

**FORM 1
EMERGENCY RULE 220 (b) -
DISPOSITION BY MOTION
(SUMMARY DISPOSITION)**

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

FROM RICHLAND COUNTY
Court of Appeals

Appellate Case No. 2025-001099

Sherman Smith,

Appellant,

v.

FREEDOM MORTGAGE
CORPORATION,

Respondent.

**Rule 220 (b) - Disposition by Motion
(Summary Disposition)**

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.

1. 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.
2. 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.

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3. 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.
4. **No injured party, no verified affidavit, no wet ink contract, therefore no standing, no jurisdiction, and no cause of action.**
5. 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**.
6. 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.
7. I **conditionally accept** upon proof of claim under full commercial liability, sworn affidavit, and penalty of perjury. Otherwise, **discharge and settle in equity**.

Rule 220 (b) – Disposition by Motion (Summary Disposition) states that *“At any time after the filing of the notice of appeal, the court may, on motion of any party or on its own motion, dismiss the appeal or affirm, reverse or modify the judgment appealed from if it plainly appears that no issue of law is involved, or that the judgment is controlled by settled law.”*

GROUND FOR SUMMARY DISPOSITION

1. Lack of proper title, 2. Lack of personal jurisdiction, 3. lack of subject matter jurisdiction, 4. lack of a lawful binding contract, 5. lack of injured party, 6. lack of verified claim, and 7. Lack of rebutted averments.

GROUND FOR EMERGENCY RESPONSE

1. Pursuant of **“RULE 205, EFFECT OF APPEAL,”** which states that *“Upon the service of the Notice of Appeal, the Appellate Court shall have exclusive jurisdiction over the appeal; the lower court or administrative tribunal shall have jurisdiction to entertain petitions for writs of supersedeas as provided by Rule 241. Nothing in these Rules shall prohibit the lower court, commission or tribunal from proceeding with matters not affected by the appeal.”*, despite the jurisdiction of the matter being currently held by **the Appeals Court** starting from the date the Notice of Appeal was filed (**Case# 2025-001099 on June 2, 2025**), the Lower Courts’ **“Master in Equity,” Stephanie N. Lawrence**, has continued in the process of Case # 2023CP4003343.

2. **Stephanie N. Lawrence** electronically signed a “**Writ of Assistance**” on **August 8, 2025** to have APPELLANT and his Tribe/family unlawfully and **forcibly** removed from **PRIVATE PROPERTY** lawfully protected via **irrevocable, expressed, non-statutory, complex, discretionary Private family trust** by the **Richland County Sheriff’s Department’s** policy enforcers (also known as **police**), dated **September 1, 2025** at 1pm.
3. Pursuant of **Rule 221(b) -Rehearing and Remittitur**, *“The remittitur shall contain a copy of the judgment of the appellate court, shall be sealed with the seal and signed by the clerk of the court, and unless otherwise ordered by the court shall not be sent to the lower court or administrative tribunal until fifteen (15) days have elapsed (the day of filing being excluded) since the filing of the opinion, order, judgment, or decree of the court finally disposing of the appeal. If a petition for rehearing is received before the remittitur is sent, the remittitur shall not be sent pending disposition of the petition by the court. Where a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur to the lower court or administrative tribunal until the time to petition for a writ of certiorari under Rule 242(c) has expired. If a petition for writ of certiorari is filed, the Court of Appeals shall not send the remittitur until notified that the petition has been denied. If the writ is granted by the Supreme Court, the Court of Appeals shall not send the remittitur.”* , the recently appointed Master in Equity, “**Stephanie N. Lawrence,**” did not have the **jurisdiction or authority** to sign an order of “**Writ of Assistance**” against Appellant & his Family of Dependents, who are the holders in due course, the real party of interest, and the properly and publicly recorded true owners of the property.
4. Let the record show that “**A Writ of Assistance**” means having police come and force Appellant & family out of their lawfully acquired, private property protected by an **Irrevocable, Expressed, Non-Statutory, Complex, Discretionary Private Family Trust** with guns, physical violence, and **the ever-present threat of death when police are involved**, as Appellant & his Family are **Indigenous Americans** (or what the world **inappropriately, erroneously, & fraudulently** calls “Black or African American”).
5. The signing of a **Writ of Assistance** is a direct violation of **Article 1, Section 3** of the South Carolina Bill of Rights, entitled ‘**Privileges and Immunities; Due Process; Equal Protection of Laws,**’ and stating, *“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.”

6. As no remittitur has been filed by the Court of Appeals, which prohibits the lower courts from proceeding forward on the matter until “lawful jurisdiction is proven on the record in Appeals Court,” the act of signing a Writ of Assistance and the act of executing a Writ of Assistance will be a willful and knowing violation of Appellant’s rights to due process, a knowing and willful violation of Appellant’s 4th, 5th, and 10th amended rights and will be used as evidence in any future suits resulting from the continued disregard of the law, lawful standing, the Constitution, evidence provided and evidence NOT provided.

REMEDY AND RELIEF SOUGHT

In Remedy, Appellant is seeking the following:

1. The immediate cancellation, voiding, rescinding, and removal of the Writ of Assistance (signed on August 8, 2025 and set to be executed on September 1, 2025 – a mere 10 days from today, August 22, 2025) against the Appellant, and the public acknowledgment thereof.
2. Pursuant of **Rule 221(b) - Remittitur**, Appellant is seeking the reversal of the Order to foreclose and resell Appellant’s property via **Case# 2023CP4003343**, as well as the immediate dismissal thereof with prejudice on the grounds of lack of subject matter jurisdiction, and a publicly reported, lawfully binding, irrevocable, expressed, non statutory, complex, discretionary private family trust established 10 days before the alleged reselling of Appellant’s private property.
3. Due to the nature of the emergency, a response is needed within **72 hours** via email, telephone, or public record, as Appellant and family have nowhere else to go should the law and evidence continue to be disregarded.
4. Any remedy and relief requested under this and any previous related case (**Case #2023CP4003343, Appellate Case #2023001826, Appellate Case #2025001099, Case #2025CP4004038**).
5. The full disclosure of any and all **bonds, surety instruments, securities, or negotiable instruments** created, issued, or filed in connection with this and any and all previous

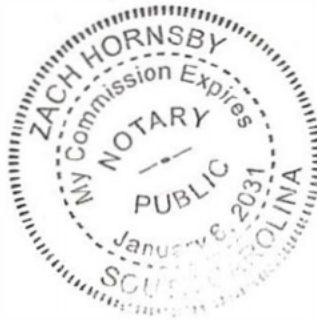
related cases (Case #2023CP4003343, Appellate Case #2023001826, Appellate Case #2025001099, Case #2025CP4004038).

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.

August 22, 2025



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



FORM 7
PROOF OF SERVICE OF EMERGENCY RULE
220 (b) - DISPOSITION BY MOTION
(SUMMARY DISPOSITION)

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

FROM RICHLAND COUNTY
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Appellate Case No. 2025-001099

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Appellant,

v.


FREEDOM MORTGAGE
CORPORATION,

Respondent.

PROOF OF SERVICE

I certify that I have served an **EMERGENCY RULE 220 (b) - DISPOSITION BY MOTION (SUMMARY DISPOSITION)** on FREEDOM MORTGAGE CORPORATION by depositing a copy of it in the United States Mail, postage prepaid, on August 22, 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 22, 2025


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





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FREEDOM MORTGAGE
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PROOF OF SERVICE

I certify that I have served an **EMERGENCY RULE 220 (b) - DISPOSITION BY MOTION (SUMMARY DISPOSITION)** on the Master in Equity by delivering a copy of it, on August 22, 2025, to the Richland County Clerk of Court, at 1701 Main St, #205, Columbia, SC 29201.

August 22, 2025



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



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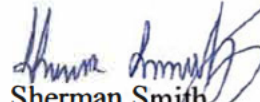
FREEDOM MORTGAGE
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Respondent.

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I certify that I have served an **EMERGENCY RULE 220 (b) - DISPOSITION BY MOTION (SUMMARY DISPOSITION)** on Richard Gates and GREATER COLUMBIA REAL ESTATE, LLC by depositing a copy of it in the United States Mail, postage prepaid, on August 22, 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 22, 2025


Sherman Smith
P.O. Box 290234
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803-727-4337
Appellant



