

APPELLANT SUPPELMENT

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Doyet A. Early, Circuit Court Judge

Case No. 2003-CP-10- 4751

RECEIVED

MAR 02 2015

SC Court of Appeals

Charleston County School District (CCSD) et al,
Respondent(s)

v

Respondent(s)

Mr. Wesley Edward Smith III

Appellant

APPELANT 15 DAY FOLLOWUP TO SUPPLEMENT TO APPEAL

I, Mr. Wesley Edward Smith III at this twenty day mark submit this supplement to accompany the appeal, opening brief and appellant brief previously submitted to this court and any and all adversarial parties and related counsels This supplement enclosure is submitted for your immediate actions. Per the referenced court order on finalization of case law, the appellant appeals for a judicial review of this lower court order findings based on its court written order and the State Appeals Court submitting a Remittitur.

This Court order(s) leaves genuine issue of material fact, which by merit, the court is substantively unfamiliar and procedurally unguided regarding the legal ramification of terminating the employment rights of the citizen without affording the statutory requirement of procedural due process. I , Mr Wesley Edward Smith III was targeted and subjected to the state

rules and law while employed, but CCSD refused to afford me due process and all legal attributes that support its accusations.

BACKGROUND AND PROCEDURAL FACTS

- Since 1996, refuse to answer Mr. Wesley Edward Smith III questions, while continual subjecting Mr. Wesley Edward Smith III to the state law, state judicial process and adverse employment practice without reporting such information to proper authority.
- CCSD delegated and official refuses to pay of talk with Mr. Wesley Edward Smith III to try conciliate or reconcile the indifference of right based on the interpretation of law
- CCSD continually denies Mr. Wesley Edward Smith III procedural due process to discover any truths for the state incarnations processes that are excessive and not being done in a timely manner without harassment and delays, on claims for relief to be grant absent a barring devise that seems to serve as the State or elected personnel legal hold to "subject the entire judicial process, citizens regardless of race or color and without any reasons or facts for retaining suspects under the State laws, statutes or the State constitution
- CCSD refuse to disclose grand jury decision of indictment, conviction or ejections from premises
- CCSD refuses to pay equal pay to person for the same performance of duties the job regardless of gender, race, color or based on any other disabling mental and or physical devises
- CCSD refuses to disclose substantive evidence
- CCSD refuses to disclose credible witnesses
- CCSD refuses to let Mr. Wesley Edward Smith III and many others involved in this legal process the legal right involving freedom of speech to exercise rights related subject matters as pertained in the court order previously adjudicated on and decided upon
- CCSD refuses to disclose credible witness statements
- CCSD refuses to show probable cause
- CCSD refuses to release form the bounds on the indecent proposals and from legal holds, and to be pay money owed and to be paid for the years of involuntary time and services
- CCSD refuses to disclose credible witness personnel evaluation performance reports
- CCSD refuses to release the accused suspects without the finding of evidence and facts in a timely manner in violation of Statutory rights
- CCSD refuse to afford all opportunities, rights and benefit according to South Carolina Education Department for Teachers continuing Education SC code 59-4-10 (1976) et seg
- CCSD refuse to afford all opportunities and right of benefit according to the South Carolina Human Affairs Commission 1-13-10 (1976) etseg
- CCSD refuse to afford all opportunities and rights of benefit of being notified by the written order for failing to comply with the statutory requirement und SC code 20-7-1350 (1976) as related to action that would jar a contempt of court, fine, or personal services and benefits for time served based on accrued time for services

- CCSD refuses to show burden of proof that is required beyond any remaining reasonable doubt or inferences being drawn from such determination
- CCSD refuses to honor the long standing doctrine of the State Statutes which provides the common sense safeguards that affords all citizens after during or before being accused of any crimes, the protections, promises and equal justice and application of fairness of law in all judicial jurisdictions, as required under this legal shield and umbrella.

While Mr. Wesley Edward Smith III, remains in custody with this CCSD (state) process under personal affairs, Mr. Wesley Edward Smith III is continually sustaining personal injuries from a backlash of continued mistreatment, collateral attacks, from wrongful acts perceived due to wrongful business practices I, Mr Wesley Edward Smith III was/is immune and protected from arbitrary attacks that subsequently lead to injuries and abuse by CCSD. CCSD collectively as a business practice has allowed Mr. Wesley Edward Smith III to become subjected and possibly cause and effect mannerism of things to similarly situated event, ideas and many other citizens for this incident or accident, either unintentionally or intentionally.

The questions from this contempt of court action that were applied in error of law is perceived and error of law based on the inferences being drawn into question by the following.

1. ISSUE 1. Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD?
- 2 ISSUE did the court err in holding that Mr. Wesley Edward Smith III rights afforded were not satisfied as.
 - a Under his a right to work that as against the Anti of Armed Forces Member doctrines has been satisfied SC code 25-1-10 (1976) et seq
 - b. Under his right to work that is Anti of Black Americans Citizens doctrine has not been satisfied under SC Statutory Code 1-13-80 et seq

- c. Under the SC Statutory requirements for SC code 41-10-10 (1976) et seq have a right paid that is Anti of Payment and Wage Act claims has been satisfied,
 - d. Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD?
 - e. Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD, but the CCSD alleged a wrongful termination act of which the ruling is premature from hearsay and not the final disposition of the pending the civil tort personal action under Sc Code 15-78-10et seg, for unresolved personal tort related action of the termination were from the subjective beliefs of many other employees and whether or not the At will law serve as a justifiable reason or merely used to prolonged to complicate the consolidated judicial hearing(s),
3. ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD?
- 4 ISSUE Did the court not err in its final fining or completed assessment that Citizens doctrine has not been satisfied under the At. Will law, as reason are given to believe (based on use as asserted as one reason) did not serve a personal devise use to encroach upon the civil rights, civil liberties and or create a clime of civil unrest by not challenging CCSD reason for the defense as applied without the substantive proof required for a just cause action?
5. ISSUE . Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD, but does the assertion of the At-will law under a "just cause' action suffice as legitimate hiding place for CCSD and its delegated to be shielded without the respondents having substantive proof or evidence as required for its claims, and
- 6 ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD and that has no basis of law nor in fact to support a respondent claim?
- 7 ISSUE Did the courts err in holding that Mr Wesley Edward Smith III did not have an a contract of employment with CCSD and that CCSD lawsuit against Mr. Wesley Edward Smith III has only one purpose which was to harass an employee that opposed to a wrongful employment business practice whom CCSD had previously terminated and sued earlier, but unsuccessfully

- 8 ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD and CCSD has no basis in law or in fact to have Sue Mr. Wesley Edward Smith III
- 9 ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSD?
- 10 ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSDCCSD refuse to afford all opportunities and right of benefit according to South Carolina Education Department for teachers
- 11 ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSDCCSD refuse to afford all opportunities and right of benefit according to the South Carolina Human Affairs Commission
- 12 ISSUE Did the courts err in holding that Mr. Wesley Edward Smith III did not have an a contract of employment with CCSDCCSD refuse to afford all opportunities and rights of benefit of being notified by the written order for failing to comply with the statutory requirement und SC code 20-7-1350 (1976) as related to action that would jar a contempt of court, fine, or personal services and benefits for time served based on accrued time for services
- 13 ISSUE Did the courts err in holding that Mr Wesley Edward Smith III did not have an a contract of employment with CCSDCCSD refuses to show burden of proof that is required beyond any remaining reasonable doubt or inferences being drawn from such determination
- 14 ISSUE Did the court err in holding that the Respondent(s) Charleston County School District ("CCSD") discharged/terminated Mr. Wesley Edward Smith III employment and contract for cause under the State statutes and CCSD internal polices?
- 15 ISSUE Did the court err in holding that the Respondent(s) Charleston County School District ("CCSD") discharged/terminated Mr. Wesley Edward Smith III employment and contract for cause under the State statutes and CCSD internal polices but failed to state claim for relief for which way, shape, or form that CCSD sustained the personal injury as inscribed per order or the substantive proof as required from the from the alleged statutory violation?

SUPPORTING STANDARD OF REVIEW

The appellate court reviews the Common pleas court's grant of Summary Judgment *de novo* and applies the same standard employed by the court of common pleas under rule 56(c)

As this court liberally construes on review, that the non-movant's burden is particularly strong when the non moving party bears the burden of proof (see order) the reason is believe the acts was unable to show such burden due to the contempt of court charge that was handed from the bench without prior notice (as required under SC Code 20-7-1350 (1976) et seg if Mr. Wesley Edward Smith III failed to comply with the law. Basically if CCSD had complied with the laws and adhered to the statues, prior to CCSD disowning me as paid working service worker and divorcing my employment rights and due process opportunities without serving a compliant, stating a cause for relief, or service o a summons or notice service from the CCSD involving entitlements rights, due process, seeking other employment opportunities, pay raises, promotional opportunities, 401K benefits, shareholder benefits, personal properties, associations while be adversely subjected to the CCSD (state) laws.

WHEREAS these pending final disposition actions gives reason that other like employees are protected and have not shown the common courtesy under rule 56. The performance of CCSD after committing an alleged wrong, seeks to hide from or be aided under the State doctrines, which allegedly provided an umbrella of such protection. The CCSD shows a lack of care in its business practice and does not display the warmth a proper business should show and employee, independent contractor or a customer. The undersigned clearly states that I, Mr. Wesley Edward Smith III represents self. As required in accordance with rule 11 of the South Carolina Rules of Civil Procedures, as hereby affirmed a consultation and offer was made to the opposing party.

THEREFORE ON THESE GROUNDS Mr. Wesley Edward Smith III, as an employee,

person, citizen, demands respect as been given, seek independent direct verdicts, independent injunctive relief, declaratory relief and remedies, request fair, equal justice, restoration, reparations, release from the mentally incompetent that uses devise to prevents standing trials, release, economical and or monetary payment for injurious crimes and the enjoining of any other like state or CCSD official or delegates, that subject other even similarly situated individual in any other manner or mock-up of judicial procedures where the issues are incumbent on entrapment or the tapestry of the legal matters allegedly surrounding laws. With these reasons and as more are shown with reason to believe, the State respondent action, acts are beyond reason with the malfeasance act of criminal action taken against me family, are beyond any reason of intent. I, Mr. Wesley Edward Smith III believe that since I have as a question about the application of the At Will law in 1996 (See letter attached), that I Wesley Edward Smith III and family has been legally kidnapped and handcuffed and also a become victimized by the State of South Carolina, its business corporation, dereliction of a duty by its Business administrative agencies, the delegated State prosecutors, State Solicitors, adverse actions in terms of the business employment practices and many other collateral attacks for which my private properties personnel owned vehicles and personal property has been taken without being afforded the entitlement of my protected due process rights. I rely on the State statues and the rule of law to support my personal relief which statues and law serves and my legal shield(s) which immunes, guarantees, affords and protects me from abuses, domestic violence's, corruption, entrapments, gambling, perverseness, belligerence, encroachment; which also prevents and shields form obstruction of justice, abuse of power, dereliction of a duty, violation

of recognizable conversion, fraud, fraud upon the court, diversions.

I believe that the extension of time for administrative agency review will serve all well with a vested interest involving the State process while CCSD is conducting business or delegates and partnership trust that are believed conflicting and in violation of the law and in violation of a sacred trust of duty as require to disclose records upon request under SC Code 33-16-101 (1976) et seg while CCSD also has been working under the State statutory laws and rules, for which I, Mr. Wesley Edward Smith III as a shareholder funds and business has been exploited in violation of said recognizable Statutory rights involving procedural due process which the contempt of order forbids further action in resolving, overlooking and denying such entitled rights. I believe the rules and statutes that governs such requirement, compliance and adherence is being contradicted, leaving inferences, and draws objectionable questions per the written order before this court, rules and statutory law.

February 25 2015

Respectfully Submitted



Mr. Wesley Edward Smith III

**PROOF OF SERVICE
In The Court of Appeals**

Appeal from Charleston County
Court of Common Pleas

Doyet A . Early, Circuit Court Judge

Order dated: 29 November 2007

Charleston County School District et al, Respondent(s);
v.

Mr. Wesley Edward Smith III, Appellant,

PROOF OF SERVICE

I, Wesley Edward Smith III, certify that on February 25, 2015, submit's a supplement to the notice and motion to appeal the common pleas [this not the court to raise similar objections any rule 56(c) which follow-up rights were denied. Herein are issues related to the personal injuries sustained and dissenting objections of the Judges orders with reasonable inferences remaining in violation of rules and the citizen right, with the supporting law memorandum, was sent by First Class Mail via United States Mail on all parties listed in this action to the following:

To: Mr. Daniel F. Blanchard, III ESQ
151 Meeting Street 4th Floor
Charleston, SC 29403

NOTICE TO PERSON OF INTEREST


Governor's Office of South Carolina
Governor Nikkie Haley
1205 Pendleton Street
Columbia, SC 29201

Mr. Ashley Able III, ESQ
One Liberty Square
55 Beattie Place Suite 800
Greenville, SC 29601

Ms. Cynthia D Blair, ESQ
220 Executive Center Dr
Suite 200
Columbia, SC 29201

February 25, 2015

Respectfully Submitted


Mr. Wesley Edward Smith III

RECEIVED
MAR 02 2015
SC Court of Appeals

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

February 25, 2015

MEMORANDUM TO RECORDS

CLERK

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

RECEIVED

MAR 02 2015


SC Court of Appeals

RE: Charleston County School District INC, et al (CCSD) v. Wesley Edward Smith, III
Appellant

Dear Honorable Julie J. Armstrong;

Enclosure (1) is submitted for your immediate actions. Per the referenced court order on finalization of case law, the appellant appeals for a judicial review of this lower court order findings based on its court written order and the State Appeals Court submitting a Remittitur.

Thanking you in advance, while keeping the faith,


Mr. Wesley Edward Smith III

COPY TO: State Court of Appeals
Mr. Daniel F. Blanchard, III EQUIRE

Mr. Wesley Edward Smith III
465 N Nassau Street
Charleston, South Carolina 29401



USE



RECEIVED
MAR 02 2015

~~**RECEIVED**
MAR 03 2015~~

SC Court of Appeals

~~**SC Court of Appeals**~~

South Carolina Court of Appeals
Clerk of Court
Calhoun Building
1015 Sumter Street
Columbia, SC 29201

292013374S 0076

