

COURT OF APPEALS  
OF VIRGINIA



109 NORTH EIGHTH STREET  
RICHMOND, VIRGINIA 23219-2321  
(804) 371-8428 (V/TDD)

CHIEF JUDGE

WALTER S. FELTON, JR.

JUDGES

JAMES W. BENTON, JR.

LARRY G. ELDER

ROBERT P. FRANK

ROBERT J. HUMPHREYS

JEAN HARRISON CLEMENTS

D. ARTHUR KELSEY

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CHIEF STAFF ATTORNEY

JOHN T. TUCKER, III

October 23, 2006

Wesley C. Smith  
5347 Landrum Road, Apt 1  
Dublin, Virginia 24084

Re: Wesley C. Smith  
v. Cheri Smith  
Record No. 2187-06-4

Dear Mr. Smith:

Enclosed is this Court's order directing you to file an appendix in the above-noted case. Also enclosed is a copy of the Rules of Court.

An appendix is not a listing of documents, but rather a compilation of the documents that you listed. See Rule 5A:25. The listing of documents could serve as the table of contents of the appendix. The appendix must be bound (Rule 5A:4) and have a red cover (Rule 5A:24).

Sincerely yours,

A handwritten signature in black ink, appearing to read "A. John Vollino".

A. John Vollino  
Chief Deputy Clerk

Enclosures

cc: Loretta Vardy, Esq.  
Ronald Fahy, Esq.

**VIRGINIA:**

*In the Court of Appeals of Virginia on* Monday *the* 23rd  
*day of* October, 2006.

Wesley C. Smith, Appellant,

against Record No. 2187-06-4  
Circuit Court No. CH53360-00

Cheri Smith, Appellee.

From the Circuit Court of Prince William County

Appellant filed an opening brief in this case on October 18, 2006, but failed to file an appendix, as required by Rule 5A:25(a).

Accordingly, this Court orders appellant to show-cause, by reply to this order on or before November 2, 2006 why this appeal should not be dismissed for failure to file an appendix. Additionally, the appellant shall also file within said time frame a replacement opening brief that complies with the requirements as set forth in Rule 5A:20(d).

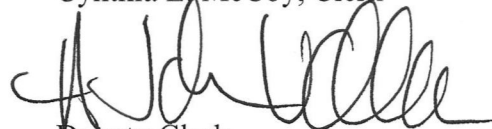
The time for filing the appellee's brief in this case hereby is suspended pending further order of this Court.

A Copy,

Teste:

By:

Cynthia L. McCoy, Clerk

  
Deputy Clerk