to compel performance “under “the color of law” despite the un rebutted facts/truth presented on record is hereby abated until such time as you provide the following:

- A certified and verified claim under full commercial liability.
- A true and correct copy of the contract or agreement bearing the wet ink signatures of both parties.
- Verified evidence that you are acting under lawful authority and not presumption or policy.

“Refused for Cause Without Dishonor, pursuant to UCC 3-501.”

- A competent tribunal administration upholding the constitution, as well as their oath of office, acting in an unbiased fashion and only basing their decisions on the facts of matter on record as they are required to do, would take one look at this case and immediately overturn the decision

of case #2023cp4003343 and would immediately dismiss the case with prejudice. As there is **no verified claim or injured party, no evidence of a valid & lawful contract, No Delegated Authority Over Private Trust Property.**

- **An incompetent tribunal administration operating with a prohibited bias in the interest of getting paid through acts of fraudulence, refusing to uphold the constitution and violating their oath of office would continue to try and compel a non-citizen state national, whose rights are protected by the constitution, to engage in acts that would sacrifice his rights in order to bring him into maritime jurisdiction so that his rights can be further violated.**
- **As far as Catherine Harrison's presentment goes, it was grounded in statute, which means that the nature of the tribunal is statutory and it is an incompetent tribunal to adjudicate Appellant's rights.**
- **The court practice book is a compilation of procedural policies crafted for the regulation of attorneys, officers of the court, and those engaged in the statutory practice of law. It is NOT law, nor does it carry the force of the Constitution. Yet it is being wrongfully wielded as a substitute for due process of law and used as an instrument to bypass the supreme law of the land and the natural rights of the people. I am NOT an attorney. I am NOT a BAR member. I do NOT hold a license that subjects me to such administrative governing nor do I consent to be treated as a party to that internal scheme. I stand as one of the people, sui juris, a living beneficiary of the public trust for those whose benefit the government was created.**

This notice is issued on the following lawful and factual grounds:

GROUND FOR REFUSAL & DISMISSAL W/PREJUDICE:

1. **Lack of Verified Claim or Injured Party.**
No living man or woman has presented a sworn affidavit of harm or loss.
2. **No Evidence of a Valid, Lawful Contract.**
No full-disclosure, bilateral, wet-ink signature agreement has been provided.
3. **No Delegated Authority Over Private Trust Property.**
No lawful delegation of authority exists permitting administration over the private estate or trust of Sherman Smith.
4. **Absence of Meeting of the Minds.**
There has been no full disclosure, no mutual agreement, and no capacity to contract established between the parties.
5. **Article 1, Section 10 of the Declaration of Rights of the South Carolina State Constitution, "SECTION 10. Searches and seizures: invasions of privacy. The right of the people to be secure in their person, houses, papers and effects against unreasonable searches and seizures and unreasonable invasions of privacy shall not be violated, and no warrants shall issue but upon probable cause, supported by or affirmation, and particularly describing the place to be searched, the person or thing to be seized, and the information to be obtained. (1970 (56) 2684; 1971 (57) 315.)"**

6. **Article 1, Section 9 of the Declaration of Rights of the South Carolina State Constitution, “SECTION 9. Courts; speedy remedy.** All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained. (1970 (56) 2684; 1971 (57) 315.)
7. **Article 1, Section 21 of the Declaration of Rights of the South Carolina State Constitution, “SECTION 21. Martial Law.** No person shall in any case be subject to martial law or to any pains or penalties by virtue of that law, except those employed in the armed forces of the United States, and except the militia in actual service, but by the authority of the General Assembly. (1970 (56) 2684; 1971 (57) 315.)
8. **Article 1, Section 22 of the Declaration of Rights of the South Carolina State Constitution, “SECTION 22. Procedure before administrative agencies; judicial review.** No person shall be finally bound by a judicial or quasi-judicial decision of an administrative agency affecting private rights except on due notice and an opportunity to be heard; nor shall he be subject to the same person for both prosecution and adjudication; nor shall he be deprived of liberty or property unless by a mode of procedure prescribed by the General Assembly, and he shall have in all such instances the right to judicial review. (1970 (56) 2684; 1971 (57) 315.)
9. **Article 1, Section 23 of the Declaration of Rights of the South Carolina State Constitution, “SECTION 23. Provisions of Constitution mandatory.** The provisions of the Constitution shall be taken, deemed, and construed to be mandatory and prohibitory, and not merely directory, except where expressly made directory or permissive by its own terms. (1970 (56) 2684; 1971 (57) 315.)

DEMAND FOR CURE AND VALIDATION:

You are hereby **noticed and required** to provide the following, if you wish to compel performance or proceed administratively or judicially:

- **A certified and verified claim** entered under full commercial liability and penalty of perjury.
- **A true and correct copy** of the original lawful contract or agreement bearing my **wet-ink signature** as proof of knowing consent.
- **Verified documentation of lawful authority**, not policy, presumption, or color of law.

Remedy and Relief (1-14):

1. Return and redeposit into an account of the Appellant’s choosing **ANY and ALL funds, bonds, penalties, or disbursements** that are being or have been issued or collected under this and any previous related case (**Case #2023CP4003343, Appellate Case #2023001826, Appellate Case #2025001099**) from any public or private account associated with Appellant’s name or estate.
2. Grant any other relief this Court deems just and proper in the interests of justice.

3. Provide remedy and relief for violation of 15 USC 1611(3): \$5000. per violation (38 violations) = \$190,000. (pub. L. 90-321, title I, 112, May 29, 1968)
4. Provide remedy and relief for Violation of Civil Liability: 15 USC 1640(a)(2)(A)(i): \$188,000 * 2 = \$376,000. (Pub. L. 90-321, title I, 130, May 29, 1968)
5. Provide remedy and relief for furnishing certain deceptive forms: 15 USC 1692j: \$1000. per violation (58 violations) = \$58,000. (Pub. L. 90-321, title VIII, 812, Sep 20, 1977)
6. Provide remedy and relief for financing extortionate extensions of credit: 18 USC 893: \$188,000 * 2 = \$376,000. (Pub L. 90-321, title II, 202(a), May 29, 1968)
7. Provide remedy and relief for violation of Trusts, etc., in restraint of trade illegal; penalty: 15 USC I : \$100,000,000 (July 2, 1890, ch. §1, 26 Stat. 209-The Sherman Anti-Trust Act Aug 17, 1937, ch. 690, title VIII, 50 stat. 693 July 7, 1955, ch. 281, 69 stat. 282 Public L. 93-528, §3, Dec. 21, 1974, 88 Stat. 1708 Public L. 94-145, §2, Dec. 12, 1975, 89 Stat. 801 Public L. 101-588, §4(a), Nov. 16, 1990, 104 Stat. 2880 Public L. 108-237, Title II, §215(a), June 22, 2004, 118 Stat. 668.)
8. Update all payment history to paid as agreed, never late, paid in full with all consumer reporting agencies.
9. Update the Department of Veteran Affairs with corrected status
10. Immediately discharge alleged debt.
11. Immediately return ALL (not just what I paid) funding/securities gained through my wet ink signature & social security number.
12. Compel FREEDOM MORTGAGE CORPORATION to cover Court cost & fees, fees for process of services, etc.
13. \$190,000 + \$376,000 + \$376,000 + \$58,000 + \$100,000,000 = \$101,000,000 + restitution for defamation of character, emotional trauma & duress from threats of unlawful foreclosure.
14. Dismiss this case (**Case No. 2023CP4003343**) with prejudice and provide complete and immediate remedy and relief.

FEE SCHEDULE violations & FINES agreed upon by all parties notified via “**Silent Acquiescence** (15- 51).

15. Violation of oath of office - \$250,000
16. Armed Abuse of Office - \$200,000
17. Armed Abuse of Authority - \$200,000
18. Armed Threat of Violence - \$200,000
19. Denied Rights of Reasonable Defense Arguments - \$250,000
20. Defense Evidence (Records) - \$250,000
21. Denied Right to Truth in Evidence – \$250,000
22. Armed Violation of Due Process - \$200,000
23. Slavery (Forced Compliance to Contracts Not Held) - \$250,000
24. Denied Provisions in the Constitution - \$250,000
25. Emotional Distress \$200,000
26. Malicious Prosecution - \$200,000
27. Defamation of Character - \$200,000
28. Slander - \$200,000
29. Neglect/Failure to Protect/Act - \$200,000
30. Armed Land Piracy/Plunder - \$200,000
31. Unauthorized Bond Production - \$200,000
32. Acting as Agents of Foreign Principles - \$200,000
33. Armed Operating Statutes without Bond – \$200,000
34. Exploitation of a Legal Justice Minority Group by Bar Closed Union Courts – Civil Rights – \$1,000,000
35. Bar Violation of Anti-Trust Laws – \$200,000
36. Armed Disturbing the Peace – \$200,000
37. Armed Misrepresentation/Personage – \$200,000
38. Armed Conspiracy Against Rights of People – \$200,000
39. Armed Criminal Extortion/Economic Oppression – \$200,000
40. Armed Extortion of Rights – \$200,000
41. Armed Robbery – \$200,000
42. Mail Threats – \$5,000
43. Mail Fraud – \$10,000
44. Armed Fraud –\$10,000
45. Armed Violations of Lieber Code Against Non-Combatants - \$200,000

46. Armed Wrongful Assumption of Status/Standing – \$200,000

47. Armed Falsification of Documents/Record – \$10,000

48. Armed Fictitious Obligations – \$200,000

49. Armed Perjury – \$2,000

50. Armed Racketeering (Criminal, Felony) – \$200,000

A total of **\$152,359,000** in **violation fees, remedy & relief.**

NOTICE TO PRINCIPAL IS NOTICE TO AGENT. NOTICE TO AGENT IS NOTICE TO PRINCIPAL.

Failure to rebut this lawful notice point-for-point with lawful evidence within **seven (7) days** shall constitute **tacit agreement** and **silent acquiescence** that:

- No authority exists,
- No claim has merit,
- No contract binds, and
- No jurisdiction attaches to the living man known as Sherman Smith.

RESERVATION OF RIGHTS:

All rights reserved, without prejudice.
UCC 1-308 / UCC 1-103.6

Respectfully and Lawfully Submitted,

Sherman Smith
Private American National
Non-citizen, Non-combatant, Non-corporate
Appellant, sui juris

June 30, 2025

Sherman Smith
Post Office Box 290234
Columbia, South Carolina 29229
(803) 727-4337

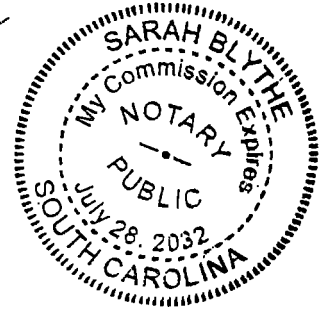
Appellant

Ashun Smith 6-27-2025

Other Counsel of Record:
J. Martin Page
339 Heyward St., 2nd Floor
Columbia, South Carolina 29201
Attorney for Respondent

Sworn and subscribed by:

Sarah Blythe
06/27/2025



Evidence Exhibit A

APPELLATE CASE NO. 2025-001099
Case No. 2023 CP 400 3343



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 25, 2025

Sherman Smith
P.O. Box 290234
Columbia SC 29229

Re: Freedom Mortgage Corporation v. Sherman Smith
Appellate Case No. 2025-001099

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JUN 27 2025

SC Court of Appeals

Dear Mr. Smith:

We have received your Notice of Non-Citizen State National Diplomatic Status & Authority for Fines dated June 12, 2025 and your Notice of Silent Acquiescence dated June 20, 2025. If you wish to seek relief from this Court, you must serve and file a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules (SCACR). No further action will be taken.

Very truly yours,

A handwritten signature in cursive script that reads "Catherine Harrison, deputy".

CLERK

cc: James Martin Page, Esquire
Don Maxwell Sims, Esquire

CERTIFICATE OF TRUST

This Certificate of Trust is executed on this **12th day of March, 2025**, by the undersigned Trustee(s) of the **Perpetual Wealth Trust** (hereinafter referred to as the "Trust"), for the purpose of providing essential information regarding the Trust while maintaining confidentiality of its specific terms.

1. TRUST INFORMATION

- **Trust Name:** Perpetual Wealth Trust
- **Date of Trust Creation:** 12th day of March, 2025
- **Type of Trust:** Irrevocable, Expressed, Non-Statutory, Complex, Discretionary, living Trust
- **Governing Law:** Common Law Principles

2. TRUSTEE INFORMATION

- **Current Trustee:** Sherman L. Smith
- **Successor Trustee:** Taniesha D. Brackett

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JUN 27 2025

SC Court of Appeals

The Trustee has full discretionary authority to administer the Trust in accordance with the Trust Agreement.

3. TRUST AUTHORITY

The Trustee has the legal authority to:

- Manage, buy, sell, transfer, and encumber Trust property.
- Open and manage bank and investment accounts in the name of the Trust.
- Enter into contracts and agreements on behalf of the Trust.
- Carry out all other necessary actions for the administration of the Trust.

4. TRUSTEE LIABILITY & THIRD-PARTY RELIANCE

Any third party may rely on this Certificate of Trust as proof of the Trustee's authority. No third party dealing with the Trustee shall be required to obtain a copy of the full Trust Agreement and may rely upon this Certificate as accurate and in full force.

5. REVOCABILITY STATUS

This Trust is **irrevocable** and cannot be revoked, modified, or amended by the Settlor.

6. TAX IDENTIFICATION NUMBER (IF APPLICABLE)

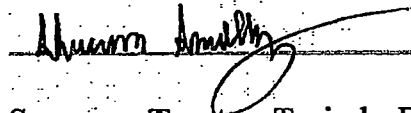
If required, the Trust operates under the following Tax Identification Number:

(EIN) Employer identification # 33- 6804519

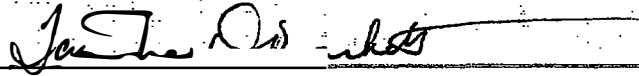
7. NOTARY ACKNOWLEDGMENT

IN WITNESS WHEREOF, the undersigned Trustee(s) have executed this Certificate of Trust on the date first written above.

Trustee: Sherman L. Smith



Successor Trustee: Taniesha D. Brackett

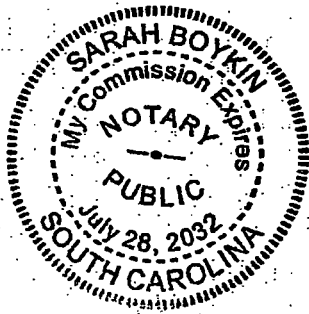


Notary Public:



[Seal]

This Certificate of Trust is executed to verify the authority of the Trustee(s) and to serve as sufficient proof of the Trust's existence for all legal and financial purposes.



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ARTICLE I
DECLARATION OF RIGHTS

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JUN 27 2025

Editor's Note

The amendment ratified by 1971 Act No 276 (1971 (57) 315) revised and rewrote this article, substituting present Section Section 1 to 23 for former Section Section 1 to 29. The amendment also transferred and renumbered the following sections of the former article: former Section 3 was transferred and renumbered as Section 1A of Article III; former Section 6 was transferred and renumbered as Section 3A of Article X; former Section 7 was transferred and renumbered as Section 3B of Article X; former Section 11 was transferred and renumbered as Section 1B of Article XVII; former Section 28 was transferred and renumbered as Section 4 of Article XIV. The provisions of former Section 9 of this article now appear in Section 1 of Article II, as amended by amendment ratified by 1971 Act No 277 (1971 (57) 319).

SECTION 1. Political power in people.

All political power is vested in and derived from the people only, therefore, they have the right at all times to modify their form of government. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 1 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see former Art I, Section 1.

SECTION 2. Religious freedom; freedom of speech; right of assembly and petition.

The General Assembly shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the government or any department thereof for a redress of grievances. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 4 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section Section 6, 7, 9, 10.

SECTION 3. Privileges and immunities; due process; equal protection of laws.

The privileges and immunities of citizens of this State and of the United States under this Constitution shall not be abridged, nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 5 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 12.

SECTION 4. Attainder; ex post facto laws; impairment of contracts; titles; effect of conviction.

No bill of attainder, ex post facto law, law impairing the obligation of contracts, nor law granting any title of nobility or hereditary emolument, shall be passed, and no conviction shall work corruption of blood or forfeiture of estate. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 8 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art 1, Section Section 4, 21.

SECTION 5. Elections, free and open.

All elections shall be free and open, and every inhabitant of this State possessing the qualifications provided for in this Constitution shall have an equal right to elect officers and be elected to fill public office. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 10 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 31.

SECTION 6. Residence.

Temporary absence from the State shall not forfeit a residence once obtained. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 12 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 35.

SECTION 7. Suspension of laws.

The power to suspend the laws shall be exercised only by the General Assembly or by its authority in particular cases expressly provided for by it. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are similar to former Section 13 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 24.

SECTION 8. Separation of powers.

In the government of this State, the legislative, executive, and judicial powers of the government shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 14 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 26.

SECTION 9. Courts; speedy remedy.

All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 15 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 15.

SECTION 10. Searches and seizures; invasions of privacy.

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures and unreasonable invasions of privacy shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, the person or thing to be seized, and the information to be obtained. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are similar to former Section 16 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 22.

SECTION 11. Presentment or indictment.

No person may be held to answer for any crime the jurisdiction over which is not within the magistrate's court, unless on a presentment or indictment of a grand jury of the county where the crime has been committed, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger. The General Assembly may provide for the waiver of an indictment by the accused. Nothing contained in this Constitution is deemed to limit or prohibit the establishment by the General Assembly of a state grand jury with the authority to return indictments irrespective of the county where the crime has been committed and that other authority, including procedure, as the General Assembly may provide. (1970 (56) 2684; 1971 (57) 315; 1989 Act No. 5; 1989 Act No. 8.)

Editor's Note

The present provisions of this section are similar to former Section 17 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art 1, Section Section 18, 23.

SECTION 12. Double jeopardy; self-incrimination.

No person shall be subject for the same offense to be twice put in jeopardy of life or liberty, nor shall any person be compelled in any criminal case to be a witness against himself. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are similar to former Section 17 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art 1, Section Section 18, 23.

SECTION 13. Taking private property; economic development; remedy of blight.

(A) Except as otherwise provided in this Constitution, private property shall not be taken for private use without the consent of the owner, nor for public use without just compensation being first made for the property. Private property must not be condemned by eminent domain for any purpose or benefit including, but not limited to, the purpose or benefit of economic development, unless the condemnation is for public use.

(B) For the limited purpose of the remedy of blight, the General Assembly may provide by law that private property constituting a danger to the safety and health of the community by reason of lack of ventilation, light, and sanitary facilities, dilapidation, deleterious land use, or any combination of these factors may be condemned by eminent domain without the consent of the owner and put to a public use or private use if just compensation is first made for the property. (1970 (56) 2684; 1971 (57) 315; 2007 Act No. 15.)

Editor's Note

The present provisions of this section are similar to former Section 17 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section Section 18, 23.

SECTION 14. Trial by jury; witnesses; defense.

The right of trial by jury shall be preserved inviolate. Any person charged with an offense shall enjoy the right to a speedy and public trial by an impartial jury; to be fully informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to be fully heard in his defense by himself or by his counsel or by both. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are similar to former Section Section 18 and 25 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section Section 11, 13.

SECTION 15. Right of bail; excessive bail; cruel or unusual or corporal punishment; detention of witnesses.

All persons shall be, before conviction,ailable by sufficient sureties, but bail may be denied to persons charged with capital offenses or offenses punishable by life imprisonment, or with violent offenses defined by the General Assembly, giving due weight to the evidence and to the nature and circumstances of the event. Excessive bail shall not be required, nor shall excessive fines be imposed, nor shall cruel, nor corporal, nor unusual punishment be inflicted, nor shall witnesses be unreasonably detained. (1970 (56) 2684; 1971 (57) 315; 1998 Act No. 259.)

SECTION 16. Libel.

In all indictments or prosecutions for libel, the truth of the alleged libel may be given in evidence, and the jury shall be the judges of the law and facts. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 21 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 8.

SECTION 17. Treason.

Treason against the State shall consist alone in levying war or in giving aid and comfort to enemies against the State. No person shall be held guilty of treason, except upon testimony of at least two witnesses to the same overt act, or upon confession in open court. (1970 (56) 2684; 1971 (57) 315; 2007 Act No. 15.)

Editor's Note

The present provisions of the first paragraph of this section are identical to former Section 22 of Article I as it existed prior to the 1971 revision. It would seem that the intention of the 1973 amendments relating to slum clearance (1970 (57) 1340; 1973 (58) 123) was to add the provisos of the second and third paragraphs of this section to Section 17 of this article as it existed prior to the 1971 revision. Similar paragraphs were transferred to Section 5 of Article XIV by the 1971 amendment which revised this article.

SECTION 18. Suspension of habeas corpus.

The privilege of the writ of habeas corpus shall not be suspended unless when, in case of insurrection, rebellion or invasion, the public safety may require it. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 23 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 17.

SECTION 19. Imprisonment for debt.

No person shall be imprisoned for debt except in cases of fraud. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 24 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 20.

SECTION 20. Right to keep and bear arms; armies; military power subordinate to civil authority; how soldiers quartered.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed. As, in times of peace, armies are dangerous to liberty, they shall not be maintained without the consent of the General Assembly. The military power of the State shall always be held in subordination to the civil authority and be governed by it. No soldier shall in time of peace be quartered in any house without the consent of the owner nor in time of war but in the manner prescribed by law. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 26 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section Section 28, 29.

SECTION 21. Martial law.

No person shall in any case be subject to martial law or to any pains or penalties by virtue of that law, except those employed in the armed forces of the United States, and except the militia in actual service, but by the authority of the General Assembly. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are similar to former Section 27 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 25.

SECTION 22. Procedure before administrative agencies; judicial review.

No person shall be finally bound by a judicial or quasi-judicial decision of an administrative agency affecting private rights except on due notice and an opportunity to be heard; nor shall he be subject to the same person for both prosecution and adjudication; nor shall he be deprived of liberty or property unless by a mode of procedure prescribed by the General Assembly, and he shall have in all such instances the right to judicial review. (1970 (56) 2684; 1971 (57) 315.)

SECTION 23. Provisions of Constitution mandatory.

The provisions of the Constitution shall be taken, deemed, and construed to be mandatory and prohibitory, and not merely directory, except where expressly made directory or permissive by its own terms. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are identical to former Section 29 of Article I as it existed prior to the 1971 revision.

SECTION 24. Victims' Bill of Rights.

(A) To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, or economic status, victims of crime have the right to:

(1) be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal and juvenile justice process, and informed of the victim's constitutional rights, provided by statute;

(2) be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped;

(3) be informed of and present at any criminal proceedings which are dispositive of the charges where the defendant has the right to be present;

(4) be reasonably informed of and be allowed to submit either a written or oral statement at all hearings affecting bond or bail;

(5) be heard at any proceeding involving a post-arrest release decision, a plea, or sentencing;

(6) be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process;

(7) confer with the prosecution, after the crime against the victim has been charged, before the trial or before any disposition and informed of the disposition;

(8) have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial;

(9) receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury, including both adult and juvenile offenders;

(10) be informed of any proceeding when any post-conviction action is being considered, and be present at any post-conviction hearing involving a post-conviction release decision;

(11) a reasonable disposition and prompt and final conclusion of the case;

(12) have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

(B) Nothing in this section creates a civil cause of action on behalf of any person against any public employee, public agency, the State, or any agency responsible for the enforcement of rights and provision of services contained in this section. The rights created in this section may be subject to a writ of mandamus, to be issued by any justice of the Supreme Court or circuit court judge to require compliance by any public employee, public agency, the State, or any agency responsible for the enforcement of the rights and provisions of these services contained in this section, and a wilful failure to comply with a writ of mandamus is punishable as contempt.

(C) For purposes of this section:

(1) A victim's exercise of any right granted by this section is not grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.

(2) "Victim" means a person who suffers direct or threatened physical, psychological, or financial harm as the result of the commission or attempted commission of a crime against him. The term "victim" also includes the person's spouse, parent, child, or lawful representative of a crime victim who is deceased, who is a minor or who is incompetent or who was a homicide victim or who is physically or psychologically incapacitated.

(3) The General Assembly has the authority to enact substantive and procedural laws to define, implement, preserve, and protect the rights guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings.

(4) The enumeration in the Constitution of certain rights for victims shall not be construed to deny or disparage others granted by the General Assembly or retained by victims. (1998 Act No. 259.)

SECTION 25. Hunting and fishing.

The traditions of hunting and fishing are valuable parts of the state's heritage, important for conservation, and a protected means of managing nonthreatened wildlife. The citizens of this State have the right to hunt, fish, and harvest wildlife traditionally pursued, subject to laws and regulations promoting sound wildlife conservation and management as prescribed by the General Assembly. Nothing in this section shall be construed to abrogate any private property rights, existing state laws or regulations, or the state's sovereignty over its natural resources.

HISTORY: 2011 Act No. 20, Section 1, eff May 5, 2011.

Editor's Note

2011 Act No. 20, Section 1, provides in part:

"SECTION 1. The amendment to Article I of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 3483 of 2009, having been submitted to the qualified electors at the General Election of 2010 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a

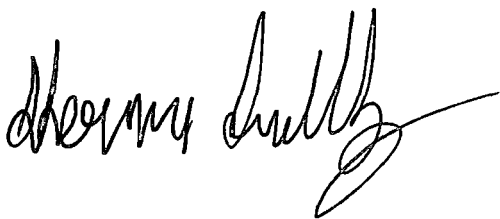
favorable vote having been received on the amendment, is ratified and declared to be a part of the constitution so that Article I is amended by adding Section 25:"

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JUN 27 2025

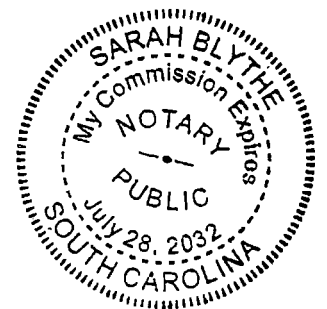
SC Court of Appeals

6-27-2025



Sworn and subscribed by:

Sarah Blythe
06/27/2025



FORM 7
PROOF OF SERVICE OF NOTICE OF REFUSAL
FOR CAUSE & CONDITIONAL ACCEPTANCE

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

RECEIVED

JUN 27 2025

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Stephanie N. Lawrence, Master-In-Equity

Appellate Case No. 2025-001099
Case No. 2023CP4003343

FREEDOM MORTGAGE CORPORATION, Respondent,

v.

Sherman Smith,

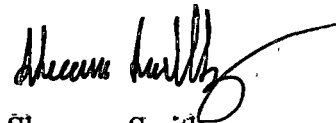
Appellant.

RICHLAND COUNTY
FILED
2025 JUN 27 PM 3:15
JEANETTE W. McBRIDE
C.C.P., G.S., & F.C.

PROOF OF SERVICE

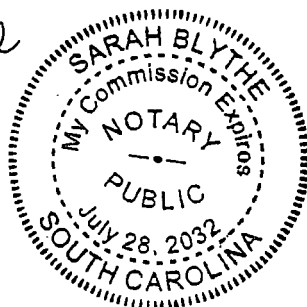
I certify that I have served a **Notice of Refusal for Cause and Conditional Acceptance** on **FREEDOM MORTGAGE CORPORATION** by depositing a copy of it in the United States Mail, postage prepaid, on June 27, 2025, addressed to its attorney on record, J. Martin Page, at their office at **BELL CARRINGTON PRICE & GREGG, LLC 339 Heyward Street, 2nd Floor Columbia, SC 29201.**

June 27, 2025



Sherman Smith
P.O. Box 290234
Columbia, South Carolina 29229
803-727-4337
Appellant

Sworn and subscribed by
Sarah Blythe
06/27/2025



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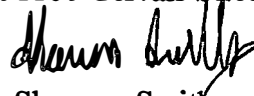
Appellant.

RICHLAND COUNTY
FILED
2025 JUN 27 PM 3:15
JANETTE W. McBRIDE
C.P. 65.2.F.C.

PROOF OF SERVICE

I certify that I have served a **Notice of Refusal for Cause and Conditional Acceptance** on Governor Henry McMaster by depositing a copy of it in the United States Mail, postage prepaid, on June 27, 2025, addressed to his office at 1100 Gervais Street, Columbia, South Carolina 29201.

June 27, 2025



Sherman Smith
P.O. Box 290234
Columbia, South Carolina 29229
803-727-4337
Appellant

Sworn and subscribed by:
Sarah Blythe
06/27/2025



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Stephanie N. Lawrence, Master-In-Equity

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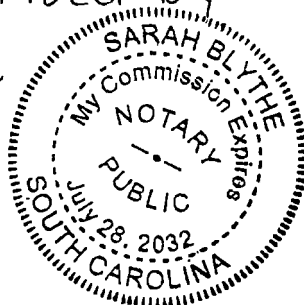
RICHLAND COUNTY
FILED
2025 JUN 27 PM 3:15
JEANETTE W. McBRIDE
Clerk, C.S. & F.C.

PROOF OF SERVICE

I certify that I have served a **Notice of Refusal for Cause and Conditional Acceptance** on Attorney General Alan Wilson by depositing a copy of it in the United States Mail, postage prepaid, on June 27, 2025, addressed to his mailing address at P.O. Box 11549, Columbia, South Carolina 29211.

June 27, 2025

Sworn and subscribed by
Sarah Blythe
06/27/2025



Handwritten signature of Sherman Smith in black ink.

Sherman Smith
P.O. Box 290234
Columbia, South Carolina 29229
803-727-4337
Appellant

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FREEDOM MORTGAGE CORPORATION, Respondent,

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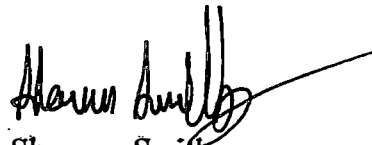
Sherman Smith,

Appellant.

PROOF OF SERVICE

I certify that I have served a **Notice of Refusal for Cause and Conditional Acceptance** on the Master in Equity by delivering a copy of it, on June 27, 2025, to the Richland County Clerk of Court, at 1701 Main St, #205, Columbia, SC 29201.

June 27, 2025



Sherman Smith
P.O. Box 290234
Columbia, South Carolina 29229
803-727-4337
Appellant

Sworn and subscribed by:
Sarah Blythe
06/27/2025

