

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH

v.

WESLEY CLAY SMITH,
Defendant.

MI-2005-0001559

**NOTICE OF SCHEDULING OF HEARING ON NON-PARTY JACK D. DALE'S
MOTION TO QUASH TRIAL SUBPOENA**

PLEASE TAKE NOTICE that, in accordance with the October 4, 2005 ruling of the Calendar Judge, on Wednesday, October 5, 2005 at 10:00 a.m., or as soon thereafter as counsel may be heard, non-party Jack D. Dale, by counsel, shall appear before the Trial Judge and present argument in support of his Motion to Quash the trial subpoena served upon him by Defendant Wesley Clay Smith.

Respectfully submitted,

JACK D. DALE

By: Thomas J. Cawley
Counsel

Thomas J. Cawley (VSB No. 04612)
Sona Rewari (VSB No. 47327)
HUNTON & WILLIAMS
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102
(703) 714-7400 (telephone)
(703) 714-7410 (fax)

CERTIFICATE OF SERVICE


I hereby certify that, on the 4th day of October, 2005, a true and exact copy of the foregoing Notice of Scheduling of Hearing on Non-party Jack D. Dale's Motion To Quash Trial Subpoena was sent by first class U.S. mail and by facsimile to:

Robert D. McClain, Esq.
Ian Rodway, Esq.
Office of the Commonwealth Attorney
4110 Chain Bridge Road, Suite 123
Fairfax, Virginia 22030

and by first-class U.S. mail and electronic mail to:

Wesley Clay Smith
5347 Landrum Road, Apartment 1
Dublin, Virginia 24084-5603

Defendant, Pro se


Counsel