

FORM 1  
PETITION TO DISMISS WITH  
PREJUDICE

105170

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

RECEIVED

JUL 03 2025

SC Court of Appeals

FROM RICHLAND COUNTY  
Court of Common Pleas

Master in Equity

Appellate Case No. 2025-001099

Sherman Smith,

Appellant,

v.

FREEDOM MORTGAGE  
CORPORATION,

Respondent.

RICHLAND COUNTY  
FILED  
2025 JUL -3 PM 2:17  
JEANETTE W. MCBRIDE  
C.C.P., G.S., & E.C.

PETITION TO DISMISS WITH  
PREJUDICE

I, Sherman Smith, the natural living being and **Noncitizen State National**, reserve my right not to be compelled to perform under contract or commercial agreement that I did not enter into **knowingly, willingly, voluntarily or intentionally**, and I, furthermore do not accept any liability of the compelled benefit of any unrevealed contract or commercial agreement. – UCC 1-207/UCC 1-308.

I am here on “**special appearance**” to defend **the inappropriately, erroneously, & fraudulently charged “Estate” referenced, under duress of unlawful seizure, extortion, defamation of character, discrimination, fraud & unlawful void orders due to lack of jurisdiction.**

Pursuant of **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.)

Appellant, Sherman Smith, the natural living being and **Noncitizen State National**, petitions this tribunal to reverse the decision of **Case No. 2023CP4003343** based on the following grounds:

1. **Lack of subject matter jurisdiction. (Irrevocable trust is the owner)**
2. **Lack of personal jurisdiction. (State National living on the land)**
3. **Silent Acquiescence. (No rebuttals, No answers, No defense)**
4. **Lack of publicly report perfected lien required by law.)**
5. **Lack of Verified Claim or Injured Party.** Appellant has a right to face his accuser).  
No living man or woman has presented a sworn affidavit of harm or loss.
6. **No Evidence of a Valid, Lawful Contract.**  
No full-disclosure, bilateral, wet-ink signature agreement has been provided.
7. **No Delegated Authority Over Private Trust Property.**  
No lawful delegation of authority exists permitting administration over the private estate or trust of Sherman Smith.
8. **Absence of Meeting of the Minds.**  
There has been no full disclosure, no mutual agreement, and no capacity to contract established between the parties.
9. **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.)
10. **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;

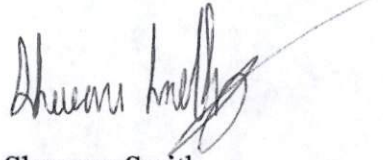
1971 (57) 315.) (Appellant requests Appellate Court to overturn the decision with instructions to dismiss with prejudice, instead of remittitur back to the lower courts as it has already been 24 months.)

11. **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.)
12. **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.)
13. **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.)

Appellant is demanding in **remedy and relief** the **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.

I, Sherman Smith, the natural living being have provided statements that are sworn under penalty of perjury and notarized and documented for the record, as well as documented evidence proving every statement to be true.

CC: Governor Henry McMaster  
CC: Attorney General Alan Wilson



July 3, 2025

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

Other Counsel of Record:  
J. Martin Page  
BELL, CARRINGTON, PRICE & GREGG LLC  
339 Heyward Street, 2<sup>nd</sup> Floor  
Columbia, South Carolina 29201  
Attorney for Respondent  
(803) 509-5078

sworn and subscribed by:  
Sarah Blythe 07/03/2025



**FORM 7  
PROOF OF SERVICE OF PETITION TO  
DISMISS WITH PREJUDICE**

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

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Stephanie N. Lawrence, Master-In-Equity

Case No. 2025-001099

Sherman Smith

Appellant

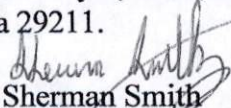
v.

FREEDOM MORTGAGE CORPORATION, Respondent.

PROOF OF SERVICE

I certify that I have served a **Petition to Dismiss** on Attorney General Alan Wilson by depositing a copy of it in the United States Mail, postage prepaid, on July 3, 2025, addressed to his mailing address at P.O. Box 11549, Columbia, South Carolina 29211.

July 3, 2025

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

sworn and subscribed by  
Sarah Blythe 07/03/2025



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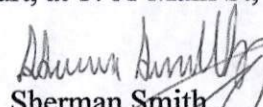
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**PROOF OF SERVICE**

I certify that I have served a **Petition to Dismiss** on the Master in Equity by delivering a copy of it, on July 3, 2025, to the Richland County Clerk of Court, at 1701 Main St, #205, Columbia, SC 29201.

July 3, 2025

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

Sworn and subscribed by:  
Sarah Blythe 07/03/2025



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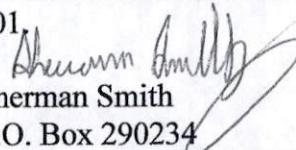
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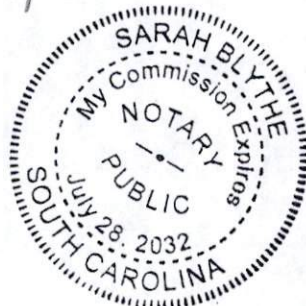
PROOF OF SERVICE

I certify that I have served a **Petition to Dismiss** on FREEDOM MORTGAGE CORPORATION by depositing a copy of it in the United States Mail, postage prepaid, on July 3, 2025, addressed to its attorney on record, J. Martin Page, at their office at BELL CARRINGTON PRICE & GREGG, LLC 339 Heyward Street, 2<sup>nd</sup> Floor Columbia, SC 29201.

July 3, 2025

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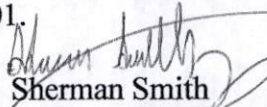
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PROOF OF SERVICE

I certify that I have served a **Petition to Dismiss** on Governor Henry McMaster by depositing a copy of it in the United States Mail, postage prepaid, on July 3, 2025, addressed to his office at 1100 Gervais Street, Columbia, South Carolina 29201.

July 3, 2025

  
Sherman Smith

P.O. Box 290234

Columbia, South Carolina 29229

803-727-4337

Appellant

Sworn and subscribed by:  
Sarah Blythe 07/03/2025

