

FORM 1
SCRCP Rule 8(d) — Effect of Failure to Deny

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

RICHLAND COUNTY
Court of Common Pleas

Stephanie N. Lawrence,
Master-In-Equity

Case No. 2023cp4003343
Appellant Case No. 2025-001099
Case No. 2025cp4004038

FREEDOM MORTGAGE
CORPORATION, GREATER
COLUMBIA REAL ESTATE,
LLC & Richard Gates.

Plaintiff(s),

v.

Sherman Smith

Defendant.

SCRCP Rule 8(d) — Effect of Failure to Deny

- I, **Sherman Smith, the natural living being and Noncitizen State National (confirmed by Passport Card# C33870692)**, 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.

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- I am here on **“Special Appearance”** to defend the **inappropriately, erroneously & fraudulently charged “Estate”** referenced, under duress of unlawful seizure, extortion, defamation of character, securities fraud, discrimination, Fraud & unlawful void orders due to lack of jurisdiction.
- I am **the executor and beneficiary** of the estate referred to as SHERMAN SMITH.
- **I do not consent to joinder** and I am here to settle and close the matter.
- I am not the corporate fiction. I am the **living sentient man**.
- I act as **executor over the estate** and **require jurisdiction to be placed on the record**.
- **No injured party,**
- **no verified claim or affidavit,**
- **no wet ink contract, therefore no standing, no jurisdiction, and no cause of action.**
- **I stand as executor of a private trust.**
- I accept all charges for value and require this matter be discharged in equity under **Estoppel and Res Judiciata**.
- I decline to enter a plea.
- **I am not the trustee or the surety.**
- I require discharge of the matter in that the record reflect **private equity jurisdiction**.
- **I conditionally accept upon proof of claim under full commercial liability, sworn affidavit, and penalty of perjury. Otherwise, discharge and settle in equity.**
- 1. **Silence in the face of an unrebutted claim, is an admission under law** pursuant of **“SCRCP Rule 8(d) — Effect of Failure to Deny”** and the principles of **“equity silence”** operates as **acquiescence**. Their failure to rebut constitutes **tacit acceptance of all facts placed on the record**.

“SCRCP Rule 8(d) — Effect of Failure to Deny” “Averments in a pleading to which a responsive pleading is required... are admitted when not denied in the responsive pleading. Averments in a pleading to which no responsive pleading is required or permitted shall be taken as denied or avoided.”

2. Pursuant to the principles of:

- **Tacit Procuration** (Silence is consent when there is a duty to speak),
- **Estoppel by Acquiescence** (Failure to assert a right in a timely manner),
- **UCC 1-308** (Reservation of rights without prejudice),

- **Maxim of Law: “He who does not deny, admits,”**
the Respondent has **tacitly agreed and consented** to all **terms, declarations, and lawful positions put forth in the aforementioned communications.**

3. Dates & titles of un rebutted statements, documents, claims & proclamations filed

- A. **5-14-2025** notice of **3rd objection,**
- B. **5-20-2025** notice of **revocation of power of attorney at fact,**
- C. **5-23-2025** notice of **refusal to consent to unconstitutional proceedings, Demand to cease and desist unlawful collection actives**
- D. **6-12-2025** notice of **non-citizen state national diplomatic status.**
- E. **6-12-2025** notice of **Authority for fines (damages) caused by crimes of Government officers (Fee Schedule)**
- E. **6-20-2025** notice of **silent Acquiescence.**
- F. **6-27-2025** notice of **Refusal for cause & Conditional Acceptance.**
- G. **7-2-2025** notice of **Objection.**
- H. **7-3-2025** notice of **Petition to dismiss with prejudice.**
- I. **7-8-2025** notice of **Showing of cause.**
- J. **7-14-25** notice of **showing of cause pt2.**
- K. **7-14-2025** notice of **Notice to the courts.**

Said communications contained **specific facts, lawful objections, claims, declarations, Jurisdictional challenges, notification on non-citizen State National status and/or conditions requiring a response, rebuttal, , or counter-affidavit, proof or evidence within a reasonable time frame,** not to exceed [7] calendar days, pursuant to the doctrine of **Estoppel by Acquiescence, Maxims of Law, and Truth in Commerce.**

4. Pursuant of 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.)

In combination of the **12 un rebutted claims & 24 months** of defending **my constitutional rights, the 4th & 5th amendments & my private property**, Defendant is seeking **immediate dismissal with prejudice**, all previously demanded **remedy & relief**.

3. I Sherman Smith, **the natural living being** cannot be **compelled** to donate **my time, labor, energy & or my property** for the benefit of **public servants** who act under **delegated authority**, while I receive; **No compensation, no due process & no constitutional protection**. Time is not a public commodity, it is property and no government actor has lawful authority to demand it. Absent a **constitutional duty or a contract** created with **full disclosure, mutual understanding & informed consent**. I have already been forced to waist valuable time (**24 months**) defending **my constitutional rights & private property** against **unlawful proceedings** that never had **constitutional grounding** in the first place. Any further attempt to extract my time, **under color of law** shall be deemed **trespass upon private property**, a breach of the **5th amendment** and a **knowing violation of trust**. Therefore, this Tribunal has no rightful authority to continue or to hold any record of this matter on it's docket.
4. I move to **dismiss for lack of firsthand knowledge** and move this court to **stop counsel from testifying on this matter**.
(no **verified injury**, no **verified claim**, no **sworn affidavits under penalty of perjury** equates all previously mentioned **plaintiffs'** responses & Answers to "**HEARSAY**" which are in admissible as evidence or fact.

REMEDY AND RELIEF

For the attempted theft of **private property** held in **irrevocable trust+**, Plaintiff is seeking the following remedy and relief:

*Payment made to Plaintiff in the total sum of Current Market Value of the Private Property in question

= \$315,000

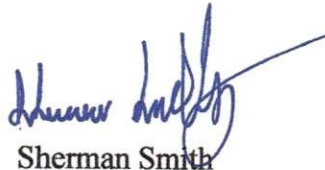
*Demand that Richard Gates, **GREATER COLUMBIA REAL ESTATE LLC**, and **FREEDOM MORTGAGE CORPORATION** cease and desist all forms of communication and attempts to ascertain Plaintiff's private property.

* The return and redeposit into an account of the Plaintiff'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 #2025-CP-40-04038, Case #2023CP4003343, Appellate Case #2023001826, Appellate Case #2025001099**) from any public or private account associated with Defendant's name or estate.

*All previously demanded remedy & relief.

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.

July 21, 2025



Sherman Smith

Post Office Box 290234

Columbia, South Carolina 29229

(803) 727-4337

Defendant



s/Michael P. Morris
Michael P. Morris (SC
Bar#73560)
MP Morris Law Firm,
P.A.
1735 St. Julian Pl., Ste. 103
Columbia, South Carolina 29204
Attorney for Plaintiff
(803) 851-1076

sworn and subscribed by:

Sarah Blythe 07/21/2025

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FORM 7
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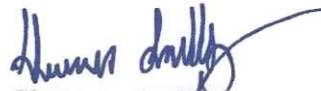
Sherman Smith

Defendant.

PROOF OF SERVICE

I certify that I have served a **SCRPC RULE 8(d) — EFFECT OF FAILURE TO DENY** on the Master in Equity by delivering a copy of it, on July 21, 2025, to the Richland County Clerk of Court, at 1701 Main St, #205, Columbia, SC 29201.

July 21, 2025


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

worn and subscribed by:
Sarah Blythe 07/21/2025



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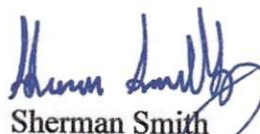
Defendant.

PROOF OF SERVICE

I certify that I have served a **SCRPC RULE 8(d) — EFFECT OF FAILURE TO DENY** on **FREEDOM MORTGAGE CORPORATION** by depositing a copy of it in the United States Mail, postage prepaid, on July 21, 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.

July 21, 2025

sworn and subscribed by:
Sarah Blythe 07/21/2025


Sherman Smith
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Defendant



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July 21, 2025

Sherman Smith

Sherman Smith
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Columbia, South Carolina 29229
803-727-4337
Defendant

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Sarah Blythe 07/21/2025

