

VIRGINIA:

In the Court of Appeals of Virginia on Thursday the 14th day of September, 2006.

Wesley Clay Smith,

Appellant,

against

Record No. 2615-05-4

Circuit Court No. MI-2005-1559

Commonwealth of Virginia,

Appellee.

Upon a Petition for Rehearing

On consideration of the petition of the appellant to set aside the judgment rendered herein on the 7th day of April, 2006 and grant a rehearing thereof, the said petition is denied.

A Copy,

Teste:

Cynthia L. McCoy, Clerk

By: *original order signed by a deputy clerk of the
Court of Appeals of Virginia at the direction
of the Court*

Deputy Clerk