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FORM 3

**NOTICE OF APPEAL FROM COURT OF APPEALS REGARDING
CONVICTIONS BY MAGISTRATES IN MUNICIPAL COURT S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM South Carolina
Court of Appeals

Kristi Curtis, Law Judge Clerk

Case 2026-000852

The State, Henry McMaster, Deputy Hannah Reed, Berkeley County Administration, Dewayne Lewis, Cynthia Forte, Felicia Walters, Sydney Pratt as Personal Representative of the Estate of Ms. Florence Bland Smith Bennett (deceased) Respondents

v

Wesley Edward Smith III

Appellant

NOTICE OF APPEAL

1. I, Wesley Edward Smith III appeals the order of the Honorable Kristi Curtis dated 20 April 2026, which decree as declared in writing affirms the lower court evictions, arrest, seizure of person rights and properties and conviction by the magistrates in the municipal court. Appellant received written notice of the order 20 April 2026 (See Attached Judgment Order)
2. The Order is another misapplication of justice (miscarriage to the judicial process) as not being afforded to this accused person under the color of law Wesley Edward Smith III, NOW being formally contested and legally challenged on same grounds under rule 12(b)(1) for dismissal. It has been forty three (43+) years I, Wesley Edward Smith III have been hampered by these persons, companies and legal entities, as a continued mistake in judgment is being overlooked, and acts of deprivation of right to appeal all such persons actions in housing, employment and healthcare are being routinely omitted for the court orders or hearings.
3. By the premature order dismissing Wesley Edward Smith III appeal was on the basis for dismissal under rule 12(b)(1-7) for
4. Ironically this person Wesley Edward Smith III was seeking dismissal for the State of South Carolina, (not solely to list Sidney Pratt as a suspect that depraved constitutional rights) but by the collective actions for failure to serve notice of appeal or submit the reports and recommendations of the administrative agencies hearing to appear or time object adversely

affected the rights under not to have Wesley Edward Smith III appeal be dismissed, for it was the State of South Carolina and others listed to be joined that initiated similar law enforcement and judgments actions against this person Wesley Edward Smith III under the color of law under 42 U S C 1983 as such due process rights, and constitutional laws were violated

5. Discoveries regarding these persons, companies and legal entities as officers, official and hearing officers for the court that filed complaints, served notices to appeal and to which parties services were made, personal judgments or affirmed the personal judgment of the entities below **STATE OF SOUTH CAROLINA d/b/a (doing business as THE PEOPLE (defined as person under the Color of Law) that filed as positioned or person as the person** Henry McMaster,; Alan Wilson,; Charlie Condon,; Joseph P Riley the State Chief Administrators and financial specialist and lead prosecutors,; Daniel F. Blanchard III and Alice F Payor of ROSEN ROSEN AND HAGOOD Law Firm LLC and Charleston County School District LLC intervened on behalf of the Military Magnet Middle School(Military Magnet Academy) INC; Ashley B Able,; Scott Katrosh,; Jody M Smitherman,; Brendon J Kelly,; Andreas Satterfield of JACKSON AND LEIS LAW FIRM LLC intervened and represented Pepsi Bottling Group, INC,,; Phillip Feridogos of WHALEY, BOYD, PATTERSON AND GREEN represent BANK OF AMERICA NA DE,; ,, Danny Hoffman Esq of HOFFMAN LAW FIRM REPRESENTED intervened and represented Cummins Engines INC, Jenny Witda Honeybutt,; Samuel C Waters, Represented Centex Homes Loans NV, by merger with Washington Mutual Bank and Home Loans WA, by merger with Fleetwood Of Florence by merger with RE/max Relators , Henny McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Sydney H Pratt: Scarlett Wilson (but not the exhausted listed as required discovery upon disclosing of information as RESPONDENTS deprive Wesley Edward Smith III as the appellants rights were violated as guaranteed by the U.S. Constitution and federal law.

6. FURTHERMORE the Action Under Color of Law occurred while the respondents were acting as a state or local government official (e.g., police officer, city official, public employee).

- Of which this claim is submitted for reconsideration under Section 1983 which is being overlooked which was to address the violations of federal constitutional rights, under the 1, 4, 5, 8, and 14 amendment including:
- **First Amendment:** Violations of free speech or freedom of religion.
- **Fourth Amendment:** Unreasonable search and seizure or excessive force.
- **Fifth Amendment** Free from self incrimination Clause, risk of double jeopardy clause, denied rights to an impartial and reasonable grand jury and denied just compensation for the taking (stealing of) private properties (4), which was required of the takings clause and each instance of being accused not tread Miranda Rights of Maranda V Arizona 1966)
- **Eighth Amendment:** Cruel and unusual punishment (often regarding inmate treatment
- **Fourteenth Amendment** as Denial of due process clause or equal protection, as the committed

acts are alleged and listed suspect act bares unreasonableness, to support having reasonable Suspicions against these person, companies and legal entities as third parties, as alleged

7. Also these person as United States of American Citizens (identification not disclosed to confirm legal immigrations status as green card was issued to identify persons or entities under color of law (civil and constitutional), diversity of citizenship claims or as verified by the government as a United States of America Citizen who filed a complaint and indictments on subsequent charges not being discussed, while employed to conduct legal business affairs or while operating companies as chief employer or parents in the United States of America Territories, boundaries and within areas classified as a particular jurisdictions as a validated American citizens , that violated the rights of my appeal for failure to serve notices to appeal or warn of any consequences under rule 203(b)(1) SCACR (noting notice of appeal that should have been served on all respondents in the prior actions within thirty (3)) after receipts of Orders, judgments, reports and recommendations written notices) of which to appeal *Elam v S C Dep't of Transp*, 361 S C 9, 14-15, 602 S E 2d 772, 775 (2004 (“This requirement of service of the motion of appeal is jurisdictional (i e if a party misses a deadline, the appellate Court lacks jurisdiction to consider the appeal.....)

II LAW BRIEF ON APPELLATE AND ORIGINAL JURISDICTION

8. As review is sought in this timely filed action Appelaing South Carolina Court of Appela Actions dtd 20 April 2026 (Still without person informing of right to appeal its determination by written notices), the Supreme Court has both appellate and original jurisdiction. In its appellate capacity, the Supreme Court has exclusive jurisdiction to hear appeals from the circuit court which includes a sentence of death; a decision of the Public Service Commission setting a public utility rate; a judgment involving a constitutional challenge to a state statute or local ordinance; a judgment of the circuit court involving public bonded indebtedness; a judgment of the circuit court pertaining to an election; an order limiting the investigation by a State Grand Jury; and an order of the family court relating to an abortion by a minor. *See* Rule 203(d)(1), SCACR. Additionally, on its own motion or a motion of a party or the Court of Appeals, the Supreme Court may certify an appeal pending before the Court of Appeals for decision by the Supreme Court.

9. In deciding appeals, the Supreme Court considers the transcript of the proceedings before the lower court, other relevant documents and exhibits, briefs filed by the parties and oral arguments. For those appeals which are decided by the Court of Appeals, an aggrieved party may seek a review of the decision of the Court of Appeals by filing a petition for a writ of certiorari with the Supreme Court. If the petition is granted, the Supreme Court may affirm, reverse or modify the decision of the Court of Appeals.

10. The Supreme Court also reviews judgments of the circuit and family court relating to post-conviction relief actions by writ of certiorari. In its original jurisdiction, the Supreme Court may allow actions to be commenced in the Supreme Court and may issue mandamus, certiorari and other extraordinary writs. Normally, this only occurs when the case involves significant public interest or other unusual circumstances (i e person being accused but denied due process and a impartial and reasonable set of grand jurors and unusual circumstance such as being indicted without probable cause shown or reusable doubt established by any written orders and being declared guilty in the non existences of a eye witness testifying uin the same court of law jurisdiction as Wesley Edward Smith III for over forty three (43+) years by same advancing in employment administrative person with long termed tenures(indefinitely employed with state and local and federal government, repetitively involved with the false accusation, false testifieings, falsified papperworkes and documents of being accused this same person Wesley Edward Smith III and taking of personal possession which was earned, and not the mentioning of noteworthiness of heirs or rights as secured the same to all persons under 42 U S C 1982)

11. Finally, the Supreme Court can agree to answer questions of law certified to it by the highest court of another state or by a federal court.

12. Reliefs as required by law is requested for the vacating of judgments and revelsal of order whereas probable cause, reasonable doubt exits the genuine issue of material fact under rule 56 or in the alternate for relief from, orders and judgments by court affirming declaratory judgment under rule 60(b)(1) Mistake in judgment due to omitted inexcusable neglect as well to be determined.

CERTIFICATE OF SERVICE

I, Wesley Edward Smith III certify that on April 30 2026 sent FORM 3 and 11 of Notice of appeal and request for production of documents were serve on notice and filling petition to grieve per Writ of Certiorari with South Carolina Supreme Court according with rule 4 and rule 8 as seeking to join parties under rule 19 (omitted) cases was sent via United States First class mail

To: South Carolina Supreme Court 1231 Gervais Street Columbia, S C 29201
To: Berkeley County Sherrif Hannah Reed 223 N Live Oak Dr Moncks Corner, S C 29461
To: Sydney Pratt 222 Peter Heywood Lane Moncks Corner, S C 29461
To: Governor Henry McMaster 1100 Gervais Street Columbia S C 29201
To; CLERK OF COURT 223 N. Live Oak Dr Moncks Corner, South Carolina 29461
To: CLEK OF COURT 100 Broad Street Charleston S C 29401
To: CLERK OF COURT 5200 Jim Bilton Blvd St George S C 29477
To; CLERK OF APPEAL COURT P O Box 11629, Columbia S C 29211

30 April 2026

Respectfully Submitted


Wesley Edward Smith III

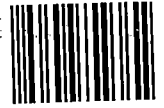
Post Office Box 294

Moncks Corner, S C 29461

email: wsmitty4@gmail.com Appellant

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Retail



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SOUTH CAROLINA SUPREME COURT
(ATTN: CLERK OF COURT)
1231 GERRARD ST
COLUMBIA SC 29201

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S.C. SUPREME COURT

29201-320831

