

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE COUNTY OF PRINCE WILLIAM**

CHERI SMITH  
Complainant

v.

WESLEY C. SMITH  
Defendant

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)  
) Chancery No. 53360-00  
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**MOTION FOR PENDENTE LITE RELIEF**

**COMES NOW** the Complainant, Ms. Smith, by counsel, and moves this Court pursuant to Va. Code Ann § 20-103, for entry of an Order granting her *pendente lite* relief as requested below. In support of her MOTION the Complainant states as follows:

1. That a *Pendente Lite* Order was entered by this Court on October 2, 2003;
2. That the above-mentioned *Pendente Lite* Order granted sole legal and physical custody of the minor child, Liam R. Smith to the Complainant, Cheri Smith;
3. That the above-mentioned *Pendente Lite* Order granted the Defendant, Wesley C. Smith, visitation with the minor child;
4. That the above-mentioned *Pendente Lite* Order did not specify where the pick up for and return from visitation would take place;
5. That the Defendant has badgered the client at her residence on a number of occasions while picking up the minor child for visitation.
6. That the Defendant has refused to meet the Complainant in a public place to pick up the minor child.

**WHEREFORE** the Complainant requests the following relief *pendente lite*:

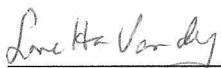
1. That the Court amend the *Pendente Lite* Order dated October 3, 2003;.

2. That the Court establish an exchange point in a public arena for the exchange of the minor child;
3. An order awarding the Complainant's attorneys' fees incurred herein;
4. An order for such further relief as the nature of the case and the goals of equity require.

Respectfully submitted,

**CHERI SMITH**

By Counsel



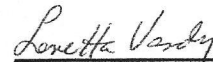
Loretta Vardy, Esquire  
Virginia State Bar No. 26225  
12388 Silent Wolf Drive  
Manassas, Virginia 20112  
(703) 791-6078  
Counsel for Ms. Smith

CERTIFICATION OF NOTICE

This is to certify that on the 23 day of January 2004, a true copy of the foregoing MOTION FOR *PENDENTE LITE* RELIEF was hand delivered, postage prepaid, to the following:

John C. Whitbeck, Jr., Esquire  
Kazem, Whitbeck, Seck & Kazem, PLC  
15-D Loudoun Street, SW  
Leesburg, VA 20175

Phone: 703-777-1795  
Fax: 703-777-9079  
Counsel for Defendant

  
\_\_\_\_\_  
Loretta Vardy

**VIRGINIA:**

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Plaintiff

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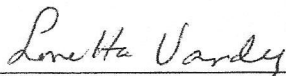
**NOTICE AND MOTION**

**PLEASE TAKE NOTICE** that on Friday, February 6, 2004, at 10:00 a.m., or as soon thereafter as this matter may be heard, the Plaintiff by Counsel will move this Court to hear her MOTION FOR PENDENTE RELIEF which is attached,

Respectfully submitted,

**CHERI SMITH**

By Counsel



Loretta Vardy, Esquire  
Virginia State Bar No. 26225  
12388 Silent Wolf Drive  
Manassas, Virginia 20112  
(703) 791-6078  
Counsel for Ms. Smith

CERTIFICATION OF NOTICE

This is to certify that on the 23<sup>rd</sup> day of January 2004, a true copy of the foregoing Notice and Motion was hand delivered, to the following:

John Whitbeck, Jr. Esquire  
Kasem, Whitbeck, Seck & Kazem, P.L. C.  
15-D Loundoun Street, S.W.  
Leesburg, Va 20175  
Phone: 703-777-1795  
Fax: 703-777-9079  
Counsel for Respondent/Cross-petitioner

Loretta Vardy  
Loretta Vardy