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**FORM 18
PETITION FOR A WRIT OF CERTIORARI TO THE
SUPREME COURT**

MAY 18 2026

S.C. SUPREME COURT

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

**From South Carolina
Court of Appeal**

Kristi Curtis Court Judge Law Clerk¹

Case 2026-000852

Wesley Edward Smith III

Petitioner

v

**Henry McMaster: Alan Wilson Dewayne Lewis
Hannah Reed: Cynthia Forte: Felicia Walters
Sydney H Pratt: Scarlett Wilson, State of South Carolina
Berkeley County Administrations (et al)**

Respondent(s)

I. THE PETITIONER WESLEY EDWARD SMITH III UNDERSTANDING BASED ON THE RULE BELOW HOW CASES ARE REVIEWD AND ACCEPTED FOR ISSUES INVOLVING RULE 242(a) (et seg) CERTIORARI TO THE COURT OF APPEALS (verbatim)

“RULE 242 (a) Authority of the Supreme Court. The Supreme Court, or any two (2) justices thereof, may in its discretion, on motion of any party to the case or on its own motion, issue a writ of certiorari to review a final decision of the Court of Appeals.

(b) Considerations Governing Review. A writ of certiorari is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons. The following, while neither controlling nor fully measuring the Supreme Court's discretion or power to grant review in general, **indicate the character of reasons which will be considered:**

(1) Where there are novel questions of law.

¹The South Carolina Appeal Court made an error per order entered under Sydney Prate Versus Wesley Smith vice the State of South Carolina versus Wesley Edward Smith III as conjoined under case under review of case as filed assigning cases related to state guilty awarded verdict against Wesley Edward Smith III as a trespasser to private land under Case 2024-CP-08100400368 REF consolidated tickets No. 2025A0810200346 and same offenses submitted per ticket number 81090665792 as adjudicated by Magistrate Judge Victor B. Whilden

(2) Where there is a dissent in the decision of the Court of Appeals.

(3) Where the decision of the Court of Appeals is in conflict with a prior decision of the Supreme Court.

(4) Where substantial constitutional issues are directly involved.

(5) Where a federal question is included and the decision of the Court of Appeals conflicts with a decision of the United States Supreme Court.

(c) Time for Petitioning and Filing Fee. A decision of the Court of Appeals is not final for the purpose of review by the Supreme Court until the petition for rehearing or reinstatement has been acted on by the Court of Appeals. **A petition for writ of certiorari shall be served on opposing counsel and filed with proof of service with the Clerk of the Court of Appeals and the Clerk of the Supreme Court within thirty (30) days after the petition for rehearing or reinstatement is finally decided by the Court of Appeals.** The petition filed with the Supreme Court shall be accompanied by the filing fee set by order of the Supreme Court. **No filing fee shall be required in criminal cases or petitions filed by the State of South Carolina or its agencies or departments.**

(d) Content of Petition. The petition for writ of certiorari shall contain the following:

(1) **The questions presented for review, expressed in the terms and circumstances of the case but without unnecessary detail. Only those questions raised in the Court of Appeals and in the petition for rehearing shall be included in the petition for writ of certiorari as a question presented to the Supreme Court.** A question presented will be deemed to include every subsidiary question fairly comprised therein.

(2) A concise statement of the case, containing the facts material to the consideration of the questions presented.

(3) A direct and concise argument in support of the petition. The argument on each question shall include citation of authority and specific reference to pertinent portions of the Record on Appeal. Failure of a petitioner to present with accuracy, brevity, and clarity the information and arguments that are essential to a ready and adequate understanding of the points requiring consideration will be a sufficient reason for denying the petition. The total length of a petition shall not exceed twenty-five (25) pages. (as verbatim in relevant parts of rule 242)

II. BRIEF AND CONCISE AS REQUIRED BY WRIT OF CERTIORARI RULE 242 ON CONSIDERATIONS FOR REVIEW AND REVERSAL OF CONVICTIONS AND

ILLEGAL SEIZING OF PERSON AND STATED PROPERTY FOR MALICIOUS ACT BY THE PROSECUTION TEAM AND MEMEBERS

1. These persons as United States of America citizens Henry McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Jenny Fedewa, Sydney H Pratt: Scarlett Wilson, State of South Carolina, Berkeley County Administrations Register of Deeds (et al) defined under 42 U S C 1983 under the color of this federal law (in lower court rulings allegedly violated rights as officers and officials), as private persons out of uniform as residents that resides within South Carolina, who does business, works, attends schools and receives that fairness of the rule of law, as described under the color of law as defined under 42 U S C 1983.

2. As these officers and official made determination under the law, overreached jurisdiction and the hierarchy of the "Confrontation clause" (not allowing this person to meet or cross examine and evidences or complaints (personal nor class actions hearings) by invading due process rights secured by protected activities under the Sixth (6th) Amendment, of which this my constitutional claim is invoked, and by not assuring that the prima facie case previously preceded over, presented evidence or secure a proper verdict ruling, or that the person complied with Wright v Collins (1985) to timely object to the state and local court orders and that service of warning for failing to timely respond by the notice to appeal would be waived, or the notice of the administrative hearings was sufficiently supported with any material evidence to be cross examined and informative charges were disclosed under rule 5 [rule 26.01], .

3. As Officers and officials for the South Carolina law, rules, policies and constitutional portetctor of the citizens and resident rights, as law enforcers final lines of equal and fair justice for State of South Carolina authority, did not assure that this person Wesley Edward Smith III fundamental fairness regarding due process equal protection were secured as equally and fairly afforded to the persons of Henry McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Jenny Fedewa, Sydney H Pratt: Scarlett Wilson: The State of South Carolina, Berkeley County Administrations Register of Deeds (et al) prior to court person affirming such persons personal judgment and the judgment of guilt as on review of the attach order too was overlooked by the court of appeals within the State of South Carolina judicial and administrative procedural departments

4. Secondly, Petitioner Wesley Edward Smith III personally believes that it would be redundant and by law a legally frivolous act to review a final decision of the Court of Appeals, when by that very own court admission explicitly stated "court not having jurisdiction" (ironically would be violation of a Order (conundrum of a sticky legally but unlawful situation), as I Wesley Edward Smith III sought relief on these same ground, which I Wesley Edward Smith III was denied (case dismissed) seeking review to overturn the lower court findings (under rule 60(b) seeking relief from judgment and order as fraud upon the court were administrated by officers and official for the administrative court), and again was seeking reconsideration for summary judgment under rule 12 for the lack of the state and local having lacked such position of authority under local rule 73.02 (Misuse of power under the authority of color of law) acted outside the bounds of human decency, and of which acts were utterly atrocious and insanely incomprehensible to the listeners and avid readers herein who should be reversed and in who or

vacated for lacking not allowed to address issues and state court appeals that too refuses reconsiderations in redressing the lack of magistrate lacked legal and procedural competences as demonstrated regarding lack of knowledge for having (1) lack of subject-matter jurisdiction; (2) lack of personal jurisdiction; (3) improper venue; (4) insufficient process; (5) insufficient service of process; (6) failure to state a claim upon which relief can be granted; and (7) failure to join a party under Rule 19, and based on the constitutional violation under the sixth amendment, this writ of Certiorari should be respectfully granted unless these persons as United States of America citizens Henry McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Jenny Fedewa, Sydney H Pratt: Scarlett Wilson, State of South Carolina, Berkeley County Administrations Register of Deeds (et al) defined under 42 U S C 1983 under the color of this federal law, can show cause and the presentation as a United States of America citizen sought a transfer which was granted under 28 U S C 1404/1441-1446, as supported with filed complaints from each person or a diversity of citizenship claim under 28 U S C 1332 by justified state and local actor "proof show beyond reasonable doubt of guilt" and that a change of venue or transfer order was given to such person (not disclosed who did, when, what where of justified reason why) from the United States District Court based on the commission of a crime as United States of America citizens and as such was verified as a resident of South Carolina and that such proof of service was given to this person Wesley Edward Smith III, as not in violation of Wright v Collins (1985) for unknown subject matters may have asserted a personal injury claim or that a legal harmed we were at work together or live on the same private properties (prior to being intruded upon without notices or a judge warrant showing justified cause for removal and disrupting of private rights and private family man life) based on a violation of the persons as respondents are listed, due process rights while Wesley Edward Smith III was at a private work site or on private property, which the state and local court of South Carolina had original jurisdiction, as herein seeking reversal from each person's judgment on speculative reasonable suspicion (based on my color, age group and place of birth) indictments and court orders affirming Wesley Edward Smith III as a convicted felon, that such verdict be reversed, vacated and return to rights protected under the South Carolina Residential Tenant act and the South Carolina Constitution, as this writ should be respectfully granted on these grounds under rule 242, respectively of this law rule

WHEREFORE by law show cause is demanded by these persons dressed and titled as officers and official (9-5 governmental corporate duties) on the facts that the municipal court magistrates had no criminal (civil) jurisdiction, who to were remain focus solely on local infractions and misdemeanors, for those of cases involving the following:

- **Municipal Ordinance Violations:** Infractions of city laws (e.g., noise ordinances, code violations).
 - **Traffic Offenses:** Minor traffic violations processed through local traffic courts.
 - **Criminal Misdemeanors:** Minor criminal cases with penalties not exceeding 30 days and/or (\$500) fine.
 - **General Sessions Remands:** Cases transferred from higher court with penalties up to one year imprisonment or a (\$5,000\) fine, upon petition.
- Specialty Issues:** Some municipalities hold specialized courts for livability, short-term rentals, or drug-related offenses

RELIEF AS REQUIRED BY LAW

WHEREAS relief is asserted for violation of constitutional due process confrontation clause as secured under and by the sixth (6th) Amendment was denied by officers and officials was denied in State Court of Appeal on claims seeking reversal under 42 U.S.C. § 1983 which is the federal statute that allows individuals to sue state or local government officials in federal court for violating their constitutional or federal statutory rights. Known as the "Civil Action for Deprivation of Rights," this law covers actions taken "under color of law" such as police misconduct, excessive force, or violations of due process. This major component was to curtail activities of person with racial animus under 42 U.S.C. § 1983, as enacted as part of the Civil Rights Act of 1871 (originally the Ku Klux Klan Act), it allows for monetary damages, injunctive relief, and attorney's fees.

- **"Under Color of Law":** The defendant must be a state actor, such as a police officer, public official, or government agency, acting within their official capacity.
- **Rights Covered:** Protects rights under the U.S. Constitution (e.g., First Amendment freedom of speech, Fourth Amendment protection against unreasonable searches, sixth amendment which guarantees the accused the rights to meet accuser and review and all substantive material evidence and eye witness claims to rebut or refute under the Confrontation clause), and other federal statutory rights.

Defenses: As the Government officials may raise the defense of "qualified immunity," which can shield them from liability IF their actions did not violate "clearly established" law as such Section 1983 is a foundational tool for civil rights litigation, often used in cases involving police brutality, illegal detention, and violations of equal protection, of which Wesley Edward Smith III claims to have personally injured, harassed, robbed, abused, bullied and procedurally legally harmed for the lack of services endured by these person as officer, official and officiants for the state of South Carolina as persons described as United States of America citizens Henry McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Jenny Fedewa, Sydney H Pratt: Scarlett Wilson, State of South Carolina, Berkeley County Administrations Register of Deeds (et al) defined under 42 u S C 1983 under the color of this federal law, as well established law, unless respondents can provide as show cause that evidences was presented and served upon all persons at the prior administrative criminal trials

III, QUESTION PRESENTED (Also see attached appendix submitted to court of appeals with similar question regarding the lower courts possible errors as overlooked)

1. Of these persons as United States of America citizens can and will this court provide a showing that of such and that such services were made to this petitioner Wesley Edward Smith III who grieves for such procedural violation and constitutional due process rights disrespect as administrated by Henry McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Jenny Fedewa, Sydney H Pratt: Scarlett Wilson, State of South Carolina, Berkeley County Administrations Register of Deeds (et al) defined under 42 U S C 1983 under the color of this federal law, who have not provided to me nor the state court of appeal, state and local agencies court , 1) a complaint and 2) Grand Jury that rendered

the verdict of criminal guilt or 3) the state, federal or local administrative agency that intervened on confirmed charges? (proof as demanded by law)

2. On the alleged Criminal administrative charges, not allowed was the requirements of a impartial and reasonable jury to make a verdict, vice these person acting too as the victim (organizational) Judge, jury, informants, operatives, reliable snitch private investigators as undisclosed, or as work place bullies taking full advantage of this federally protected person rights secured under the constitution and private person rights under the South Carolina residential tenant Act, as a tenant and verified resident by Henry McMaster uses other as workplace bullies, common stalkers, and targets to invade due process rights and intervene to have others secure property (while keeping his and her clean hands as alleged) and land for bragging rights and personal gains as momentum for the state officials, and uses person as productive works for the local officers to have some sort of a "job of nobility", and based on these law both are collectively responsible, accountable and liable under the law for the alleged how is the constitutional violations of due process and denial of equal protection under these enacted law are not consistent with this one constitutional rule under the confrontation clause (to allow person to meet their accusers and cross examine all and any evidences) which rule governs law enforces as well as law regulators, as explained in the American English language? (proof demanded as required by law to show causes)

3. If questions one and two are not established by showings of a substantially provided material evidence, a legal statement of standing for intervening in private affairs or a valid verified complaint or injury insurance claims, with tangible proof or evidence which established showing that such persons as officer, official and officiants for the state of South Carolina as persons described and who are too United States of America Naturally born citizens Henry McMaster: Alan Wilson Dewayne Lewis Hannah Reed: Cynthia Forte: Felicia Walters Jenny Fedewa, Sydney H Pratt: Scarlett Wilson, State of South Carolina, Berkeley County Administrations Register of Deeds (et al) defined under 42 u S C 1983 under the color of this federal law or meet elements of reasonable doubt how would this action not be liberally construed or inferred as malicious acts and a legally frivolous action by these person pretending to be governmental official and officer for the law and of constitutional fair and equal rights of all citizens and legal residents of South Carolina?

WHEREFORE unless show causes, as not addressed in court of appeals not lower court that reduced an unauthorized enforcement of law and magistrates to write with finalities in the court an affirmed order declaring this person Wesley Edward Smith III was GUILTY as a trespasser (this without the requested Jury Trial, probate or general session recommendations and suggestion as discovery and disclosures of all and any information was requested but denied), as this is believe to behave an mannerism which the court officers and official as person title with such position of authority (Misuse of power under the authority of cool of law) acted outside the bounds of human decency, and of which acts were utterly atrocious and insanelly incomprehensible to the listeners and reader here with should be reversed and or vacated for lacking not allowed to address issues and state court appeals too refuses reconsiderations in redressing the lack of magistrate lacked legal and procedural competences as

demonstrated regarding lack of knowledge or having: (1) lack of subject-matter jurisdiction;(2) lack of personal jurisdiction; (3) improper venue; (4) insufficient process; (5) insufficient service of process; (6) failure to state a claim upon which relief can be granted; and (7) failure to join a party under Rule 19, as this writ of Certiorari should be respectful granted

CERTIFICATE OF SERVICE

I. Wesley Edward Smith III certify on May 14, 2026 served a copy of FORM 18 FORM 12 and \$50.00 required filing fee and APPENDIX to FORM 18 of Court Of Appeal action request and written request for all respondent be compelled by this court Direct Court Orders to provide all insurance company name, insurance claims civil complaint and criminal charges and all document regarding the guilty verdict proceeding records and service of notice to appeal was provided as proof as on Petitioner Writ of Certiorari on all parties addressed as shown below sent via United States Post Office First class mail to: SC SUPM COT 1231 Gervais Street Columbais S C 2920 and S C Court of Appeals 1220 Senate Street Colombia S C 29201

Berkeley County Sheriff Department
(attn. Deputy Hannah Reed)
223 N Live Oaks Dr
Monks Corner S C 29461

Office of the Governor
(Attn; Governor Henry D McMaster)
1100 Gervais Street
Columbia S C 29201

Office of the Attorney General
(Attn: Attorney general Alan Wilson)
P O Box 11549
Columbia S C 29211

Berkeley County Sherriff Department
(Attn: Chief Sherriff Dewayne Lewis)
223 Live Oak drive
Moncks Corner, S C 29461

Sydney H Pratt
222 Peter Heywood Lane
Moncks Corner S C 29461

Jenny Fedewa ESQ
3481 Forest Glen Drive
Charleston S C 29414


Magistrate Judge Victor B Whilden
223 N Live Oak Dr
Moncks Corner, S C 29461

Magistrate Judge Paula Mcelvogue
223 N Live Oak Dr
Moncks Corner S C 29461

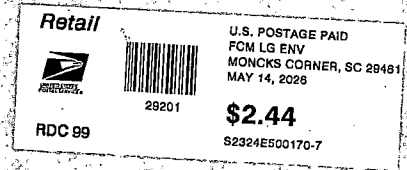
Berkeley County Courthouse
Attn: Clerk of Court Leah Gusiman)
300 B California Avenue
Moncks Corner, South Carolina 29461

Berkeley County register of Deeds
(Attn: Cynthia Forte and Director Felecia A Walters)
P. O Box 6122
Moncks Corner, S C 29461

May 14, 2026


Wesley Edward Smith III
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MAY 18 2026

S.C. SUPREME COURT

SOUTH CAROLINA SUPREME COURT
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