



**Julie J. Armstrong**  
 Charleston County Clerk of Court

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**Wesley Edward Smith III VS Pepsi Bottling Group**

Case Number:	2013CP1000417	Court Agency:	Common Pleas	Filed Date:	01/23/2013
Case Type:	Common Pleas	Case Sub Type:	Contract/Other 199	File Type:	Jury
Status:	Pending	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:		Disposition Date:		Disposition Judge:	
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties Judgments Tax Map Information Associated Cases Actions Financials						
Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Smith, Wesley Edward III	Request to leave court to appeal, jury trial demanded & srv	Filing		03/27/2015-11:15		
	Order/Fr Crt of Appeals-matter is dismissed	Order		09/08/2014-11:52		
	Order denying plntff's mot for an order to proceed In Forma	Order		08/18/2014-11:28		
Smith, Wesley Edward III	Petition/Continuance, Administrative Review or to Amend, srv	Filing		07/01/2014-10:37		
Smith, Wesley Edward III	Addendum page to Petition for Continuance, crt/srv	Filing		06/30/2014-10:10		
Smith, Wesley Edward III	Amended Notice of Appealling Order dated 4/18/14, proof/srv	Filing		05/28/2014-09:50		
Smith, Wesley Edward III	Notice of Appealling Entry of Judgment dated 2/27/14, srv	Filing		04/18/2014-10:04		
Smith, Wesley Edward III	Order-denying informa pauperis & warning of contempt	Order		02/27/2014-16:33		
Smith, Wesley Edward III	Complaint Addendum Page Special Interrogatories, crt/srv	Filing		03/15/2013-11:19		
	Letter/Letter from Ashley Abel re No Complaint filed yet	Filing		02/19/2013-16:45		
Smith, Wesley Edward III	Notice/Notice of summons (3) & amended proof of serv	Filing		01/28/2013-09:42		
Smith, Wesley Edward III	Order Granting Motion & Affidavit to Proceed Informa Pauperi	Order		01/23/2013-11:09		
Smith, Wesley Edward III	Filing Fees Wavied	Filing		01/23/2013-09:14		

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STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
COUNTY OF CHARLESTON ) NINTH JUDICIAL CIRCUIT  
) Trail Court Case No 2013-10-CP-00417  
Mr. Wesley Edward Smith III, )  
) )  
Appellant )  
v )  
) )  
Pepsi Bottling Group, INC et al )  
) )  
Respondent. )  
\_\_\_\_\_ )


PROOF OF SERVICE

I, Wesley Edward Smith III, that on March 26 , 2015, submit's the request of notice to leave to amended complaint and appeal a constitutional violation of my procedrual due poces right with the all applicable agencies and court and demands that shuch violations be enforced by law to support the opening brief, and serving notice to also contest being denied right to proceed In forma pauperis by the Honorable Stephanie P. McDonald. The review sought were the criminal implications for being subjected to Constitutional laws without being afforded appellate rights under rule 203 (as required) and resulting convictions, Also the appellant sought to challenge the conjoining court orders which action gives reason to deprive filing a writ of Habeas Corpus, and the respondents depriving constitutional legal rights. As supported the State provides mandated instructions how to apply the constitution, without subjective deviations to the expressly written rights. The undisputed order leaves the objectionable reasonable inferences remaining in violation of my constitutional rights and contradiction to prior case at law 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. Ashley Able III, ESQ  
One Liberty Square  
55 Beattie Place Suite 800  
Greenville, SC 29601

March 26, 2015

Respectfully Submitted

  
Mr. Wesley Edward Smith III

**RECEIVED**  
MAR 30 2015  
SC SUPREME COURT

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

March 26, 2015

**MEMORANDUM TO THE RECORDS**

CLERK OF COURT

Honorable Julie Armstrong  
100 Broad Street  
Charleston, South Carolina 29401

RE: In case of Mr. Wesley Edward Smith III vs. Pepsi Bottling Group INC 2013-CP-10-00417

Dear Honorable Armstrong:

Enclosed for your immediate action is Mr. Wesley Edward Smith III Yes, response the action is for the State Supreme Court for review. I first requested, by notice of motion and motion to leave to file to amend complaint, support memorandum of points with afforded declaration of rights allowed by the State Constitution and or request the applicable transfer to the State criminal court and to stay criminal process due to oversight of this court to redress the criminal violation of legal right by respondent to be enforced by existing law (charges to file). A copy of the attached request is leave this court will be forwarded to the proper court to seek such afforded relief's and remedies.

Thanking you in advance.

March 26, 2015

Respectfully Submitted



Mr. Wesley Edward Smith III

**RECEIVED**  
MAR 30 2015  
SC SUPREME COURT

**STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON**

) **IN THE COURT OF COMMON PLEAS  
) NINTH JUDICIAL CIRCUIT**

Mr. Wesley Edward Smith III,

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

Appellant.

)  
) Request to leave court to Appeal issues, redress  
) Amending of Complaint, violation of Civil Rights  
) under State statutes for liberties and freedoms  
) afforded and violations under State Declaration  
) Constitutional applicable section of Article I  
) by authority be enforced

v.

Pepsi Bottling Group, INC et al

)  
) **JURY TRAIL RESPECTFULLY DEMANDED**

Respondent.

)  
)

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Enclosed for your immediate action is Mr. Wesley Edward Smith III Yes, response the action is for the State Supreme Court for review. I first requested, by notice of motion and motion to leave to file to amend complaint, support memorandum of points with afforded declaration of rights allowed by the State Constitution and or request the applicable transfer to the State criminal court and to stay criminal process due to oversight of this court to redress the criminal violation of legal right by respondent to be enforced by existing law (charges to file).

The State prosecutor and it its defense teams entered into this court under the wrong civil machinery. I, Mr. Wesley Edward Smith III is not sure of the nature or intent of the State prosecutor or its designated defense team reasons, but I do not want to lead or speculate without the required concrete and tangible evidence before me (now requesting a first review of the entire hearing). This sort of information is required from a final disposition ruling (respondent and court did not provide Mr. Wesley Edward Smith III his copies of the legal conclusion or law enforcement and not this rendition of a moot, mocking of a judicial process with subjective belief

that stems from rumors).

The civilians ( a working class of honorable men and women) are referred to and identified by the State prosecutors as the "laymen". It is understood the civil remedy is the last process of the court action, that correlates into remedy and relief for a civil wrong that was committed to another. By this court order placing a "legal hold" as commonly referred to also a sanctions, solely placed upon Mr. Wesley Edward Smith III this does not offer relief or any legal solitude for impartiality. Such as allowed under section 18 of Article I of the State Constitution. As stated in relevant parts:

*" the privileges of the Writ of habeas Corpus shall not be suspended unless when in a case of insurrection, rebellion or invasion, the public safety may require it".*

The court rulings of the court three (3) aforementioned adjudicators collective action does not afford me to file a Writ of Habeas Corpus against the State respondents for the improper holding of a citizen, because the state (state court business) states the action is "dismissed with prejudice" These order give such reason that a deprival state order gives such an inclination.

Based on information and belief, if a crime is a committed, a line up completed, then evidentiary hearing is held for the existence for state having probable cause to detain the perpetrator, then the accuse must be brought before the courts and made aware of any crime allegedly committed that has caused injury to another based in the complaint and then be allowed to meet his or here accusers.

The court reference orders does not only places a stigma upon Mr. Wesley Edward Smith

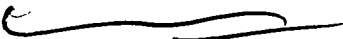
III which ostracize him from legally challenging a criminal wrong, that affords the entitlement of protections of his constitutional rights, but it jeopardizes the limited integrity in his protected place in which to conduct any legal business. As construed, the final order as labeled "finally disposed" gives proof for reasons to believe is direct or indirect evidence of a retaliatory or discriminative act. This is an error of constitutional law which govern acceptances and allowances of procedural due process, the State court or delegated and its personnel continues to overlook and deny, without reasons allowed by any proceeding the respondents claims that were made against Mr. Wesley Edward Smith III was premature and given the fact the court docketed number placed upon the action was 2013-10-CP-00417. In all actually with the legal hold (prevent anyone from acting in accord with the requirement of the constitutional law) this State court is contributing to hindering and violating the constitutional rights of the respondents (PBG) while infringing upon the constitutional law from exercising its "freedom of Speech" under Article I sect 2.

I attempted to file my cross complaint for relief for the unsupported convictions and charges under the State of South Carolina statutory laws arranging from SECTION 16-13-10 Forgery, SECTION 16-13-30 grand larceny. The respondents initiated an action that terminated Mr. Wesley Edward Smith III employment and convicted me of these crime under the State of South Carolina law. I was prosecuted and convicted of the crime under the state statute. But in the totality of the process not afforded procedural due process or read Miranda rights before being accused of the alleged crimes aforementioned. Based on information and belied this is a violation for which a constitutional right which is the error or said laws that were committed.

This violation of such recognizable rights was committed by Pepsi Bottling Group, INC (PBG) was the just cause action that Pepsi Bottling Group terminated Mr. Wesley Edward Smith III from employment but without the required proof beyond reasonable doubt or the showing to the court having probable cause to interrogated and detain to Mr. Wesley Edward Smith III without affording constitutional protections of procedural due process right , but an assertion of faulty premises using "Smith" against State law subject acting in any mannerism of ways, just to prove PGB point. The state should have intervened impartially in this action by not allowing the legal hold to be assigned, summarily dismissed based on the fact the court and the adversarial parties lack of legal facts. This give reasons that another encroachment of procedural due process rights exist with help of internal attorneys, the State own prosecutors and defense legal team, to continually downplay the PBG actors acts by using the judicial machinery court system to prove its power in a civil action before this court vice using the court for unintended purpose other than to covert the court by actors acting under the guise of the State Government constitution, while abusing its discretion, abusing power, and committing fraud upon the court. Based on these grounds, the order should be dismissed, expunged, repealed. reversed, extension granted and a modification to the order amended is respectfully demanded.

March 26, 2015

Respectfully Submitted

  
Mr. Wesley Edward Smith III