

THE STATE OF SOUTH CAROLINA
In the Court of Appeal
ON APPEAL FROM CHARLESTON COUNTY
Doyet A Early, Administrative Law Judge
Order dated: 27 November 2007

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SC Court of Appeals

Charleston County School District et al , Respondent,
v
Mr. Wesley Edward Smith III, Appellant.

BRIEF OF APPELLANT
FOR RELIEF PURSUANT RULE 240

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INTRODUCTION:

Due process requires that the procedures by which laws are applied must be evenhanded, so that individuals are not subjected to the arbitrary exercise of government power. One of the basic criteria used to establish if due process is satisfied is whether such procedure was historically required in like circumstance. Enclosed for your immediate action is relief sought in case of 2003-CP-10-4751 (the premature awarding of Civil Summary Judgment, believed to be an error in law) to be reverse under reconsiderations pursuant rule 240 of the South Carolina Rules of Appellate Procedures. The Summary Judgment as it stand is prejudicial to this moving party, it lacks legal memorandums of law arguments and without the substantive evidence of proof of the law enforcement agency that authorized the claims for relief due to a substantiated violation.

This Summary Judgment should be reverse on the grounds that is is without the report and recommendation of the magistrates, based on third party hearsay, based upon the intervening of third party encroachment of a contractual relationship that exist with the State and its citizens for which a recognizable legal right of appellate procedural due process was violated, and reasons that are given these orders are on sheer speculation and mere conjecture of the law.

I am responding in opposition of the letter received (Enclosure 1) attached letter, as dated 19 May 2015, which is believed to have been sent from this court but there is no way for me to test its legal validity. Hence, with the letter not offering any resolutions or remedies for a appellate pursuant the rules, my legal procedural due process right have been violated by the Charleston County School District and inference drawn into question of the unsubstantiated judges orders as well into this equation. I seek to serve notice for an extension, stay, relief, and a independent action in equity, a direct verdict per each identified person independent action.

With these express written orders, either as indirect or direct evidence, I have tangible reason to believe, along with information from the rules and beliefs, this for being subject of the State judicial process without the disclosure of all applicable legal notice or the matter of facts that substantiate the required documents, that I, Mr. Wesley Edward Smith III have a legal shield in that of the "appellate rules". The appellate rules protects me from being arbitrarily targeted and shields me from mistreatment based on ones misapplication of the law. Especially by short termed and interchangeable personnel that pose as official delegate, who have decided when and where to intervene to adversely affect the rule of law or the citizens legal rights. This person discovered to have violated this sacred place trust, should not be allowed to hide out or hide

under the same set of laws. I, Wesley Edward Smith III, have not been afforded to invoke the privileges or immunities in exercising my right appeal CCSD determination in a legal action. I believe the orders, as it remains on the docket sheets, can be construed a miscarriage to justice and a contamination in the court the judicial machinery, that there to support persons who have chosen to acts regardless of reason and action are questionably objectionable beyond intent.

SUPPORTING LEGAL ARGUEMNT

In accordance with the written rule Appellate rules, a part of the requirement of procedural due process for the right of the accused is to be noticed of his rights. As relevant this process in this court of law in this appellant court the accused, Mr. Wesley Edward Smith III, appellant right to appeal under rule 203(b)(1) from a court of common pleas, of which the respondents has not release to me the disclose for the use of my name and such proof indenting me a the wanted culprit in judicial bonds and of which my complaint rest of the lack of notification This court is not required to subjectively construe, but to legally test the evidence requested and provided . Mr. Wesley Edward Smith III was accused of a crime [under the State of South Carolina Laws]. without an impartial or unbiased hearing Mr. Wesley Edward Smith III was terminated on such unfounded allegations. But believed due to the respondents collected financial status, unlimited resources in the judicial and legislative process, prevailed prematurely in error of the appellate rules.

The orders of the honorable Doyet A. Early, and the Honorable R. Markley Dennis the order, which hold me in contempt of court (suspends all my legal entitled rights) also unfairly denies me of my rights. As granted without the substantive proof (evidence) and supporting legal

memorandum of law a the order hold not legal grounds (legal substance) to exist and just hinder the judicial process, obstructs justice, allows perjury and the encroachment of procedural due process. A reversal, modification expunge for relief under rule 267 of the order is respectfully demanded. It was a responsible duty to avoid a conflict of interest under any ethical perspectives Also seeking an independent action in equity and a direct verdict under the law as targeted.

IN CLOSING

THEREFORE, with such resubmission, my claims still remain that the respondent are believed to have violated all applicable appellate procedural due process legal rights. The requirement requires that the government involvement, even responsible for its acting entities, must give all person proper notice and hearing of the legal action before that person is deprived of his or her life, liberty, or property, The government action must be fair. With the express written opinion under rule 210 of the South Carolina Appellant Court requires that he record on appeal to be served and filed thirty (30) days after the date of the last initial brief was served. I Mr. Wesley Edward Smith III have requested all applicable information from the respondent and the courts upon request, whose job it is disclose all pertinent papers regarding the proceedings. I do not owe the respondent anything and have given them all that I am required by the written laws. This prevents any surprises. I rely on the appellate rule for relief and or afforded remedies.

WHEREAS, I am not here to contend with the 28 pages of rumors, based upon lies, deceit and misapplication of law due to the subjecting party own personal interaction of some sort, but that such presumption were made by a management team whose subjective belief are not in legal conformance of aforementioned appellate rules for which the the lower court order as a written is not finally disposed; The expressive written opinion" on the record. Citing orders of the

Honorable Doyet A. Early, Honorable R, Markley Dennis and order of the Honorable Stephanie McDonald existing as a legitimate order, but strict compliances with the mandatory state appeals process requirements which his to serve all parties notice of rights to appeal and file the same with the respectable court of law. Under South Carolina Rule of Appellant Procedures this part is absent. The appellate rule governs the submission and service of notices of a right to appeal. The presence of these aforementioned written orders on the state court docket record, makes it appear that Mr. Wesley Edward Smith III has had equal justice under the appellate rules, a fair trial, and not denied the appeals due process, for which the third parties were rewarded by the civil Summary Judgment,

WHEREAS, this unchallenged and uncontested Summary Judgement for which a reversal is demanded and respectfully in order, are from the results that were procedurally unfair, procedurally unjustified and done with unconscious minds. regardless of the mandated governing procedural liabilities for deprivations of such an obligation. The lower court Summary Judgment order(s), gives reason, based on the premature contempt of order claims charged, allows the masking the legal injuries, as sustained to Mr. Wesley Edward Smith III, while the unreasonableness for such behavior remains an obstruction to justice, the commission of perjury and lack of disclosure allowed, exists, AND

WHEREAS, the appeal is controlled by the South Carolina rules of Appellate Procedures, all pertinent information should have been set forth in the notice of appeal and as such, notice of service commences actions as information is contained therein I am relying on the SC Appellate rules and rules related to this appellate Court actions for the aggrieved rights governing appellate al protections, safeguards and fair treatment under the same set of laws as

were applied against me. There are a plethora of SC code and appellate al right I am entitled to by the expressly written American laws. These law affords protections all American regardless of color, race, age, gender, sex national origin that works hard for such possessions, to be comfortable in such humbling dwellings. As a hardworking American Citizen in the State of South Carolina, I am immune and legally shielded from predators who self claim to be private or public but still are considered to a reasonable person, nuisances. If the respondents continually defies authority and refuses to relinquish the required documents, which by rule disclosing paramount with the required supporting memorandum of law argument and the substantive proof needed to show that a legal harm actually occurred. The injury is listed as to the respondent injuries suatain and enumerated by the law enforcement agency for relief allotted. Without such legal support or legal ground for acting, a modification to the appellant complaint for amending Summary Judgment and amend for Judgment allowed. Upon conclusion of the investigation based on supporting findings of this court, reversal of the respondents Summary Judgment and charges awarded against Mr. Wesley Edward Smith III stricken fom the records, as administered by the honorable Doyet A. Early and the honorable R. Markley Dennis, as being respectfully demanded.



May 27, 2015

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