

From: Emory Smith <ESmith@scag.gov>
To: Pisarik, HollyHollyPisarik@gov.sc.gov
Schimsa, RebeccaRebeccaSchimsa@gov.sc.gov
Date: 6/1/2016 5:25:51 PM
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

The suit has multiple problems including but not limited to the following.

1. No summons. Has to have one.
2. Not filed with the Clerk's Office. Has to be filed.
3. Caption is for wrong court – General Sessions. No such thing as a criminal lawsuit.
4. Insufficient service. Should be delivery rather than mail.

I am not aware of any basis upon which we would need to file a response. Ok just to monitor?

Emory

From: Pisarik, Holly [mailto:HollyPisarik@gov.sc.gov]
Sent: Wednesday, June 01, 2016 5:13 PM
To: Emory Smith; Schimsa, Rebecca
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

What about the fact that it was mailed to the ombudsman?

From: Emory Smith [mailto:ESmith@scag.gov]
Sent: Wednesday, June 01, 2016 5:11 PM
To: Schimsa, Rebecca; Pisarik, Holly
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

Is this recommendation ok with you?

Emory

From: Emory Smith
Sent: Tuesday, May 31, 2016 10:46 AM
To: 'Schimsa, Rebecca'; Pisarik, Holly
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

I recommend that we do nothing on this pro se "suit" but that I continue to monitor it.

The "suit" is styled as though a civil complaint but it is captioned in the court of General Sessions and plaintiff refers to it as a "criminal lawsuit." The case does not show up in Common Pleas or General Session records for Charleston and it has no summons or docket number. We have not received a copy of it.

OK to monitor and not respond?

Emory

J. Emory Smith, Jr.
Deputy Solicitor General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

From: Schimsa, Rebecca [<mailto:RebeccaSchimsa@gov.sc.gov>]
Sent: Friday, May 27, 2016 9:53 AM
To: Emory Smith; Pisarik, Holly
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

Yes, our mailroom received a copy on May 2nd. I believe the original was sent to your office by certified mail on April 28th.

From: Emory Smith [<mailto:ESmith@scag.gov>]
Sent: Friday, May 27, 2016 8:42 AM
To: Pisarik, Holly
Cc: Schimsa, Rebecca
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

No need to resend the pdf. I have the email now.

Emory

From: Emory Smith
Sent: Thursday, May 26, 2016 6:32 PM
To: 'Pisarik, Holly'
Cc: Schimsa, Rebecca (RebeccaSchimsa@gov.sc.gov)
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

Do I understand the email string that this complaint was received on May 2? Do you have the date of mailing?

Also, please resend the pdf. IT is working on my email, and I do not have access to Rebecca's email of 5.23. Sorry for the inconvenience.

Emory

From: Pisarik, Holly [<mailto:HollyPisarik@gov.sc.gov>]
Sent: Wednesday, May 25, 2016 12:30 PM
To: Emory Smith
Subject: Fwd: Wesley Edward Smith III v. State, Haley, et al.

Sent from my iPhone

Begin forwarded message:

From: "Schimsa, Rebecca" <RebeccaSchimsa@gov.sc.gov>
Date: May 25, 2016 at 11:37:16 AM EDT
To: "Pisarik, Holly" <HollyPisarik@gov.sc.gov>
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

May 2, 2016

From: Pisarik, Holly
Sent: Wednesday, May 25, 2016 11:05 AM
To: Schimsa, Rebecca
Subject: Fwd: Wesley Edward Smith III v. State, Haley, et al.

Sent from my iPhone

Begin forwarded message:

From: Emory Smith <ESmith@scag.gov>
Date: May 25, 2016 at 10:54:25 AM EDT
To: "Pisarik, Holly" <HollyPisarik@gov.sc.gov>
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

Which day?

From: Pisarik, Holly [<mailto:HollyPisarik@gov.sc.gov>]
Sent: Wednesday, May 25, 2016 10:49 AM
To: Emory Smith
Subject: Fwd: Wesley Edward Smith III v. State, Haley, et al.

Looks like we received via US Mail.

Sent from my iPhone

Begin forwarded message:

From: "Schimsa, Rebecca" <RebeccaSchimsa@gov.sc.gov>
Date: May 25, 2016 at 10:13:45 AM EDT
To: "Pisarik, Holly" <HollyPisarik@gov.sc.gov>
Subject: Re: Wesley Edward Smith III v. State, Haley, et al.

Jim says we received a copy by US mail

Sent from my iPhone

On May 24, 2016, at 5:05 PM, Pisarik, Holly <HollyPisarik@gov.sc.gov> wrote:

[How did our office receive the complaint?](#)

From: Schimsa, Rebecca
Sent: Monday, May 23, 2016 5:47 PM
To: Emory Smith
Cc: Pisarik, Holly
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

[Thank you, Emory, and will defer to Holly.](#)

From: Emory Smith [<mailto:ESmith@scag.gov>]
Sent: Monday, May 23, 2016 5:45 PM
To: Schimsa, Rebecca
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

I just heard from the person who receives incoming suits, and she said it has not come in yet. She will let me know.

Are you requesting that we defend the Governor?

Emory

J. Emory Smith, Jr.
Deputy Solicitor General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
803-734-3642 Direct

From: Schimsa, Rebecca [<mailto:RebeccaSchimsa@gov.sc.gov>]
Sent: Monday, May 23, 2016 5:40 PM
To: Emory Smith
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

Attached is the copy we received through our ombudsman.

From: Emory Smith [<mailto:ESmith@scag.gov>]
Sent: Monday, May 23, 2016 5:36 PM
To: Schimsa, Rebecca
Subject: RE: Wesley Edward Smith III v. State, Haley, et al.

I will check. What does the suit address?

From: Schimsa, Rebecca [<mailto:RebeccaSchimsa@gov.sc.gov>]
Sent: Monday, May 23, 2016 5:34 PM
To: Emory Smith
Cc: Pisarik, Holly
Subject: Wesley Edward Smith III v. State, Haley, et al.

Emory,

Has your office been served in the matter, *Wesley Edward Smith III v. State, Haley, et al.*? Holly and I just saw a copy of the complaint today and wanted to check in with you.

Thank you,

Rebecca

Rebecca S. Schimsa
Deputy Legal Counsel
Office of Governor Nikki R. Haley
O: 803-734-6068 | C: 803-429-4561

One SC Flood Relief Fund – www.onescfund.org