



may move to be awarded costs for having unnecessary portions transcribed; this motion must be made no later than the time the final briefs are due under Rule 211. The administrative tribunal may establish reasonable rates for providing the transcript or a copy thereof.

**WHEREAS** based on the aforementioned rules and reason given believe above, which is due to non compliance of the rules, procedural due process rights and the adherence of the application of the administration for the constitutional protections of the state shield before life, property or liberty should be taken, that is afforded all citizen that are subjected to the law, as based on the personnel subjections of many others taken against Mr. Wesley Edward Smith III. In review of the records it is not demonstrated or indicated in the court orders that the magistrate judge report accurately summarizes this case and the applicable law affirms. As asserted defending by objections, this action gives reason to believe that I have been inadvertently used as the misidentified suspect, mistake of law and based on ignorance have become the victim of longstanding conflict and controversy within the state process, has me legally bonded in a law court and personnel matter and I Mr. Wesley Edward Smith am very dissatisfied and unhappy with not receiving the complaint service or notifications as required by the law. I have become interwoven as property of the State by being held in contempt of court based on another lack of legal actions, breach of duty, breach of care and a Breach of a duty to warn to show enough care reasonable that constituted a constitutional protections that quietly guides procedural equality and judicial fairness

**WHEREAS,** based on Mr. Wesley Edward Smith III ignorance for having any reasonable basis to know that inquisition upon the court would be frivolous or considered moot act, without the proper service and or required notification, that such contempt of court claims would be


disinterred against him. The lower court granting Summary Judgment for the respondents was premature and error to law (appellate rules), which are reasonable grounds to deny and reversal of the Summary Judgment of the court order;

**THEREFORE**, absent the magistrate judge's report and or recommendations affirming the Honorable Stephanie P McDonalds decision on the record under case assigned 2013-CP-10-00417 and the similar orders "dismissed with prejudice" in this same courthouse (as legal issues are similarity situated) and without the issuance and service of process. It is respectfully demanded and further ordered that the respondents PBG motion for Summary Judgment be denied as previously granted in error of law and the unsubstantiated charge dropped,.

**All other right reserved and preserved at this time. I invoke the entitlements of all my afforded constitutional immunities, protections, legal rights and afforded judicial remedies and relief's for any violations of my recognizable rights.**

April 24, 2015

Respectfully Submitted

  
Mr. Wesley Edward Smith III

**RECEIVED**

APR 27 2015

**SC Court of Appeals**

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

\_\_\_\_\_  
Appeal from Charleston County  
Administrative Law Court  
\_\_\_\_\_

Stephanie P. McDonald, Administrative Tribunal Law Judge  
\_\_\_\_\_

Order dated: 27 February 2014  
\_\_\_\_\_

Pepsi Bottling Group et al,

Respondent(s);

v.

Mr. Wesley Edward Smith III,

Appellant,


\_\_\_\_\_  
**AMENDED PROOF OF SERVICE**  
\_\_\_\_\_

I, Wesley Edward Smith III, certify that on April 23, 2015, submits his response to the South Carolina Appeals Court was sent to the Administrative Law Court by First Class Mail via United States Mail and on all parties listed in this action to the following:

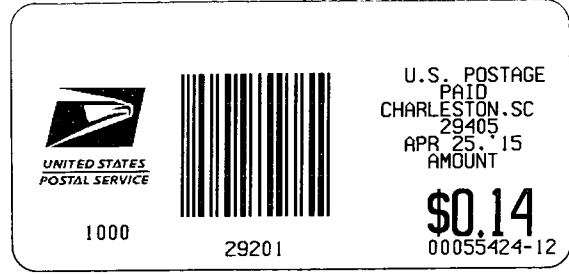
TO: Mr. Ashley Able III, ESQ  
One Liberty Square  
55 Beattie Place Suite 800  
Greenville, SC 29601

April 24, 2015

Respectfully Submitted

  
Mr. Wesley Edward Smith III

Mr. Wesley E [redacted]  
465 N, Nassau [redacted]  
Charleston, South Carolina 29403



**Jenny Abbott Kitchings**  
Clerk of Court  
1015 Sumter Street  
Columbia, South Carolina 29201

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APR 27 2015  
SC Court of Appeals