RECEIVED
AUG 17 2026
SC Court of Appeals

Attached?

The South Carolina Court Of Appeals
1220 Senate Street
Columbia, South Carolina 29201

08/12/2026

CASE No. 2025-000893

Avé Smith Appellant,

Heirs Of Helen G. Tolbert, Charles Tolbert, Sar Jo Tolbert Latten, Keith L. Tolbert, Betty Jean Tolbert Jones and the Estate Of Charla Tolbert McMillian (Error) Respondents.

Comes now Avé Smith with, "Motion to Dismiss with Prejudice," all parts of the "Complaints" of the Respondents Cited above et al.
Said Respondents have negloted to file time their Initial Brief and now their Final Brief. Both Briefs bring forward their illegal Quiet Title Lis Pendens' Improvidently "Order Summary Judgment." The Circuit Court judge scheduled of the first hearing' compose of multiple items but specifically to hear Carolyn T. Smith's "argument" to, "Counterclaim," "Quiet Title Lis Pendens. He, however, "Omitted" Smith's Counterclaim, left the Smith dangling, deny Smith "Due Process," her "Civil" and "Constitutional" "Right."

Attached 3

Hence this, "injustice," ie this judge's granting Carolyns, Ave's and Warrys property to Charles Tolbert was Improvidently granted to Charles, a complete non-contributor to said property and like like all the Respondents Charles Abandonced the property. None bothered himself to negotiate Carolyns offer to, "Buy out their interest for $50,000.00 each and re-mortgage the property, burdening herself with paying off the new mortgage. No! They, together, Surprised Carolyn with the frivolous, unnecessary law suit, "Quiet Title Lis Pendens. The Chas. Co. Probate system has in place the proper and legal methode to ajust a "Deed of Distribution," in case of benefits benefits as to any re-distribution / "Quieting Titles." Carolyns family attorny in keeping with the, "Last Will and Testament, Sound Comprehensive addressing potential deaths Screamed "NO law suit required. Too Carolyn as well as Warry and I are and were by 2013 lawful Claimants of the property cited in the address Carolyn, an heir and Warry an I, Ave as Grantees were and are the only family members who qualify as to having satisfied the six (6) elements required to claim "Title To Advers possession Stipulated in Case law(s) Cited in Justia - Fender Vs Smashums 2003-2005

Attached

I shall appreciate your kind consideration ~~regard~~. This has been a seven year long unnecessary, "Saga." My prayer is that God of the Univers, the "Seat of justice" reverse the injustices in CASE NO. 2021CP1004058 that brought me, Ave to this Compelling Case ie CASE NO 2025000893 My Case.

Ave Smith
338 Fifth Ave. & 0'6th St
Mt. Pleasant, SC 29464
1-843-216-6960
1-786-246-5029

8 Attached?

Proof Of Service

I Certify that I, Avel Smith Via us Postal Service or by E-Mail notified all Respondents either personally or via their/his attorney. The notice is of the foregoing.

① Betty Jean T. Jone
1311 Delaware Ave. ~~SW~~.
#South 843 South
Washington, DC 20024

② William Kalivas, Esquire
225 Seven Farms Dr.
#203 ~~At.~~ ~~Pt~~
Daniel Island, ~~SC~~ 29492 → 29492

③ Ashley Andrews, Esquire
544 Savanah Hyw.
Chas. SC 29407

④ Alwyn T. Silver
P.O. Box 1665
Georgetown, SC 29442 29442

RECEIVED
AUG 17 2026
SC Court of Appeals

The Corporal W. Leroy Smith Sr.
338 Fifth Ave. + 6th St.
Mt. Pleasant, SC 29464

CERTIFIED MAIL®

COLUMBIA SC 290
15 AUG 2026 PM 4L

9589 0710 5270 4231 8325 36

RECEIVED
AUG 17 2026
SC Court of Appeals

The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina ~~29204~~
29201

29201-376999

Attn. The Court + Ms Emily Hyde

U.S. POSTAGE PAID
FCM LETTER
MOUNT PLEASANT
SC 29464
AUG 14, 2026
$6.37
S2324N504766-49

29201

Retail

RDC 99