

# COURT OF APPEALS OF VIRGINIA

109 North Eighth Street, Richmond, Virginia 23219-2305  
(804) 371-8428(V/TDD)



## NOTICE RE:

*WESLEY CLAY SMITH v. COMMONWEALTH OF VIRGINIA*  
Record No. 2615-05-4

This is to notify you that the record of the proceedings in this case in the trial court was received in the clerk's office of the Court of Appeals of Virginia on **December 28, 2005**.

The rules of practice before the Court of Appeals of Virginia are found in the Rules of the Supreme Court of Virginia at Part 5A, published as volume 11, Code of Virginia Annotated. Under those rules, the date on which the record is received at this Court is used to establish the beginning of important periods allowed for the filing of further documents and pleadings. In particular:

1. In appeals by petition, the petition for an appeal is due no later than 40 days after the date on which the record is received by the Court of Appeals. VA. CODE § 17.1-408; Rule 5A:12(a).
2. In appeals of right, the time for filing the designation of the contents to be included in the appendix runs from this date, Rule 5A:25(b), and the appendix and opening brief of the appellant are due no later than 40 days after the record is received by the Court of Appeals, Rule 5A:19(b)(1).

**Please consult Part 5A of the Rules for information on filing times and other requirements. Failure to comply with the rules may result in various sanctions, including dismissal of the appeal.**

For the Clerk,

A handwritten signature in dark ink, appearing to be "RJG", is written over a horizontal line.

Rosellis J. Graham  
Deputy Clerk