



**VIRGINIA:**

**IN THE COURT OF APPEALS OF VIRGINIA**

**WESLEY SMITH,** )  
 )  
 **APPELLANT / Defendant** )  
 )  
 v. ) **Record No. 2187-06-4**  
 )  
 **CHERI SMITH,** )  
 )  
 **APPELLEE / Plaintiff** )

From Prince William County Circuit Court, Cheri Smith v. Wesley C. Smith,  
Chancery No. 53360 & Chancery No. 53810, Final Divorce Decree 06/09/2006

An electronic copy of this appendix with related background info, motions, and orders is available at:  
[http://www.liamsdad.org/court\\_case/divorce\\_appeal/](http://www.liamsdad.org/court_case/divorce_appeal/)

Note: the documents available via the website include pretty much the entire case file, not just the documents listed below, and include things that aren't in the official records such as the clerks notes from the hearings. Documents are in pdf format.

**APPENDIX (revised)**

<b><u>Document</u></b>	<b><u>Filed</u></b>	<b><u>Page</u></b>
Preliminary Protective Order Dismissed <a href="http://www.liamsdad.org/court_case/ppo/2002_10_01_ppo_dismissed.pdf">http://www.liamsdad.org/court_case/ppo/2002_10_01_ppo_dismissed.pdf</a>	10/01/02	A 6
Bill Of Complaint For Divorce: <a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.06.11_bill_complaint.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.06.11_bill_complaint.pdf</a>	06/11/03 [I p1]	A 7
Notification Of Change Of Address For C. Smith: <a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.06.23_change_address.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.06.23_change_address.pdf</a>	06/27/03 [I p19]	A 17
Proof Of Service On J. Whitbeck, Jr.: <a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.07.01_serve_whitbeck.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.07.01_serve_whitbeck.pdf</a>	07/01/03 [I p20]	A 18
Trial / Motions Setting Or Removal Sheet -Chancery 53360 <a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.08.29_schedule_pendente.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.08.29_schedule_pendente.pdf</a>	08/29/03	A 20
Notice Of Hearing – Chancery 53810:	09/02/03	A 21
Motion For Pendente Lite Relief <a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.09.02_mot_pendente.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.09.02_mot_pendente.pdf</a>	09/02/03 [I p21]	A 22
CMS FLYSHEET – Chancery 53810:	09/10/03	A 25

CIVIL WORKSHEET - Clerk Hearing Notes	09/10/03	A 26
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.09.10_clerk_notes.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.09.10_clerk_notes.pdf</a>		
Pendente Lite Order – from 09/10/03 hearing	10/02/03 [I p52]	A 30
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2003.10.02_signed_order.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2003.10.02_signed_order.pdf</a>		
Final Decree (Expunge Preliminary Protective Order)	11/15/03	A 37
<a href="http://www.liamsdad.org/court_case/ppo/2003_11_25_final_decree.pdf">http://www.liamsdad.org/court_case/ppo/2003_11_25_final_decree.pdf</a>		
Order Allowing Amended Bill Of Complaint & Answer	01/23/04 [I p87]	A 39
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.01.23_order.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.01.23_order.pdf</a>		
Amended Bill Of Complaint	03/02/04 [I p115]	A 40
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.02.20.amdend_bill.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.02.20.amdend_bill.pdf</a>		
Table Of Contents – page showing date of Amended Bill Of Complaint		A 52
Amended Answer & Amended Cross-Bill Of Complaint	03/17/04 [I p134]	A 53
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.03.17_amended_cross.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.03.17_amended_cross.pdf</a>		
Defense Exhibit #1 (photos that indicate adultery) original in the record or online copy.	07/12/04	not easily reproducible, see
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.07.12_exhibits.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.07.12_exhibits.pdf</a>		
Motion To Appoint New Guardian Ad Litem	09/10/04 [II p16]	A 60
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_new_gal.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_new_gal.pdf</a>		
Exhibits:		
Standards To Govern The Performance Of Guardians Ad Litem For Children		A 71
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_GAL_Standards.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_GAL_Standards.pdf</a>		
Speech Therapy Progress Report		A 78
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_gal_speech.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_gal_speech.pdf</a>		
Outstanding Volunteer - Rainbow Center Therapy		A 79
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_rainbow_small.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.09.10_rainbow_small.pdf</a>		
Pendente Lite Order (free speech)	09/23/04 [III p15]	A 80
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.08.17_order_web.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.08.17_order_web.pdf</a>		
Order To Proceed Without Fees Or Costs	09/29/04 [III p81]	A 82
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2004.09.29_order_proceed_fees.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2004.09.29_order_proceed_fees.pdf</a>		
Emergency Motion To Amend Visitation	12/28/04 [V p1]	A 83
<a href="http://www.liamsdad.org/court_case/suspend_visitation/2004.12.28_emergency_motion.pdf">http://www.liamsdad.org/court_case/suspend_visitation/2004.12.28_emergency_motion.pdf</a>		
Defendant's Letter To Judge – Unable To Attend	01/03/05 [V p8]	A 88
<a href="http://www.liamsdad.org/court_case/suspend_visitation/2005.01.02_Letter_miss_hearing.pdf">http://www.liamsdad.org/court_case/suspend_visitation/2005.01.02_Letter_miss_hearing.pdf</a>		
Order Temporarily Suspending Father's Visitation	01/03/05 [V p18]	A 92
<a href="http://www.liamsdad.org/court_case/suspend_visitation/2005.01.03_order_suspending_visitation.pdf">http://www.liamsdad.org/court_case/suspend_visitation/2005.01.03_order_suspending_visitation.pdf</a>		
Civil Worksheet – Clerk Notes	01/03/05	A 93
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2005.01.03_clerk_notes.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2005.01.03_clerk_notes.pdf</a>		

Memorandum From Guardian Ad Litem <a href="http://www.liamsdad.org/court_case/suspend_visitation/2005.01.18_memorandum_from_GAL.pdf">http://www.liamsdad.org/court_case/suspend_visitation/2005.01.18_memorandum_from_GAL.pdf</a>	01/18/05 [V p38]	A 94
Pendente Lite Order (LFM) – (suspend visitation) <a href="http://www.liamsdad.org/court_case/suspend_visitation/2005.01.18_order_pendente_lite.pdf">http://www.liamsdad.org/court_case/suspend_visitation/2005.01.18_order_pendente_lite.pdf</a>	01/18/05 [V p40]	A 96
Civil Worksheet – Clerk Notes <a href="http://www.liamsdad.org/court_case/pwc_circuit/2005.01.18_clerk_notes.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2005.01.18_clerk_notes.pdf</a>	01/18/05	A 98
Affidavit of Ron Jagnathan (suspend visitation hearing) <a href="http://www.liamsdad.org/court_case/suspend_visitation/2005.05.24_rg_affidavit.pdf">http://www.liamsdad.org/court_case/suspend_visitation/2005.05.24_rg_affidavit.pdf</a>	01/18/05	A 99
#32 - Defendant's Motion For Trial Date And Sanctions <a href="http://www.liamsdad.org/court_case/pwc_circuit/2005.11.29_trial_date.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2005.11.29_trial_date.pdf</a>	12/05/05 [VI p82]	A 100
#34 - Defendant's Motion For An Attorney <a href="http://www.liamsdad.org/court_case/pwc_circuit/2005.11.29_attorney.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2005.11.29_attorney.pdf</a>	12/05/05 [VI p88]	A 101
#42 - Defendants Demand For A Virginia Constitution Article 1, Section 11, Jury Trial In A Civil Case <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_02_13_jury_trial.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_02_13_jury_trial.pdf</a>	02/13/06 [VI p149]	A 103
#47 – Motion To Recognize Right Of Freedom Of Speech <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_02_13_vacate_free_speech.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_02_13_vacate_free_speech.pdf</a>	02/13/06 [VI p167]	A 105
#55 - Motion To Declare The Date Of Separation <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_04_12_separation_date.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_04_12_separation_date.pdf</a>	04/14/06 [VII p67]	A 110
Corrected Equitable Distribution Worksheets <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_04_20_equitable_debts.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_04_20_equitable_debts.pdf</a>	04/21/06 [VII p70]	A 113
#58 - Motion To Dismiss Due To Lack Of Service <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_03_dismissed_service.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_03_dismissed_service.pdf</a>	05/08/06 [VII p154]	A 116
#59 - Defendants Motion For A Jury Trial <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_16_jury_trial.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_16_jury_trial.pdf</a>	05/19/06 [VII p195]	A 121
#61 - Motion To Strike Amended Bill Of Complaint <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_17_strike1.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_17_strike1.pdf</a>	05/17/06	A 124
#62 - Motion to strike count III of amended bill of complaint <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_17_strike2.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_17_strike2.pdf</a>	05/17/06	A 125
#63 – Motion To Strike Previously Litigated Claims From The Bill Of Complaint And Amended Bill Of Complaint <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_18_strike3.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_18_strike3.pdf</a>	05/22/06 [VII p249]	A 127
#64 - Motion To Strike GAL Report <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4.pdf</a> Exhibit A - Clinical Psychologist Notes <a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exA.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exA.pdf</a> 300.4 Dysthymic Disorder	05/22/06 [VIII p1]	A 130

<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exA_300_4_dysthymic.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exA_300_4_dysthymic.pdf</a>		
Exhibit B - School e-mail		
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exB.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exB.pdf</a>		
Exhibit C – Calendar		
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exC.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exC.pdf</a>		
Exhibit D - Vardy letter		
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exD.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exD.pdf</a>		
Exhibit E - Behrman report		
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exE.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exE.pdf</a>		
Exhibit F - Effexor & Paxil Prescriptions		
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exF.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exF.pdf</a>		
Exhibit G - Bodily Harm letter		A 144
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exG.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_19_strike4_exG.pdf</a>		
Civil Worksheet (clerk notes)	05/23/06	A 145
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_23_clerk_notes.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_23_clerk_notes.pdf</a>		
Photos Albums of Liam 2004:	05/23/06	
Not easily reproducible, see original in the record as Defense Exhibit Letter CC or online copy. The photo's show Liam had a good time with his father during 2004 before visitation was suspended.		
<a href="http://liamsdad.org/liam/2004/2004.shtml">http://liamsdad.org/liam/2004/2004.shtml</a>		
#69 – Request For Judicial Notice Of Utah Law	06/09/06 [VIII p58]	A 148
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_05_21_utah.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_05_21_utah.pdf</a>		
#69 – Partial Objections To Ruling	06/09/06 [VIII p73]	A 151
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_06_09_objections.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_06_09_objections.pdf</a>		
Final Divorce Decree	06/09/06 [VIII p79]	A 156
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_06_09_order.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_06_09_order.pdf</a>		
Civil Worksheet	06/09/06	A 176
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_06_09_clerk_entry%20notes.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_06_09_clerk_entry%20notes.pdf</a>		
#70 - Objections To Final Decree & Motion To Reconsider/Vacate	06/30/06 [VIII p120]	A 177
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_06_29_objections.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_06_29_objections.pdf</a>		
Excerpts from official transcript	08/07/06	A 189
<a href="http://www.liamsdad.org/court_case/divorce_appeal/2006_11_02_transcript_excerpts.pdf">http://www.liamsdad.org/court_case/divorce_appeal/2006_11_02_transcript_excerpts.pdf</a>		
Complete Transcript:		
Day 1: <a href="http://www.liamsdad.org/court_case/divorce_appeal/SMI60522.TXT">http://www.liamsdad.org/court_case/divorce_appeal/SMI60522.TXT</a>		
Day 2: <a href="http://www.liamsdad.org/court_case/divorce_appeal/SMI60523.TXT">http://www.liamsdad.org/court_case/divorce_appeal/SMI60523.TXT</a>		
#73 – Partial Statement Of Facts	08/07/06 [VIII p147]	A 221
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_08_02_statement_facts.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_08_02_statement_facts.pdf</a>		
Objection And Motion To Reject Statement Of Facts	08/11/07 [VIII p155]	A 228
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_08_11_sof_objections.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_08_11_sof_objections.pdf</a>		
Order – Deny Certification Of Statement Of Facts	08/18/06 [VIII p169]	A 231
<a href="http://www.liamsdad.org/court_case/pwc_circuit/2006_08_18_order3.pdf">http://www.liamsdad.org/court_case/pwc_circuit/2006_08_18_order3.pdf</a>		