

*Wesley E. Smith J.F.F*  
465 North Nassau Street  
Charleston. South Carolina 29403  
(804) 244-7807

**RECEIVED**

MAR 09 2016

March 7, 2016

**S.C. SUPREME COURT**

Office of the Clerk  
Supreme Court of the United States  
Washington D. C 20543

RE: Mr. Wesley Edward Smith, III Petitioner v Charleston County School District et al  
Respondents IN REF: Case Appellant Court Case Trial Number 2015-002016

Enclosed for your immediate attention is Mr. Wesley Edward Smith III plea for help, competent legal assistance and release from the psychiatric ward in the State of South Carolina while being a volunteered (I did not consent) participant in the practice of the State mental persons prison with my Proof of Citizenship while petitioning this Writ of Habeas Corpus.

I am a United States citizen, who has been inadvertently disposed into a system and mannerism of things, as being an (UN)Armed Forces member, that has been subjected to the belief of many other without the showing of substantiated evidence prior to being terminated from my employment with Charleston County School District teaching duties while giving Military Instructions as hired to do in this State. The state business practice shields and assured only itself by asserting its own self imposing Anti bias laws, doctrines and other propaganda that prevents any person of color, race, disability, gender, age, military, religion, sexual preferences, from the years and years of study how to practice based on the previous forms of receiving personal servitude (my second Claim behind deprivation of legal rights is Involuntary manslaughter). This perceived unlawful business practice prevent the challenging and or contesting what any reasonable civilized person would refer to as a exotically egotistical maniacal maniac who has manipulated the public trust only to establish his and her unlawful deceitful business practice with and ulterior motive to serve as a self compelling invoking corporate biased business practice with extreme hostility and proof of hated prejudice attached.

It is believed that the State delegated are put in place with that one particular purpose and that is for total control over all citizens. By the man made trappings being used to hinder the court process, encroach upon the Constitutional rights and fundamental privileges regarding due processes I see no other use for it.

I believe that I have been on of many arbitrarily targeted based on my Race American and color Black or other similar situated minority) strategic gendered, based on my religious practice, disabilities who is over the age of forty (40)

I being held captive as a POW in a State practice by person who hide being titles and who may also claim to as a professional who dressed up in costumes (only to assume a role, but not wanting to be obligate, liable or responsible to the State citizens form wrongs committed) Such a as the known tile of a Dentist, Doctors, Legal Aids, Paster, Reverend, City and State officials or even in Military attires as being delegated by the State actor actions. As closely resembled, these persons have become intractably interwoven and able to mimic the legal process.

Based upon years and years of practice of a giving process, by disguising themselves as honorable men and or women who also pretend to act like a citizen, a resident, a neighbor. an upright law abiding, Christian like, generously giving or caring neighboring person.

If the State knew or should have reasonably known that it (the State practice) did not have original jurisdiction, why would persons feel as though they could articulately construct and pass on to others as true, document which are prejudice and defamed the name of Mr. Wesley Edward Smith III and others/ The well constructed order gives off the appearance of valid, but after effects are very distasteful while at the same time cats down burden of betrayal and mistrust to the civilized society of trusting citizens.

Any reasonable and prudent men and women that claims to work honorably while waltzing (dancing and prancing through its own practices) may not know, that acting alone as a business head of State agency that such adverse affecting having practices, allows other individual or collective persons who are interested in the organizations state of affairs, by investigate complaints and ruling out the persons behind the wall of disguise. As to who are authorized or not persons doing their jobs as assigned and monitored. These persons are alos held accountable and acting under the same set of laws.

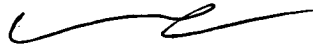
To become lied to and then to follow-up such disgusting lies with the false production of conflicting propaganda which is in direct conflict and controversial to the state regulation process state public policies and rules of law and then the State Constitution has become misinformed about the extent for allowing all citizens their due process rights before the taking of a lie, their liberties, their property and the right to the pursuit to find such happiness(companionship) taken. and the State practice, which would and could allow before trial and after trial by the hearing office, juries and written official orders, that such acts could result in implying "grave like (causing death, cease and desist ) implications?

I believe that the personnel who decided to subject and American Citizen under its rule of law while acting under the constitution, if having the adequate substantive evidence as required, should have gathered all information at that time upon alleged findings, then taken such

important information straight to the appropriate Federal Courts for liberal construing of the actors and the legitimacy of the case. The Federal Court is known to have "Original Jurisdiction" over the person (a United States Citizen) instead of State later chosen to apply its anti American doctrines (Remittitur, At Will law, Rooker Feldman and many others) to later claim immuned from Federal Prosecution or any style and types of Criminal punishments based on the heard activity of an alleged subject matters. The matter herein raised have not been hear in the State Court (Se order of affirmed denial of Motions shot down. (Doyet 2007, Para 3 p 10)).

Relief is sought under 28 U. S. C 2254(d) based on the premature error of the rule of law and production on subjective order based solely on hearsay, that has suspended "all" of Mr. wesley Edward Smith III constitutional rights with extreme prejudice. The order which has been administered creates another claims for which a crime of deprivation has been committed by persona acting under its own rule of laws and thus continually contributing to a state business pratice that supports and defends the court for aiding and abetting of criminal in a practice that involuntary manslaughters any and all citizen in this, its war zone.

I did/do not authorize nor consent to any waiver, use of my precious time and services have anyone to use me as practice on my legal or personal rights, nor did I authorized involuntary servitude. All other rights are preserved and reserved at this time.



Mr. Wesley E. Smith, III

Copy To: CLERK Honorable Daniel Shearousee C/O  
CLERK Honorable Jenny A. Kitchens  
Mr. Daniel Frank Blanchard, III ESQ  
Charleston County School District Superintendent  
FILE

**RECEIVED**

MAR 09 2016

NO. \_\_\_\_\_  
\_\_\_\_\_

IN THE

S.C. SUPREME COURT

**SUPREME COURT OF THE UNITED STATES**

Mr. Wesley Edward Smith III .....Petitioner

VS

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

**PROOF OF SERVICE**

I, Mr. Wesley Edward Smith III, do swear that on this date, , Submit's the Notice and Motion for Writ of Habeas Corpus, Requesting Extension of time to stay this Criminal proceedings, to proceed In forma Pauperis, Requesting Trust Account Infomations and relief under 28 USC 2254 and redress civil relief based on such Reconsideration, Reversals and Recovery while being relief served the enclosed PETITIONER ANSWER AND ASSERTED DEFENSES TO SUPPORT GRANTING PETITION RELIEF FOR A WRIT OF on each party to the above proceeding or that part's counsel, and on every other person require to be served, by depositing an envelope containing the above documents in the United States first Class mail properly addressed to each of them and with first call postage prepaid, or by third-party commercial carrier by delivery within three (3) calendar days .

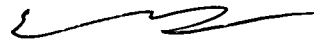
The names and address of those served are as follows:

Daniel F. Blanchard III, Esquire	CLERK OF COURT
151 Meeting Street 4th Floor	Honorable Julie J. Armstrong
Charleston, S. C 29403	100 Broad Street Rm 106
	Charleston, S. C 29403

Honorable Jenny A. Kitchens	Honorable Daniel Shearouse
South Carolina Court of Appeals	South Carolina Supreme Court
1220 Senate Street	1231 Gervais Street
Columbia, South Carolina 29201	Columbia, S. C. 29201

I declare that under the penalty of perjury that the foregoing is true and correct to the best of my ability.

Executed on March 7, 2016



Mr. Wesley E. Smith, III  
465 N. Nassau Street  
Charleston, SC 29403

**RECEIVED**

MAR 09 2016

**S.C. SUPREME COURT**

NO. \_\_\_\_\_  
\_\_\_\_\_

**IN THE**

**SUPREME COURT OF THE UNITED STATES**  
**ON APPEAL FROM STATE COURT OF APPEALS**  
Appellant Court Review of Case 2015-000787 of Honorable  
Doyet A Early, Court of Common Pleas Judge  
Order 20 November 2007

Mr. Wesley Edward Smith III .....Petitioner/

**VS**

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

**PETITIONER NOTICE AND MOTION FOR WRIT FOR HABEAS  
CORPUS AND REQUEST FOR AN EXTENTION OF TIME DUE TO PENDING STATE  
INVESTIGATION INQUIRY NAD AFFORDED RELEIF PURSUANT PROVISISON  
UNDER 28 U.S.C. S 2254**

**I. INTRODUCTION**

I, Mr. Wesley Edward Smith III am being held as a prisoner of the State of South Carolina by person that have decided to detained me and continually depriving of my constitutional due process rights. This is a crime of involuntary manslaughter (servitude) inter alia, upon which charges are being claimed as alleged.

In related issue perceived as "hate crimes" matters which I believe that me an my family have been targeted is based on our color, race, age, gender, religious beliefs, sexual preference, disability or previous form of slavery, as being the forefront runner on the issues for deprivation of constitutional guarantees, prohibitions and promises. I have attempted to notify Governor Nikki Haley seven (7th) times. Subsequently tgis leave me no other recourse that to apply to the

gods of enforcement who save and protected citizens from abuse and tyrannical oppressor. Hence, I have requested an investigation with the South Carolina Law Enforcement Division (SLED). The protector and guardians of this great State.

As related "discriminatory matter" based on my color been targeted is based on our color, race, age, gender, religious beliefs, sexual preferences disability or previous form of slavery, as being the forefront runner on the issues for deprivation of constitutional guarantees, prohibitions and promises. I have attempted to notify Governor Nikki Haley seven (7) times. Subsequently this leave me no other recourse that to apply to the gods of employment enforcement who save and protected citizens from adverse actions, abuse and tyrannical oppressors. Hence , I have requested an investigation with the South Carolina Equal Employment Opportunity Commission.(EEOC). The specialist that are the protectors and guardians of this Great State employment concern.

**BACKGROUND FACTS**

I Mr. Wesley Edward Smith III moves before this honorable court while exercising my fundamental Constitutional right in adverse civil proceeding to petition this court pursuant the provision under South Carolina Appellant Rules 242. I believe that one of the major contributors to this unreasonable problem is the lack of supervision being administered to entrusted delegates. Personnel have taken up positions and are interpreting the rule of law to meet their party needs or design for its own subjecting and or compelling reasoning. Such denial or substantive and procedural due process subject matter actions are not adding up justice, equality nor are the court decisions being fairly administered without blatant prejudice shown on the faces of the order, as expressly written, but not in compliance with the law. Not captioned above, but listed herein are

the designers and creators of the rules of law such as the Governor and the State legislators who refuse to answer or interpret its rule of law or the for which and whom the application for the rule of laws are applied. I am a United States citizen who is immune from any form of bullying, mistreatment, harassment, oppression, tyranny, despair, dysfunctional persons, desolations , isolated from others, by persons believing its own subjective decisions that decided under the practices of the State law were amicable and ripe to arbitrary target any citizen at leisure, to a practice that is always under construction but not being reconstructed for a honorable purpose.

The error to the rule of law under the this State practice, are being acted out by other citizen and employees who operate under the practice of the color of the rules at law, who have willingly chosen and decided to use me, Mr. Wesley Edward Smith III (also relatives, friends and family) as a test project while subjecting me to the State criminal process without affording me my Constitutional due process rights privileges, promises and protections.

**OBJECTION FOR DISSENTING TO THE UNTIMLEY SUSPENSIONS OF ALL AFTER ACTION JUDICIAL PROCESS AN CONSITUTIONAL DUE PROCESS RIGHTS BASD ON THE ISSUANCE OF STATE DOCTRINE REMITTITUR DANGER LAW**

As referred to and known in Latin, Habeas Corpus means "you have the body (State and its delegated officials). Prisoners often seek release by filing a petition for a writ of habeas corpus. A writ of habeas corpus is a "judicial mandate" to a prison official ordering that an inmate be brought to the court so it can be determined whether or not that person is imprisoned lawfully and whether or not he should be released from custody.

A habeas corpus petition is a petition filed with a court by a person who objects to his

own or another's detention or imprisonment. The petition must show that the court ordering the detention or imprisonment made a legal or factual error. Habeas corpus petitions are usually filed by persons serving prison sentences. In family law, a parent who has been denied custody of his child by a trial court may file a habeas corpus petition. Also, a party may file a habeas corpus petition if a judge declares her in contempt of court and jails or threatens to jail her.

In *Brown v. Vasquez*, 952 F.2d 1164, 1166 (9th Cir. 1991), cert. denied, 112 S.Ct. 1778 (1992), the court observed that the Supreme Court has "recognized the fact that '[t]he writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action.' *Harris v. Nelson*, 394 U.S. 286, 290-91 (1969)." Therefore, the writ must be "administered with the initiative and flexibility essential to insure that miscarriages of justice within its reach are surfaced and corrected." *Harris*, 394 U.S. at 291.

The writ of habeas corpus serves as an important check on the manner in which state courts pay respect to federal constitutional rights. The writ is "the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action." *Harris v. Nelson*, 394 U.S. 286, 290-91 (1969). Because the habeas process delays the finality of a criminal case, however, the Supreme Court in recent years has attempted to police the writ to ensure that the costs of the process do not exceed its manifest benefits. In *McCleskey* the Court "raised barriers" against successive and abusive petitions. The Court raised these barriers based on significant concerns about delay, cost, prejudice to the prosecution, frustration of the sovereign power of the States, and the "heavy burden" federal collateral litigation places on "scarce federal judicial resources," a burden that "threatens the capacity of the system to resolve primary disputes."

McCleskey, 499 U.S. at 467. But this State action is in total disregard of the citizen travels and free passages.

The Court has observed that "[t]he writ of habeas corpus is one of the centerpieces of our liberties. 'But the writ has potentialities for evil as well as for good. Abuse of the writ may undermine the orderly administration of justice and therefore weaken the forces of authority that are essential for civilization.' " McCleskey, 499 U.S. at 496 (quoting *Brown v. Allen*, 344 U.S. 443, 512 (1952) (opinion of Frankfurter, J.)). The predominant inquiry on habeas is a legal one: whether the "petitioner's custody simpliciter" is valid as measured by the Constitution. *Coleman v. Thompson*, 501 U.S. 722, 730 (1991). The purpose of the great writ is not to relitigate state trials.

Dismissal of habeas petition under the "total exhaustion" rule of *Rose v. Lundy*, 455 U.S. 509, 520 (1982) (each claim raised by petitioner must be exhausted before district court may reach the merits of any claim in habeas petition).

Jury exposure to facts not in evidence deprives a defendant of the rights to confrontation, cross-examination and assistance of counsel embodied in the Sixth Amendment. *Dickson v. Sullivan*, 849 F.2d 403, 406 (9th Cir. 1988); see also *Jeffries v. Blodgett*, 5 F.3d 1180, 1191 (9th Cir. 1993) (introduction of extraneous prior bad acts evidence during deliberations constitutes error of constitutional proportions), cert. denied, 114 S.Ct. 1294 (1994).

However, a petitioner is entitled to habeas relief only if it can be established that the constitutional error had "substantial and injurious effect or influence in determining the jury's verdict." *Brecht v. Abrahamson*, 113 S. Ct. 1710, 1722 & n.9 (1993). Whether the constitutional

error was harmless is not a factual determination entitled to the statutory presumption of correctness under 28 U.S.C. S 2254(d). *Dickson*, 849 F.2d at 405; *Marino v. Vasquez*, 812 F.2d 499, 504 (9th Cir. 1987).

### **STANDARD FOR JUDICIAL REVIEW**

In a habeas corpus proceeding, a federal court generally "will not review a question of federal law decided by a state court if the decision of that court rests on a state law ground that is independent of the federal question and adequate to support the judgment." *Coleman v. Thompson*, 501 U.S. 722, 111 S. Ct. 2546, 2553-54 (1991). This doctrine applies to bar federal habeas review when the state court has declined to address the petitioner's federal claims because he failed to meet state procedural requirements. *Id.* at 2254; see also *Sochor v. Florida*, 504 U.S. 527, 119 L. Ed. 2d 326, 337 (1992). Thus, the independent state grounds doctrine bars the federal courts from reconsidering the issue in the context of habeas corpus review as long as the state court explicitly invokes a state procedural bar rule as a separate basis for its decision. *Harris v. Reed*, 489 U.S. 255, 264 n.10 (1988).

Habeas petitioners are not entitled to habeas relief based on trial error unless they can establish that it resulted in actual prejudice. *O'Neal v. McAninch*, 115 S. Ct. 992, 994-95 (1995). It is the responsibility of the court, once it concludes there was error, to determine whether the error affected the judgment. If the court is left in grave doubt, the conviction cannot stand. *Id.* On a petition for a writ of habeas corpus, the standard of review for a claim of prosecutorial misconduct, like the standard of review for a claim of judicial misconduct, is " 'the narrow one of due process, and not the broad exercise of supervisory power.' " *Darden v. Wainwright*, 477 U.S. 168, 181 (1986) (quoting *Donnelly v. DeChristoforo*, 416 U.S. 637, 642 (1974)). "The relevant question is whether the prosecutor[']s comments 'so infected the trial with unfairness as to make

the resulting conviction a denial of due process.' " Id. (quoting *Donnelly*, 416 U.S. at 643).

A federal court has no supervisory authority over criminal proceedings in state courts. The only standards we can impose on the states are those dictated by the Constitution. *Daye*, 712 F.2d at 1571. Objectionable as some actions might be, when considered in the context of the trial as a whole they are not "of sufficient gravity to warrant the conclusion that fundamental fairness has been denied." Id. at 1572. See *Gayle v. Scully*, 779 F.2d at 807 (trial judge's caustic, sarcastic comments and offensive conduct, although perhaps inconsistent with institutional standards of federal courts, did not violate due process); *Daye*, 712 F.2d at 1572 (trial judge's skeptical attitude toward defendant's testimony, and his reinforcement of identification evidence by government witnesses, "approached but did not cross the line that permits [a ruling] that the Constitution has been violated").

The fact that a jury instruction is inadequate by Federal Court direct appeal standards does not mean a petitioner who relies on such an inadequacy will be entitled to habeas relief from a state court conviction. *Estelle v. McGuire*, 502 U.S. 62, 71-72 (1991). In habeas proceedings challenging state court convictions, relief is available only for constitutional violations. Whether a constitutional violation has occurred will depend upon the evidence in the case and the overall instructions given to the jury. See *Cupp v. Naughten*, 414 U.S. at 147 (constitutionality determined not by focusing on ailing instruction "in artificial isolation" but by considering effect of instruction "in the context of the overall charge."). See also *Henderson v. Kibbe*, 431 U.S. 145, 155 (1977) (recognizing that "[a]n omission, or an incomplete instruction, is less likely to be prejudicial than a misstatement of the law" and, therefore, a habeas petitioner whose claim of

error involves the failure to give a particular instruction bears an "especially heavy" burden).

In relations to the attached suspension court order (issue relevant for this court judicial review), as perceived not only a prejudice in a habeas proceeding but challenging to state court enforcement division for proper convictions by personnel dressing up and abusing the practice on the law. Such relief is available for constitutional violations which Mr. Wesley Edward Smith III claims that both his constitutional protections, safeguards and promises from which procedural due process (allows a fair and partial hearing, the viewing of a compliant and summons, confront my accusers, the ability to cross examine the State witnesses testimony and rebut any evidence and to call expert witnesses in my defense if needed) and secondly, my substantive due process privileging which allows proof of evidence and disclosure bu law has been deprived and continually denied. Whether a constitutional violation has occurred will depend upon the evidence in this case (state refuse to let me see) the overall instructions given to the jury. The premature State lower Court Order unchallenged and not allowed to be contested serves as a legal aid to person that issues the monumental shackles. Shackling, except in extreme forms, is susceptible to harmless error analysis. *Castillo v. Stainer*, 997 F.2d at 669. In a habeas case dealing with a state court sentence, the question is whether the shackling "had substantial and injurious effect or influence in determining the jury's verdict." *Id.* (quoting *Brecht v. Abrahamson*, 113 S. Ct. 1710, 1714 (1993)). If we are in "grave doubt" whether the error affected the verdict, the error is not harmless. *O'Neal v. McAninch*, 115 S. Ct. 992, 994 (1995). The risk of doubt, however, is on the state. *Id.* at 996 (rejecting language in *Brecht v. Abrahamson* which places on defendant burden of showing prejudice). See *Castillo v. Stainer*,

983 F.2d at 149 (finding shackling at trial harmless error because defendant only wore waist chain that could not be seen by jury).

**WHEREAS** the petitioner seek equal, equitable and affordable relief under 28 U. S. C 2254,, releases form the personnel dressing up using title to harass, bully and deceived the public and private trust by using State bonding shackles as a strategies to defend themselves with intent or unintended only to secure this sham shame from being embarrassed or publicly scrutinize, and that all other fines and or criminal punishment relatively occurring from this action are dependant upon this court finding based on the actual party injures sustained per testimonies and evidence (not newly acquired evidence for an alleged third party confidants )

As we know the investigation process moves before this honorable court, while I invoke a once denied exercising my fundamental Constitutional rights of which I am aggrieved, by asserting defenses and answering my expressed dissention of the State Supreme Court Order. The Constitution serve as my shield, sword and buckler, which protects me and my due process civil rights of which I have been deprived by the "person within" the Charleston County School District, the State Courts and now the State Highest Supreme Court. These aforementioned entities are allowing person to dawn employment attire while bold fully taking away from me, my right to work. Encroached, hindered and infringed upon were my civil due process rights, liberty, life and the freedoms of expression and happiness that comes along with or closely associated, with having unspeakable joy and being able to own property.

The respondent are being summoned and subpoenaed to show proof that a complaint, a summon and proof of hearing authorized the court hearing and that Mr. Wesley Edward Smith III was

served and made aware before such taking are done without the required proper substantive proof.

**SUPPORTING ARGUMENT OPPOSING THE STATE SUBSEQUENT ACTIONS WHILE INTERFERING WITH CONSTITUTIONAL PROTECTION GOVERNING DUE PROCESS RIGHTS**

My defense as asserted is the plea of Insanity. I am losing my mind and must be insane without the aforementioned proof, for the proper substantive evidence proof, I though is require by law. This was supposed to require the adjudicator reliance on any intervening third party hearsay without "liberally construing" the facts of the case. The facts while being closely scrutinized were employed while in full duties, "of an authorized agent" or the court set official hearing officer, which should have readily known that if the court was absent the servicing notices, according to the presenting representing State candidate, the statements could have been easily cross referenced according to the requirement of the rule of law. As so importantly required were the servicing to and on all opposing parties or that the case was absent the filing of a complaint, of witness attesting as true the complaint or other expert witnesses in the criminal premised criminal complaint, on the face of that action that court should have determined at that time whether or not it own the person and property rights over Mr. Wesley Edward Smith III before subjecting him to the State process by declaring to have original jurisdiction over the totality the case and retained the Constitutional rights over such subject matter jurisdiction, even en banc (federal issues in State court overlooked, but he State wouldn't have jurisdiction over any Federal Related issues in the first place) not an issue there. Upon findings of this court own integrity, the order should have clearly stated in Bold Capitol letters on the from page it "lacked jurisdiction". vice the filing a premature sanction against Mr. Wesley Edward Smith III before

the court allowed inquisitional process to asked a legitimate question for the improper use of my name and employment. The discriminatory nature case now move to personnel use of the statement in the order which clearly express a discuss, hate and or discrimination. The orders that were used in the order was "Dismissed With Prejudice".

I, Mr. Wesley Edward Smith ,III perceived this as a prejudicial order coming from either a third party friend or close associate that is using the State court employment process for a personal compelling reasoning or just to locked down the entire State business process which mainly prevents Mr. Wesley Edward Smith III of his constitutional protections, while encroaching, hindering and infringing upon his right to work while my civil due process rights, liberty, life and the freedoms of expression and happiness that comes along with or closely associated, with having unspeakable joy and being able to own property are being continually denied and deprived by such person acting under the "Color of Law".

I do not believe this would have been an issue, if the Court officers who upholds the law, vice other persons distrusting words, who finds ways to use the criminal legal system to from the citizen, if the court employees would have just "Summarily Dismiss" the case until any and all the third party interveners were closely supervised and completed its required duties by getting its facts in order, which would make it appear more ripe for adjudication vice discriminatory, unripe, and legally unfamiliar to the naked blind eye.

**WHEREAS** based on the aforementioned where such reasons are left to be believed and objectionable inferences draws many unanswered questions As such, I. Mr. Wesley Edward

Smith III believes that abuse of office spaces, fraud, deception, fraud upon the courts, abuse of power and by converting the alters and the limited textual fabrics of the courts and the integrity fabric of the cloths, by readjusting the citizen furniture, asserts the aforementioned defenses to support the redressing the REVERSAL, REINSTAMENT AND or RECONSIDERATION while dissenting the allowance of any State suspension or shackling order. The assertion of these plausible defenses is based admission of fact that the State Supreme Court on page 1 para 4 by not having totality, admits that the court does not have "appellate jurisdiction" over this matter. So on that basis of the court the first defense is Lacking of Jurisdiction (which could easily transcribe into or create reason for the prejudicial biases. Relying on *Wise v S. C. Dept. of Corr.*, 372 S. C. 173. 642 S.E.2d 551 (2007), secondly, Courts lacking legal familiarity (Relying on *Goodson v America Bankers Ins Co* 295 S.C. 400., 368 S.E.2d 687 (1988) and Thirdly, whereas orders (intentionally or unintentionally) racially segregates its actors based on race and color not performance of duties. (Relying on *Plessy v. Fergusson* 163 U. S. 537 1896) requires separate equal accommodations for citizens is an issue of Nation of importance, yes, once alluded to, now for your Judicial review in this Court.

Persons and the unsuspecting citizens alike of any State have a right to be informed how other citizens, while employed or acting as independent contractor or agents quality of performing the performance of their job while employed under the state rule of laws and constitutional authority. Also, the Court order(s) should be dismissed because the State Court knew or should have reasonable known that the mannerism in which the State actors, who have wrongfully accused, failed to provide substantive proof of evidence,

preponderance of evidence, reasons which are beyond a good faith reason and which any doubt does not exist or remains the genuine issue material fact, creates defaming order, causes[ing] pain and sufferings, committal of torture[ing] of Mr. Wesley Edward Smith III, that Mr. Wesley Edward Smith III was a citizen of the United States and that being a resident, student, employee and family man in the State of South Carolina he was immune from a practice on system that finding results in adverse actions and thus so, the State actors, by law were prohibited for the arbitrarily targeting and attacking of Mr. Wesley Edward Smith III.

**WHEREAS**, understanding the nature of this court which primary concern of this Supreme Court is not to correct the errors in the lower court, but to decide case presenting issue of importance beyond the particular facts and parties involved. The following issue are considered far beyond the realm of decency and elements of the particular facts and parties involved, are the orders produced and the types of behaviors displayed. The associated mannerism found and associated with actions that have been known to be as unethical, creates a climate injustice and could quite possibly lead to corrupting the court if not curtailed. By close interactions, I have found such act equating to matters that are constitutionally offensive and disrespectful to the rule of law, of which these similar sought of arrogant behaviors in things, I have come known to despise, while finding its utterly despicable. With the interchangeability of the employed State Court actors, who also resides and does business in State of South Carolina, who, as presumed, by a deviant nature of perceived practices, are (have been) allowed to make decisions in the lower courts, then able to hold up the process for four (4) or more years, then are promoted to the next level, then four or more year pass then form the Courts to co-equally the State legislative

departments (blatant Conflict of Interest with premeditated criminal intent with supporting premeditated doctrines), while still having an adverse affect in the outcome of the court final determination over the decision of the appellant courts. The State of South Carolina Supreme Court showed not having continued jurisdiction over the entire matter, subsequently, the Supreme Court have dismissed the lower court(s) lower court action in the like fashion as a frivolous matter and stricken and dismissed such action based on the mistake of law, non-compliance to the written precedent and for not having jurisdiction.

While this finding of fact is quite relevant (the expressly written orders, just cause decisions for terminating ones contract from his and her employment), these business decisions, as being allowed to be made, is beyond reprehensible. But with that same token, the State is kind enough to afforded those injured and harmed based on the practice of another's doings, a remedy for recovery and equitable means against pending adversaries of these listed persons, by law.

Those person acted offended, as the victim, a Judge, a jury and having powers a the law enforcing agency, whose acts were blatantly in conflict with due process right, human interest and beyond intolerable is premeditated, as later identified in a partial, fair and equitable proceedings which justice being administered equally under the same set of laws, by finding those person liable, who were while employed with the State had willingly chosen to act (mean intent. Cross Claims of similar Hate crime as identified with the perpetrating State actors and officials dressing up as business persons (KKK Act of 1871) who are not regarding the State of South Carolina rules of law its citizen nor the Constitution as tangible enough.

With such creation of these types order written from the Courts, as here on review, these types of act are also believed to be a sinister part of a unlawful business practice taken over by persons resenting the State Citizens of color and based on their race for whatever reason the respondent have deemed to its self as plausible or fathomable to prudent men and women.

### **JUSTIFIED GROUNDS FOR REVIEW ON VIOLATIONS OF MY RECOGNIZABLE CONSTITUTIONAL RIGHTS**

I do not see any such acts as being justified, the grounds upon which my afforded Constitutional rights are denied and not in accordance with the information above calling on invoking such constitutional enacted laws under review for the suspension order that is put on noticed that cancels out all my rights to challenge all states court actions, prevents use of exhausting the state appellate courts and the contesting of the State assertion of its own practice danger doctrines while being used on other persons in conflict under the State constitution violation of recognizable rights as follows;

**1st Amendment:** My guaranteed rights as a citizen to the United States Constitution prohibits the making of any law respecting an establishment of religion, impeding the free exercise of religion, Freedom of assembly, sometimes used interchangeably with the freedom of association, is the individual right or ability of people to come together and collectively express, promote, pursue, and defend their ideas.[1] The right to freedom of association is recognized as a human right, a political right and a civil liberty.

The terms *freedom of assembly* and *freedom of association* may be used to distinguish between the freedom to assemble in public places and the freedom to join an association. Freedom of assembly is often used in the context of the right to protest, while freedom of association is used in the context of labor rights and in the Constitution of the United States is interpreted to mean both the freedom to assemble and the freedom to join an association

**2nd Amendment:** My guaranteed rights as a citizen equated to the piece of a more whole part of the people to own and bear arms for their defense.

**3rd Amendment:** My guaranteed rights as a citizens who cannot be forced to quarter soldiering armed forces member during times of peace.

**4th Amendment:** My guaranteed rights as a Citizens who cannot be forced to subject themselves to seizure and search without a search warrant and probable cause.

**5th Amendment:** My guaranteed rights as a citizen which prohibits abuse of governmental authority in legal procedures. Establishes rules for indictment by eminent domain and grand jury. Guarantees the due process rights. Protects citizens from self-incrimination and double jeopardy.

**6th Amendment:** My guaranteed rights as a citizen which is Guaranteed fair and speedy jury trial and the rights to know the accusation, the accuser, and to find counsel and witnesses.

**7th Amendment:** My guaranteed rights as a citizen which as a Reserved individuals' right to a jury trial cases, and inhibits courts from overturning a jury's findings of fact depended upon the civil case, and cases already examined may not be re-opened by another court.

**8th Amendment:** My guaranteed rights as a citizen Forbids exorbitant bails and fines and punishment that is unusual or cruel.

**9th Amendment:** My guaranteed rights as a citizen Reserves the rights of citizens which are not specifically mentioned by the U.S. Constitution.

**10th Amendment:** My guaranteed rights as a citizen Reserves powers that are not given to the U.S. government under the Constitution, nor prohibited to a State of the U.S., to the people and the States.

**11th Amendment:** My guaranteed rights as a citizen protection for the State sovereign immunity and likewise the States are protected from suits by citizens living in another state or foreigners that do not reside within the state borders. Ratified: Feb. 7, 1795

**12th Amendment:** My guaranteed rights as a citizen to have Modified and clarified the procedure for electing vice-presidents and presidents.

**13th Amendment:** My guaranteed rights as a citizen Except as punishment for criminal offense, forbids forced-slavery and involuntary servitude.

**14th Amendment:** My guaranteed rights as a citizen to Detailed Equal Protection Clause, Due Process Clause, Citizenship Clause, and clauses while dealing with the Confederacy and with its elected, selected or delegated officials.

**15th Amendment:** My guaranteed rights as a citizen which Reserves citizens the suffrage rights regardless of their race, color, or previous slave status.

**16th Amendment:** My guaranteed rights as a citizen Reserves the U.S. government the right to tax income.

**17th Amendment:** My guaranteed rights as a citizen Establishes popular voting as the process under which senators are elected.

**18th Amendment:** My guaranteed rights as a citizen Denies the sale and consumption of alcohol.

**19th Amendment:** My guaranteed rights as a citizen Reserves women's suffrage rights.

**20th Amendment:** My guaranteed rights as a citizen also known as the "lame duck amendment," establishes date of term starts for Congress (January 3) & the President (January 20).

**21st Amendment:** My guaranteed rights as a citizen Details the repeal of the Eighteenth Amendment. State laws over alcohol are to remain.

**22nd Amendment:** My guaranteed rights as a citizen to Limit the terms that an individual can be elected as president (at most two terms). Individuals who have served over two years of someone else's term may not be elected more than once.

**23rd Amendment:** My guaranteed rights as a citizen to Reserves the right of citizens residing in the District of Columbia to vote for their own Electors for presidential elections.

**24th Amendment:** My guaranteed rights as a citizen which cannot be denied the suffrage rights for not paying a poll tax or any other taxes.

**25th Amendment:** My guaranteed rights as a citizen to establish the procedures for a successor of a President.

**26th Amendment:** My guaranteed rights as a citizen Reserved for the right of citizens 18 and older to vote.

**27th Amendment:** My guaranteed rights as a citizen to Denies any laws that vary the salaries of Congress members until the beginning of the next terms of office for Representatives and to be a reserved part for Amending the 28 the amendment to the United State is absolutely necessary as a citizen.

Also violated are my equal right clause which provide protection to assure equal right, the anonymity Clause which prevent me from becoming a public target for more security or subject to other unwarranted legal judicial proceedings by other legal friends and or court relatives and the due process clause which ensures a fair equitable hearing before my right to life, liberty and right to property are taken. No State nor Any person can use of preset barriers (prejudging) before taking of such rights. The state person uses the State as a place to pracie on the citizen while

keeping them as a POW, Albeit mentally, socio economically, finically, psychologically, emotionally, theologically, and physically by legal constraining and shackling methodology.

I did not believe that this action would be necessary. Going to the Governor or General Assembly offices. I knew that the aggrieved citizen has ninety (90) days after the last act of a perceived discrimination to file a complaint with all applicable agencies.

I respectfully request to stay proceedings with the extension and to proceed In forma Pauperis on time pending further notice from the investigation State agency or as directed by the Court directed verdict given the facts and situation of conjoining business activities by consolidating similar criminal subject matters without further delay.

**I affirm and or declare that under the penalty that the information is true.**

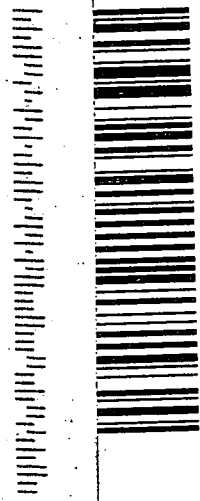
March 7, 2016

Respectfully Submitted

Mr. Wesley Edward Smith III

Mr. Wesley E. Smith, I  
465 N. Nassau Street  
Charleston, SC 29403

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE



7015 0920 0002 1467 5779

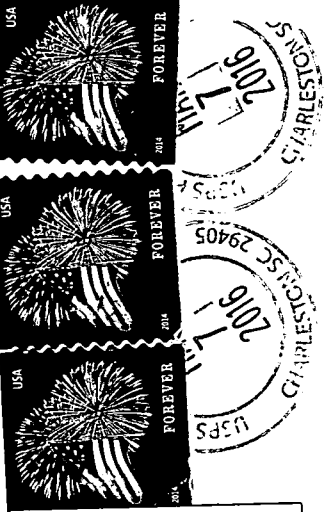
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Honorable David Shearouse  
South Carolina Supreme Court  
1231 Gervais Street  
Columbia, S C 29201