

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF PRINCE WILLIAM COUNTY

Cheri Smith,
Plaintiff,

v.

Chancery No.53360-00

Wesley C. Smith,
Defendant.

AMENDED BILL OF COMPLAINT

TO: Wesley C. Smith
c/o John Whitbeck, Jr., Esquire
Kazam, Whitbeck, Seck & Kazem, P.L.C.
15-D Loudoun Street, S.W.
Leesburg, VA 20175

COMES NOW, Plaintiff, Cheri Smith, who in support of her Amended Bill of
Complaint, respectfully represents as follows:

Plaintiff, Cheri Smith, resides at 11450 Huntsman Drive, Manassas, Virginia, 20112.

1.

2. Defendant, Wesley C. Smith, resides at 11411 Huntsman Drive Manassas,
Virginia, 20112.

3. Plaintiff and Defendant were married on November 23, 1988 in South Jordan,
Utah.

4. Plaintiff is domiciled in and has been a bona fide resident of the Commonwealth of
Virginia for more than six months next preceding the commencement of this suit.

5. Plaintiff and Defendant are over the age of 18 years, are of sound mind, and neither of them is in the military service of the United States.

6. Plaintiff's social security number is 529-49-8449. Defendant's social security number is 369-90-9588.

7. There was one child born of this marriage, namely, Liam Raleigh Smith, six years of age, born on July 22, 1997, whose Social Security Number is 227-79-9743.

8. Plaintiff and Defendant last cohabited at 11411 Huntsman Drive Manassas VA 20112.

9. Plaintiff is employed by SAIC, Inc., 1710 SAIC Drive, McLean, Virginia. Defendant is currently employed by CSC.

10. That *Pendente Lite* Order was entered by this Court on October 2, 2003 granting the Plaintiff sole Legal and Physical Custody and establishing Child Support to be paid by the Defendant.

11. The best interests of the minor child of the parties require that responsibility for his care and custody be granted to the Plaintiff.

12. The parties have both legal and equitable interests in a variety of assets and debts, which require distribution in accordance with section 20-107.3 of the Code of Virginia.

13. Plaintiff desires to resume use of her maiden name, to wit: Cheri Jones

COUNT I

CRUELTY

14. The Plaintiff incorporates each of the aforesaid allegations contained in Paragraphs 1 through 13 above.

15. The Defendant has been guilty of cruelty toward the Plaintiff, in that the Defendant has abused, threatened, humiliated, and degraded the Plaintiff and subjected her to his acts of cruelty.

16. Beginning around 1996 and continuing intermittently, the Defendant has made untrue allegations that the Plaintiff suffered from mental illness; however, during May 2002, these allegations escalated.

17. During the marriage, the Defendant has behaved aggressively towards the Plaintiff on several occasions.

18. In 1999, the Defendant slapped the Plaintiff in the face.

19. In 2001, the Defendant while attempting to prevent the Plaintiff from leaving a room in the marital home, did bruise the Plaintiff's arm.

20. On or about May 2002, the Defendant began to harass the Plaintiff with untrue allegations that she is mentally ill. This harassment continued and escalated both in frequency and hostility. The Defendant has made these allegations not only to the Plaintiff but also to third parties and to their child, Liam.

21. Since May 2002, the Defendant has insisted that the Plaintiff is mentally ill. The alleged mental illness has not always been specified; however since May 2002, the Defendant has alleged that the mental illness is bi-polar disorder.

22. Since May 2002, Defendant has demanded that the Plaintiff obtain treatment or prove to his satisfaction that she is not mentally ill.

COUNT II

Constructive Desertion

23. The Plaintiff incorporates each of the aforesaid allegations contained in paragraphs 1 through 22 above.

