

**VIRGINIA:**

**IN THE COURT OF APPEALS OF VIRGINIA**

<b>WESLEY SMITH,</b>	)	
	)	
<b>APPELLANT / Defendant</b>	)	
	)	
<b>v.</b>	)	<b>Record No. 2187-06-4</b>
	)	
<b>CHERI SMITH,</b>	)	
	)	
<b>APPELLEE / Plaintiff</b>	)	

From Prince William County Circuit Court, Cheri Smith v. Wesley C. Smith,  
Chancery No. 53360 & Chancery No. 53810, Final Divorce Decree 06/09/2006

An electronic copy of this appendix with related background info, motions, and orders is available at:  
[http://www.liamsdad.org/court\\_case/pwc\\_circuit/](http://www.liamsdad.org/court_case/pwc_circuit/)

Note: the documents available via the website include pretty much the entire case file, not just the documents listed below, and include things that aren't in the official records such as the clerks notes from the hearings. Documents are in pdf format.

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Affidavit of Ron Jagnnathan (suspend visitation hearing)

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I can't afford to print 10 sets of these photo's but they are available on my website if you want to see them. The photo's show Liam had a good time with his father during 2004 before visitation was suspended.

Photos Albums of Liam 2004:

<http://liamsdad.org/liam/2004/2004.shtml>

**NOTICE OF HEARING ON A CIVIL APPEAL**  
OFFICE OF THE CLERK OF CIRCUIT COURT  
PRINCE WILLIAM COUNTY, VIRGINIA  
9311 LEE AVENUE, THIRD FLOOR  
MANASSAS, VA 20110-5598  
(703) 792-6023/6029

CHERI SMITH PLAINTIFF

VS.

CHANCERY NO 53810

WESLEY C. SMITH, DEFENDANT

**CERTIFIED MAIL**

TO: Cheri Smith  
10238 N. Manassas Mill Rd.  
Manassas, Va. 20110

**THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT IS THE COURT  
FROM WHICH THIS CASE IS APPEALED.**

**YOU ARE HEREBY NOTIFIED**, that this case is scheduled for trial in the Circuit Court at the address shown above on , September 11, 2003, at 10:00 a.m. and **you must be present** and ready to try this case at the hearing. Immediately contact the Circuit Court Clerk's Office if you want witnesses subpoenaed to appear in court to testify for you.

**NOTICE IN SUPPORT CASES** –Sections 16.1-298 and 20-74 of the Code of Virginia provides that any order of support or amendment thereof entered by the Juvenile and Domestic Relations District Court shall remain in full force and effect until changed or annulled by the Circuit Court

DAVID C MABIE, CLERK

September 2, 2003

BY:

  
Angela L. Tant, Deputy Clerk

CC: Loretta Vardy, Esq.  
John C. Whitbeck, Jr., Esq.

CMS FLYSHEET

AS OF 09/10/2003

JUDGE: HAW

CH53810

SMITH V SMITH  
08/26/2003 APPEAL SUPP/CUST VISIT  
09/11/2003 APPEAL SUPP/CUST VISIT

TR

NJ

A COPY TESTE:  
DAVID C. MAZIE, CLERK  
BY:   
Deputy Clerk

PROOF OF SERVICE

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF PRINCE WILLIAM

CHERI SMITH

V.

WESLEY C SMITH

CHANCERY CLERK  
23 JUN 2003 08 51  
LOUDBON CO. VA.  
CH533600

620017 JUN2003

SERVE: WESLEY C SMITH

C/O JOHN WHITBECK JR ESO  
15-D LOUDOUN ST SW  
LEESBURG VA 20175

RETURNS SHALL BE MADE HEREON, SHOWING SERVICE OF SUBPOENA IN CHANCERY  
ISSUED JUN/16/2003 WITH COPY OF BILL OF COMPLAINT .....  
FILED JUN/11/2003, ATTACHED:  
-----

EXECUTED ON THE.....DAY OF....., 20...., IN THE COUNTY OF  
PRINCE WILLIAM, VIRGINIA, BY DELIVERING A TRUE COPY OF THE ABOVE  
MENTIONED PAPERS ATTACHED TO EACH OTHER, TO.....

..... IN PERSON.

.....  
SHERIFF, COUNTY OF PRINCE WILLIAM, VA.

BY....., DEPUTY SHERIFF.

FILED

2003 JUN -1 PM 12:29

CLERK OF COURT  
PRINCE WILLIAM COUNTY VA  
DAVID C. HARRIS

BY

(CH53360)

25

TRIAL/MOTIONS SETTING OR REMOVAL SHEET

DATE: 8/29/03  
MESSAGE TAKER: DL

Smith, Cheri

Lonetta Vandy  
COUNSEL

VS.

CRIMINAL  
CHANCERY 53360  
LAW

Smith, Wesley

John C. Whitbeck, Jr.  
COUNSEL

TRIAL REMOVAL

Previously set on \_\_\_\_\_ with/without jury

Settled by agreement of counsel per \_\_\_\_\_ who understands that an agreed order must be submitted.

MOTION REMOVAL

Previously set on \_\_\_\_\_

Remove by agreement of counsel per \_\_\_\_\_

\_\_\_\_\_  
Verified with opposing counsel  
\_\_\_\_\_  
JURY removed  
\_\_\_\_\_  
Posted to Case Management System/Marked off docket  
\_\_\_\_\_  
Assigned judge  
\_\_\_\_\_  
Notified chambers

TRIAL/MOTION SETTING OR CONTINUANCE

Approved by Judge \_\_\_\_\_  
If a continuance, date continued from \_\_\_\_\_  
New date: \_\_\_\_\_ Time: 10 AM  
For:

Trial with/without jury  
or Motion  
or Hearing on 9/10/03 pendente lite 2 hrs.

Requested by: Ms. Vandy who understands that he/she must notify all parties by letter (date set with copy to Clerk of Circuit Court, and that an agreed order must be submitted upon Judge's approval of continuance.

\_\_\_\_\_  
JURY posted to JURY book  
\_\_\_\_\_  
Posted to Case Management

**CIVIL WORKSHEET**

**DATE:** 9/10/2003

**COURT REPORTER:** None

**JUDGE:** R B P

**FILE #** CH53360

**ATTORNEY:**

**PLAINTIFF:** Cheri Smith *pub*

**VARDY:** Loretta *pub*

**DEFENDANT:** Wesley C. Smith *pub*

**WHITBECK:** John *pub*

*Wesley*  
**Wesley Clay Smith** - DOB: 5/26/65, 38 years of age, Bachelor of Science Degree, not employed, last employed at ATS in website applications programs, left this position in January 2002, while employed earned in 1999 - \$100,000.00, 2000 - \$107,000.00, 2001/2002 - \$119,000.00, good physical and mental health, takes medication for heartburn; resides at 11411 Huntsman Drive, Manassas, VA 20112, joint owned, purchased in January 1997, tax value ~ \$340,000.00, first trust payoff ~ \$175,000.00, he drive 1993 Saturn - paid for, jointly owned; has stocks, he is unsure of the value - if any value at all; checking ~ \$1,000.00; mortgage has not been paid since June 1, 2003, he has no income, using credit cards for his expenses; parties separated in June 2003, states the balance owed on the credit cards is \$35,000.00 to \$40,000.00; one child - Liam, born 7/22/97

**Cheri (NMN) Smith** - SSN \*\*\*-\*\*-\*\*\*\*, DOB \*\*/\*\*/\*\*, she has a master's degree, employed with Science Application International in project management for 2 years, \$5200.00 monthly; she has health insurance with MANSI that covers the child and husband; she resides at 10238 Manassas Mill, Apt N, Manassas since 6/13/2003 with Liam; she drives 1998 Saturn SW2, paid for, she is unsure of how this car is titled; checking account ~ \$2,500.00, Liam attends Round Elementary, has Downs Syndrome,

**EXHIBITS**

1. Income and Expense - admitted
2. Joint expenses paid - admitted
3. Behrmann Report (NOT ADMITTED)

**WITNESSES**

1. **Cheri Smith** 11:03 - 11:39  
Plaintiff  
  
11:39 Break  
11:54 Court in session
2. **Wesley Clay Smith** 11:54 - 12:37  
Defendant

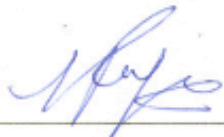
**AFFIDAVIT**

I, Ron Jagannathan state under penalty of perjury that I was present in the Honorable Court of Judge LeRoy F. Milette Jr. of Prince Williams County Circuit Court on January the 18<sup>th</sup> 2005.

The MATTER of Wesley Smith's Divorce and Custody Case came to be heard on that day.

During that hearing, I was a witness to Mr. Wesley Smith's statement to the court that the opponent sides represented by attorney Ms. Vardy were presenting lies and he called them liars, At which time Judge LeRoy Milette stated that he would not allow anyone in his court to be called liars and warned Mr. Smith if he wanted to go to jail that day.

Ms. Smith did not present any witnesses and the Guardian ad Litem for Liam Smith was not present in the court to the best of my knowledge.



RON JAGANNATHAN  
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Reston, VA 20190  
PH:703-401-1777  
FAX:425-663-6848