

**FORM 1
PETITION FOR SUMMARY
JUDGEMENT**

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

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AUG 06 2025

SC Court of Appeals

105445

RICHLAND COUNTY
Court of Common Pleas

Stephanie N. Lawrence,

Master-In-Equity

Appellant Case No. 2025-001099
Case No. 2023CP4003343
Case No. 2025CP4004038

FREEDOM MORTGAGE
CORPORATION, GREATER Plaintiff(s),
COLUMBIA REAL ESTATE,
LLC & Richard Gates.

v.

Sherman Smith Defendant.

**PETITION FOR SUMMARY
JUDGEMENT**

- 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.**

- 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 affidavit, no wet ink contract, therefore no standing, 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 Judicata**.
 - 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. Pursuant of Article 1, Section 2 of the **Declaration of Rights of the South Carolina State onstitution**, **“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.)
 2. Pursuant of SCRCP Rule 56 (b) — **Summary Judgment For Defending Party A** defending party may move for summary judgment **at any time.**

3. Defendant petitions the appeals court to overturn & dismiss with prejudice the order of case # **2023cp4003343** to unlawfully & fraudulently foreclose & resell defendant's private property held in irrevocable trust based on the grounds of: **No injured party, no verified affidavit, no wet ink contract**, therefore **no standing jurisdiction, and no cause of action.**
4. In combination with the **13 unrebutted averments** referenced on record with defendants filing titled "**SCRCP Rule 8 (d)- Effect of Failure to Deny dated 7-21-2025**

Supporting Supreme court Case law

5. **Baughman v. American Tel. & Tel. Co., 306 S.C. 101 (1991)**
Summary judgment is not appropriate when **any evidence** tends to establish a genuine issue of material fact.
6. **Standard Fire Ins. Co. v. Marine Contracting & Towing Co., 301 S.C. 418 (1990)**
The court must view **all evidence and inferences in the light most favorable to the non-moving party.**

7. 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 waste valuable time (more than **24 months**) defending my constitutional rights 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 its docket.
8. **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.)

9. In combination of the **13 un rebutted averments & over 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**.

10. NOTICE OF LIABILITY UNDER STATE AND FEDERAL LAWS

Continued prosecution, collection, arrest, reporting, or adjudication absent lawful jurisdiction constitutes:

- Violation of 42 U.S.C. § 1983 – deprivation of rights under the color of law;
- Violation of 42 U.S.C. § 1985 – Conspiracy to interfere with civil rights;
- Violation of 42 U.S.C. § 1986 – Neglect to prevent known violations;
- Actionable fraud and abuse of process, punishable in civil and federal equity courts

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 Plaintiff'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.

CC: Attorney General Alan Wilson

CC: Governor Henry McMaster

~~July 14, 2025~~

Sherman Smith

08-06-2025

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 08/06/2025



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**FORM 7
PROOF OF SERVICE OF PETITION FOR
SUMMARY JUDGEMENT**

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

RICHLAND COUNTY
Court of Common Pleas

Stephanie N. Lawrence, Master-In-Equity

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LLC & Richard Gates.

Plaintiff(s),

v.

Sherman Smith

Defendant.

PROOF OF SERVICE

I certify that I have served a **PETITION FOR SUMMARY JUDGEMENT** on Governor Henry McMaster by depositing a copy of it in the United States Mail, postage prepaid, on August 6, 2025, addressed to his office at 1100 Gervais Street, Columbia, South Carolina 29201.

August 6, 2025

Sworn and subscribed by:
Sarah Blythe
08/06/2025



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

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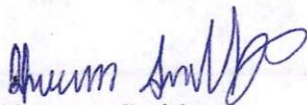
PROOF OF SERVICE

I certify that I have served a **PETITION FOR SUMMARY JUDGEMENT** on
FREEDOM MORTGAGE CORPORATION by depositing a copy of it in the United States
Mail, postage prepaid, on August 6, 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.

August 6, 2025

informed and subscribed by:
Sarah Blythe
08/06/2025




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

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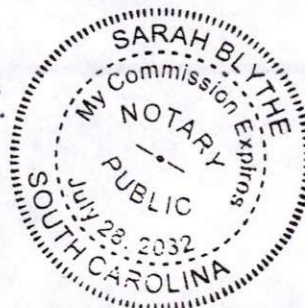
Defendant.

PROOF OF SERVICE

I certify that I have served a **PETITION FOR SUMMARY JUDGEMENT** on Richard Gates and GREATER COLUMBIA REAL ESTATE, LLC by depositing a copy of it in the United States Mail, postage prepaid, on August 6, 2025, addressed to their attorney on record, Michael P. Morris, at his office at MP Morris Law Firm, P.A.; 1735 St. Julian Pl., Ste. 103; Columbia, SC 29204.

August 6, 2025

inorn and subscribed by:
Sarah Blythe
08/06/2025



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

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Plaintiff(s),

v.

Sherman Smith

Defendant.

PROOF OF SERVICE

I certify that I have served a **PETITION FOR SUMMARY JUDGEMENT** on the Master in Equity by delivering a copy of it, on August 6, 2025, to the Richland County Clerk of Court, at 1701 Main St, #205, Columbia, SC 29201.

August 6, 2025

Worn and subscribed by:
Sarah Blythe
08/06/2025



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

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I certify that I have served a **PETITION FOR SUMMARY JUDGEMENT** on Attorney General Alan Wilson by depositing a copy of it in the United States Mail, postage prepaid, on August 6, 2025, addressed to his mailing address at P.O. Box 11549, Columbia, South Carolina 29211.

August 6, 2025

worn and subscribed by:
Sarah Blythe
08/06/2025



Sherman Smith

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