

VIRGINIA:

In the Court of Appeals of Virginia on Thursday *the* 1st
day of March, 2007.

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

By order entered October 23, 2006, this Court directed appellant as follows:

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).

Appellant filed a reply to the show-cause order, but failed to file a replacement opening brief as directed. Accordingly, we dismiss the appeal.

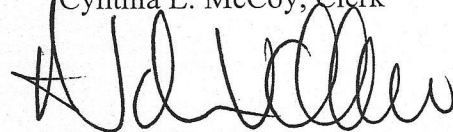
This order shall be certified to the trial court.

A Copy,

Teste:

By:

Cynthia L. McCoy, Clerk



Deputy Clerk