

In the South Carolina Court Of Appeals

Wesley Edward Smith III A.K A
Wesley Smith

Ticket/OCR/Warrant State id Number UNKNOWN

Appellant

versus

Charleston County School District et al

Respondent

REF: Civil Case No 2003-CP-10-4751
Honorable Roger Young
Order Dated 18 Mar 2019

RECEIVED

JUL 16 2019

SC Court of Appeals

RESPONSE IN OPPOSITION TO SOUTH CAROLINA STATE APPEALS COURT

I, Wesley Edward Smith III (hereinafter refer to a the (Defendant Pro Se") response is in opposition to South Carolina Court of Appeals (herein as referred known to me as "We The People") based on my rights afford under the rules and Constitution of this State where I have been abuse and attacked while at work.

I, Wesley Edward Smith III just would to like to make sure, that I am understanding the requirement from We the People" case action taken against Wesley Edward Smith III. A cause of action case (Court assigned 2003-10-CP-4751), allegedly based on facts received from the State prosecutor and the State legal defense team, but I am the adverse affected and dissatisfied party that has allegedly been robbed, illegally injured, illegally terminated from employment and personally harmed.

I, Wesley Edward Smith III was absent the entire Criminal process of the State process proceedings CCSD turned over state evidencen to the State without affording the defendant pro se any opportunity to contest the determination, read Miranda Right or cross examine the alleged injured party that filed a detailed complaint as the state witness. Nor was discovery allowed. .

I Wesley Edward Smith after being fired from employment, who worked at the Military Magnet School located at 2950 Carner Ave N. Charleston, S. C 29407.not CCSD located at 75 Calhoun Street 29403

RESPONSE 1 Objectively Replying: This is not understood, why this court would seek two-hundred and fifty dollars and no cent, giving the fact that the under the court rules it governs the proceedings Informa Pauperis, to all citizens that are impoverish for whatever reason with the support of the financial declaration of such finances that will be reviewed and then approved without prepayment of filing and feed in court of the common pleas or on appeal. Not to many person or selected people while in the perforce of its duties (performance issues), once a determination has been made, would right admit a fault and change its determination, beit man or women. This is why We the Citizen come to rely on the court for such misunderstandings and root cause for most alleged injustices and unfair proceeding and constitutional violations.

RESPONSE 2. Objective Replying: Pursuant to rule 203(d (1)(B)(I), SCACP time is still tolling which remain to be proving to this Pro se defendant. I have not receive any notices from the State prosecutors or its defense team stating specifically in plain English language that this Wesley Edward Smith III who was employed at the MMMS, had violated their right for which either of them suffered a legal harm or personal injury (Proof needed) to AMEND my complaint with admissible, substantive facts supporting the same. Other than that, issue are considered ,moot by this courts. A Non privy, non eye witness State prosecutors and state defense failing to provide the requirements of this rules (provide proof that it serve notice to all parties and of my right to appeal. Secondly, the personnel in the lower court granted and order, but by granting such order, hold me in a "legal hold" by the placement of felonious sanctioning methods which has been declared and decreed, and then twisted further by other based on hearsay from non eye witnesses. Thus pursuant to rule S C R Civ Pro 12(6) the cause of action case in the Lower Court governing rule 56 "Genuine Issue is remaining with out the proof require of the complaint and summons for the injured party. Therefore, consideration for dismissal should've been considered based on fact that any of the "We the People" has failed in the pleading of case 2003-Cp-104751, to state sufficient facts for the cause of action case (How can one provided factual sufficient facts when not the eye witness to the alleged events or the professional material expert that has been called into testify with proof is demanded and still needed).

RESPONSE 3. Objective Replying; Quite honestly, the case has already been determined and declared frivolous, I believe until this can be clear up first and resolved, based on the fact that the state Prosecutors and the Defense team are a non privy entity or and eye witness. and if this court is not going to accept a request evn for the waiver (given the situation and in accordance with SCACR of fees and a waste of the court limited resources I believe that the Stat to While I was employed with MMMS, I was attacked by the State Defense team amd State prosecutors and left hear for over eighting (18) year trying to understanding its legal debacle and understand how the assertion of the State At Will Law (S C CODE 4-1-110) served as defensive strategy and legal protection for such non privy persons. The lower court prematurely awarded Summary Judgment and I am unable to pay \$250.00, for I have been force into indigent person status after being procedurally robbed and statutorily rapped in violation of State law (which a genuine issue remain uncontested). I, Wesley Edward Smith , according the forcing into below the State of South Carolina standards for impoverishd, I am below this mark.

RELEIF REQUESTED

On revisable errors according to the state law and constitution, please Review issue 1-3 of I Wesley Edward Smith III (while being held in the State legal bondage under a practice or other known pseudonym), all my personal right, legal rights, employment right, loss of family, suffered a Divorce and much more, all while in the hands ability to become employed all hinges on the determination of the court review for a legal resolution of the hearsay and contradiction of the courts Finest down to the Honorable Roger Young Order dated 18 March 2019 is baseless, without merit without affording the Wesley Edward Smith III a citizen and defendant pro se legal due course to exercise my liberty, life, fair hearing and procedural fairness.

I demand a fair and speedy trial and other relief as required by law for citizen adversely affected, falsely accused and illegal injury and personal harm for the alleged torturous and inhumane treatment.

WHEREAS based on the fining of the court. with the allowance of the Speedy trial, I, Wesley Edward Smith III demand a speedy trial in Criminal Court proceedings, seeking corrective actions for POST CONVICTION RELIEF w/Defense Answers pertaining to parties actions under NCPD jurisdiction Ticket/OCR/Warrant Number2001043879 Agency Id SC0100800 After Action Incident Report filed by CCSD for alleged CSC w/minor 13-10-355

By allowing the Ste Prosecutors and it State Defense team to interving with out having a factual information or being and eye witness that could acuuraley detail the events or by legal standing, I would have long discovered the types of adverse affects of being statutorily rapped and constitutionally robbed of my right, Immunities, Protections and Privileges as a Citizes. This process continues to hold me legally hostage by its State process and continually denies Wesley Edward Smith III such as, but should not have been denied rights enumerated or limited to:

- 1 Notice of rights to appeal expressed determination
- 2 A Complaint (with at least a reasonably understood claim for relief
3. Summons (Person and Address must be identified (ser. UM285/certificate)
- 5 Affidavit of Truth/Declaration from each person claiming injury or harm
6. Notice of Appellant rights
- 7 An unbiased tribunal.
- 8 Notice of the proposed action and the grounds asserted for it.
- 9 The opportunity to present reasons for the proposed action not to be taken.
- 10 The right to present evidence, including the right to call witnesses.
- 11 The right to know the opposing evidence.
- 12 The right to cross-examine adverse witnesses.
- 13 A decision based only on the evidence presented.
- 14 Opportunity to be represented by a competent and unbiased counsel.
- 15 The tribunal to prepare a record of the evidence presented and
- 16 The tribunal to prepare written findings of fact and the reasons for its decision which a fair and reasonable equal opportunity is allow all person during discovery

WHERAS Relief was sought and still demanded in the complaint, and at this juncture, seek to strike motion to dismiss the State Court orders (If not the enter order for some unknown reason,

Just Strike this Wesley Edward Smith III (This defendant Pro Se was absent for the Order based on the legal argument and support of Constitutional Law) if the CCSD action cannot provide substantiated admissible evidence that is complied with any of the aforementioned, then by constitutional law o the land, that Wesley Edward Smith III is entitled to a fair hearing, a speed trial, equal justice under the law a plethora of relief, and that a prayer or demand for declaratory or Summary judgment for the relief deemed entitled. Relief in the alternative or of several different types may be demanded. Relief for a sum certain in money may be demanded.

QUESTON TO THE LEGAL PROFESSIONAL

1. If CCSD or the State lower courts did not have totality of all subject matters, why are there production of order showing favor to non-privy party and upon review of this case to continually allow such matter, why after nineteen year without allowing a fair hearing?
2. Does the State At Will Law (S C Code 41-1-110) trumps (supersedes) any person right as such as a private citizen or employee right, which allows the fair hearing, court procedural fairness, allow examination and cross examination of evidence in a criminal case or the cotizen constitutional rights for a speedy trial?

July 12 , 2019

Respectfully Submitted



Wesley Edward Smith III



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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June 28, 2019

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

Re: Wesley Edward Smith, III v. Charleston County School District
Appellate Case No. 2019-000616

Dear Mr. Smith:

Upon reviewing your correspondence filed with the South Carolina Court of Appeals, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and must be corrected in their entirety within ten (10) days of the date of this letter or your correspondence will not be accepted and your appeal will be dismissed:

- The required filing fee has not been submitted for your initial notice of appeal. The correct filing fee amount is \$250.00
- Pursuant to Rule 203(d)(1)(B)(i), SCACR, a proof of service upon the respondent or respondent's counsel must be provided for your initial notice of appeal filed in April. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.
- An amended notice of appeal must be filed which complies strictly with Rule 203, SCACR. Please be sure that a proof of service upon the respondent or respondent's counsel is served and filed alongside your amended notice of appeal.

A SC CASE VS YOU
PROCEED OR INSTRUCT JUSTICE
NEW

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Daniel Francis Blanchard, III, Esquire

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Wesley Smith

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CERTIFICATE OF MAILING (SERVICE)

I, Wesley Edward Smith III certify that on July 12, 2019 Response in opposition of the South Carolina Court of Appeal letter dated 28 June 2019, by 1st Class postage:

TO: Mr. Daniel F, Blanchard III Esquire
151 Meeting Street Suite 300
Charleston S C 29401

CLERK
South Carolina Court of Appeals
1015 Sumter Street
Columbia, S. C. 29201

July 12, 2019

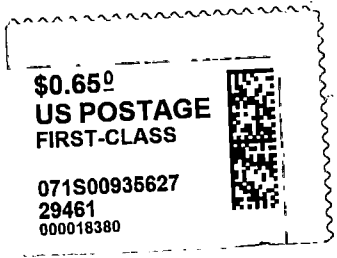
Respectfully Submitted



Wesley-Edward: Smith III
465 N Nassau Street
Charleston, SC [29403]

Smith, W
465 N. NASSAU ST
CHARLESTON, SC 29403

CHARLESTON
SC 294
13 JUL '19
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