

Wesley E. Smith J.J.F.

465 North Nassau Street
Charleston, South Carolina 29403
(843)723-8598

RECEIVED

NOV 9 1 2014

SC Court of Appeals

PRECEDENTS AS ATTACHMENT LEGAL MEMORANDUM SUBMITTED TO
THE CLERK OF COURT TO SUPPORT MR. WESLEY EDWARD SMITH III RELIEF
OF JUDGMENT ACTION(S) WHILE BEING GRANTED LEAVE OF COURT IN
FILING A SUPPORT TO HIS WRIT OF CERTOIRIRA

November 19, 2014

MEMORANDUM TO FOR THE RECORDS

CLERK

Honorable Julie Armstrong
100 Broad Street Suite 106
Charleston, S.C. 29403

RE: Mr. Wesley Edward Smith, III Petitioner v Charleston County School District (CCSD)
CASE TRIAL Number 2003-CP-10-4751 et al (Applications pending both civilly and
criminal processing)

Dear Honorable Armstrong;

In response to the lower court of common pleas letter mailed dated 11/14/2014, previously decided "landmark" cases; *Plessy v Ferguson* 16 S. Ct. 1138, 41 L. Ed. 256 (1896), and *Brown v. Board of Education* 74 S. Ct. 686, 98 L. Ed. 873 (1954) of which both case are valuable (as enclosed labeled exhibit "C") are the supporting legal memorandum of law legal argument. Mr. Wesley Edward Smith III submits in opposition to the respondents action, to help expedite my claims against the state consolidated legal process. *Parens Patriae* and the doctrine of *Stare decisis* also grant this court authority to hear both adversarial side of the case, while remaining impartial or the preferential showing of favoring one party over the other.

Since it would be untimely and really unnecessary at this point, and since the two (2) aforementioned cases have declared it unconstitutional to deprive any citizen equal access to the entitlement and privileged established court(s) for any reason regardless of race, color, age, disability, gender, sex, previous form of achieving personal servitude of a protected class of species from being arbitrarily targeted for leisure or on the basis of a historical pastime or by any other means for barring access is prohibited. Therefore, please strike the case where it pertains to the case *Marbury v. Madison*, 5 U.S. 137 (1803), which was a landmark United States Supreme Court case in which the Court formed the basis for the exercise of judicial review in the United States under Article III of the Constitution. The landmark decision helped define the boundary between the constitutionally separate executive and judicial branches of the American form of government.

As it is labeled Exhibit : "C", tis exhibit is offered into evidence for the courts, as the supporting legal memorandum to help aid the court understanding of its apparent authority to fairly and equally administer justice, squarely on the matters that was presented before it and help aid in the decision making process for Mr. Wesley Edward Smith III claims for relief. At the same time, the precedent are the "landmark" cases from similar action, actors and required acts that governs the courts action and its intervening authority to reverse and remand such unsupported facts or accusation of such error of law id discovered. This is applicable in either case, both criminal or civil procedure for relief, restoration, recovery, redress. readmission, reinstatement and the state afforded legal remedies based on the assumption, false claims were made and no support facts.

An application to leave of court has been filed with the court on issue that have not been heard to day between the adverse parties. The claims are on my Breach of Contract, Third Party(s) Intentional interference with a contractual relationship, Emotional distress and defamation (slander) case. Counterclaim for Fraud, Abuse of process, Abuse of Power, Conversion and Fraud upon the Courts. Furthermore, the enforcement of law is sought involving actors actions that resemble the criminal process of the State involved in a criminal Sham process (involving fraud upon the courts, conversion, abuse of process and abuse of power) which is a violation under the state statute is the other. there are major concern that raise the sense of urgency to the civilized side of the governed society for the Crimes that have been committed within this State and the State court holding by having the territorial jurisdiction, I, Mr. Wesley Edward Smith III was accused, of violating a state statute (as alleged) suspect, detained, interrogated and terminated from his employment(s) and lost the right to All personal property in my possession, as the direct result. The respondent owes me money but refuse to pay me all funds owed. This according to SC statute 41-10-10 (et seg). Another person (citizens) being changed in the command of things for administrative purposes should not be a factor not to pay what has been owed for years.

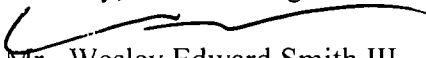
This Mr. Wesley Edward Smith III (was the ex parte of a similar party case of a "Wesley Smith) seeks a review of the case docket record case No 2003-CP-10-4751, to have challenges and contests being involuntarily legally exempt and penalized (sanctioned), trying to have undone, someone else legal mess that has me mistakenly identified judiciously and handcuffed by the State enacted protected doctrines is is having me to bound incapacitated by citizen (persons) who claim foreigner and use foreign who have chosen to act in any mannerism of things, by reinterpretation of the American laws, who has not provided proper notice of a complaint of summons of which Mr. Wesley Edward Smith III would have been properly served and identified as the person being held in question for a specified reason and not "a speculated/unsupported reason to believe. Mr. Wesley Edward Smith III (who was ex parte in the other "Wesley Smith" Case) is legally unfamiliar statutorily, or to what extent a rule has personally violated one of he above respondent. Not one of the listed persons listed has specifically state that he/she was legally injured or personally harmed by Mr. Wesley Edward Smith III XXX-XX-3407. The respondent(s) did not warn the Mr. Wesley Edward Smith III of the possible potentials of discovering the use of false or faulty production of documentation, that is not supported with adequate instructions, or as credible as the expressly written laws or constitution reads. The use of the laws on a daily basis has been used by many other officials and state delegated affiliates alike. There is no explanation of the potential hazards that are

binding (warning), that legally lay in wait for violators of the state laws and constitution. The production and support of faulty materials that were/are were being used against an unsuspecting society of civilized citizens, doesn't create a crime or place of civil unrest. The state structure and framework as being supported, by the state and its delegated active officials causes such alarms.

Mr. Wesley Edward Smith III is merely seeking a merger accommodation in which I can invoke my afforded statutory and or constitutional rights, in the court that retains the judicial jurisdiction over the actors action is a pretrial hearing, based on information and belief, the prerequisite for a hearing allows all parties in this court of law, an unbiased assessment based on the rules, law, constitution, and prior precedents, the review customarily adhered to under the rules that should and an all citizens a pretrial procedure, including affording an initial appearance, bail decision making, the alternative dispute resolution and a opportunity to plea bargaining.

November 19, 2014

Sincerely, Person of legal Interest in that case


Mr. Wesley Edward Smith III
Wesley Edward Smith III
465 N. Nassau Street
Charleston, South Carolina 29403
(843)723-8598
Petitioner Pro Se

COPY TO: CLERK

Honorable Jenny A. Kitchens
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201
Governor Nikki Haley
Mr. Daniel F. Blanchard, III ESQ
Mr. Ashley Able, ESQ
Ms. Cynthia D. Blair, ESQ

PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Doyet A. Early, Circuit Court Judge

November 29, 2007

Case No. 2003-CP-10-4751

Mr. Wesley Edward Smith, III

Petitioner

v.

Charleston County School District, et al,

Respondent

PROOF OF SERVICE

I, Mr. Wesley Edward Smith, III on 19 November 2014 Petitioner Attachment with supporting legal argument of law to support the review and the Writ of Certiorari Notice to proceed Informa Pauperis based on the court rule for granting such entrances or acceptances and Informal brief and notice of court orders on review, by first class mail tp all parties represented as listed in this action to the following;

To; Mr. Daniel Frank Blanchard III
151 Meeting Street 3rd floor
Charleston, South Carolina 29403

November 19, 2014

Respectfully Submitted

Mr. Wesley Edward Smith III
465 N. Nassau Street
Charleston, South Carolina 29403
(843) 723-8598 Pro Se

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COURT OF COMMON PLEAS
AND GENERAL SESSIONS
100 BROAD STREET, SUITE 106
CHARLESTON, S.C. 29401-2258
(843) 958-5000
(843) 958-5020 FAX
www3.charlestoncounty.org



FAMILY COURT OF THE
NINTH JUDICIAL CIRCUIT
CHARLESTON COUNTY
100 BROAD STREET, SUITE 143
CHARLESTON, S.C. 29401-2265
(843) 958-4400
(843) 958-4434 FAX
www3.charlestoncounty.org

JULIE J. ARMSTRONG
CLERK OF COURT
CHARLESTON COUNTY

From: Clerk of Court, Charleston County, South Carolina.

The enclosed document is being returned for the following reason(s);

- The document is not signed / notarized.
- The filing fee is insufficient. The correct amount is: _____
- This document is a copy. We must have an original.
- This is not a Charleston County case.
- The check or money order must be made payable to the Clerk of Court.
- This case is ended. Date ended: _____
Reason ended: _____
- Your check must be signed.
- Inmate litigation must comply with S. C. Code of Laws, Title 24, Chapter 27.
- There is not a case listed in our system that matches this caption.
- Information may be obtained from our web-site at www3.charlestoncounty.org.
- The required **new case** coversheet is not included. (SCCA234)
- The required **motion/order** coversheet is not included. (SCCA/233)
- The required **order (Form 4)** coversheet is not included. (SCRCP Form 4C)
- Other: Exb - C to what ??

Please make the necessary corrections and return this document for filing. Thank you for your assistance.

Staff initials 

Date 11/13/14

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