

STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
COUNTY OF CHARLESTON ) NINTH JUDICIAL CIRCUIT

) Trail Court Case No 2013-CP-10-00417

Mr. Wesley Edward Smith III, )

Petitioner. )

v. )

Pepsi Bottling Group, INC, )

Respondent(s). )

) ADDENDUM PAGE TO Petition for continuance or  
) for the Administrative Review or to Amend as Writ  
) to Admit a relinquishment of vested authority, duty,  
) obligations and responsibility of statutory  
) or constitutional requirements while  
) operating under the color of State laws

**I. INTRODUCTION**

I, Mr. Wesley Edward Smith II replied to CLERK Honorable Jenny Abbott Kitchens State

Court of Appeal requesting a copy of Judge Doyet Early Order dated 18 April 2014 order. This

may have been a typographical error on my behalf due to the order in references as it relates to

the Honorable Judge Stephanie McDonald order dated 27 February 2014 (making regards to

Judge Early sanctioning order) reasoning for denying me from proceeding In forma Pauperis.

**II. PROCEDRAL BACKGROUND FACTS**

Upon further review of the court record A motion to proceed In forma paruperis was approved in

this honorable court on Jnauary12, 2103

**III. SUPPORTING MEOMRAUNDUM OF LAW ARGUMENT**

Ironically on the two (2) adjudication action contradict one another but in accordance with rule 3(b) of the South Carolina Rules of Civil Procedures as it states in relevant parts "**Amendment to Rule 3(b), SCRCP**

(1) Rule 3(b), SCRCP, is amended by deleting the phrase "a reasonable time thereafter" in the final clause of the rule and replacing it with "120 days".

(2) The following Note is added after the Note to 1994 Amendment **Note to 2003 Amendment**

The 2003 amendment to Rule 3(b) makes the language of the Rule consistent with the 2002 amendment to S.C. Code Ann. § 15-3-20. This amendment makes clear that "a reasonable time" is 120 days for service. <sup>1</sup>Neither the statute nor the rule as amended would deprive a judge of the

<sup>1</sup> Special attention noted at the paragraph stating under rule 3(b) "Neither the statute nor the rule as amended would deprive a judge of the discretion to extend the time for service where a defendant has avoided service or where other exceptional circumstances exist"

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**SC Court of Appeals**

discretion to extend the time for service where a defendant has avoided service or where other exceptional circumstances exist.

I have reason to believe that one exceptional circumstance is the non service of a complaint and the second contribution exceptional circumstance is the denial of a citizen afforded right to appeal and the right to discover the truths, which are all afforded the procedural due process in the civil action The responded have not shown by service that proof the proper services as require where not in accordance with SCRCF rule 3 in the performance judicial matters for this court to have adjudicated fully, upon presumptions, based on the face, absent the complaint.

#### **IV. CONCLUSION**

I Wesley Edward Smith III am aggrieved and dissatisfied and still opposing by complaining of being unfairly treated (discriminated against) reason given believe based upon my race because I am an African America citizen who is not rightly receiving justice for a civil, torturous and statutory wrong committed against me for opposing and unlawful business employment practice for depriving my due process rights and for all the funds owed (pay) still to this current date under SC Law 41-10-10 Pay and Wages. Referred to matter involved in 2013-CP-10-00417 case. Relating to the faulty premise crimes that were alleged by PGB that evidence is unsubstantiated or implied act were without the enforcement agency seal of approval for of which I Mr. Wesley Edward Smith III was terminated from employment and accused for a "just cause" while employed, acts are perceived to be fraudulent, erroneous and bogus. The petitioner in this immediate action is seeking a equitable remedy and relief form act that gives reason to believe that I am being held in contempt based on presumed and speculated facts of law, for which it appears that I am being by legal incarceration due to the alleged aforementioned facts.

Such subject matter and personal issues at the hands of this court are only the constant conflicts with court opinions, personal inferences being drawn disavowing the written rules and scuttlebutt rumors. Such relief on incarceration or any other formed named, by decree, declaration, affirmation or judgment is respectfully requested.

June 26, 2014

Respectfully Submitted



Mr. Wesley Edward Smith III

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

) IN THE COURT OF GENRAL SESSION  
) NINTH JUDICIAL CIRCUIT  
) Trail Court Case No 2013-10-CP-00417

Mr. Wesley Edward Smith III,

Petitioner.

v.

Pepsi Bottling Group , et al,  
Respondent.

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**CERTIFICATE OF SERVICE**

I, Wesley Edward Smith III certify that on June 26, 2014, Administrative Agency Writ to Admit relinquishment of duties and contractual obligations while petitioner dissents the unchallenged rulings of the previous irregular Judgment, cultural belief or ideology and speculation based on personal opinions involving the parties with attached copy of exhibit D by depositing a copy of it in the United States first class mail:

TO: Mr. Ashley B Able  
One Liberty Square  
55 Beattie Place Suit 800  
Greenville S. C. 29601

June 26, 2014

Respectfully Submitted



Mr. Wesley Edward Smith III

**NOTICE TO PERSON OF INTEREST**

Governor of estate of South Carolina  
Governor Nikki Haley  
1205 Pendleton Street  
Columbia, S.C. 29201

# EXHIBIT "D"

## **Amendment to Rule 3(b), SCRPC**

(1) Rule 3(b), SCRPC, is amended by deleting the phrase "a reasonable time thereafter" in the final clause of the rule and replacing it with "120 days".

(2) The following Note is added after the Note to 1994 Amendment **Note to 2003 Amendment**  
The 2003 amendment to Rule 3(b) makes the language of the Rule consistent with the 2002 amendment to S.C. Code Ann. § 15-3-20. This amendment makes clear that "a reasonable time" is 120 days for service. Neither the statute nor the rule as amended would deprive a judge of the discretion to extend the time for service where a defendant has avoided service or where other exceptional circumstances exist.

*Wesley E. Smith III*  
465 North Nassau Street  
Charleston, South Carolina 29403  
(843)723-8598

June 26, 2014

CLERK  
Honorable Julie Armstrong  
100 Broad Street Suite 106  
Charleston, S.C. 20403

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**SC Court of Appeals**

RE: Mr. Wesley Edward Smith, III Petitioner. v Pepsi Bottling Group, INC Respondent with the support of intervening ex parte action giving reasons to believe an unauthorized interaction with private citizens affairs while operating within the State of South Carolina territories and jurisdiction impedes, hinders and prejudices the procedural due process for administrative law review in this honorable court

Dear Honorable Julie Armstrong;

Enclosed for you immediate action is Mr. Wesley Edward Smith II reply to CLERK Honorable Jenny Abbott Kitchens State Court of Appeal requesting a copy of Judge Doyet Early Order dated 18 April 2014 order. This may have been a typographical error on my behalf due to the order in references as it relates to the Honorable Judge Stephanie McDonald order dated 27 February 2014 (making regards to Judge Early sanctioning order) reasoning for denying me from proceeding In forma Pauperis for which the addendum is forwarded.

The previous CERTIFICATE OF SERVICE had case 2003-CP-10-4571 accidentally typed (corrected) . Please refer to matters in case 2013-CP-10-00417 with CERTIFICATE OF SERVICE" case with PBG and Mr. Wesley Edward Smith III.

Thanking you in advance

Sincerely,



Mr. Wesley Edward Smith III

COPY TO: CLERK  
Honorable Jenny Abbott Kitchens  
1015 Sumter Street  
Columbia, South Carolina 29211

Mr. Wesley Edward Smith III  
465 N. Nassau Street  
Charleston, South Carolina 29403

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**SC Court of Appeals**

CLERK  
Honorable Jenny Abbott Kitchens  
1015 Sumter Street  
Columbia, South Carolina 29211

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