

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

CHERI SMITH,

Complainant,

v.

WESLEY C. SMITH,

Defendant.

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Chancery No. 53360

MOTION FOR PENDENTE LITE RELIEF

COMES NOW the Defendant, Wesley C. Smith (“the Husband”), by counsel, and moves this Court pursuant to Va. Code Ann. § 20-103, for entry of an Order granting him *pendente lite* relief as requested below:

1. On or about May 31, 2003, the Complainant, Cheri Smith (“the Wife”) deserted and abandoned the Husband and the marital residence.
2. Prior thereto, the Wife was the primary income earner of the family as the Husband was involuntarily unemployed.
3. Since the Wife’s vacating the marital residence, the Wife has refused to contribute to the expenses of the marital residence.
4. As a direct result thereof, the Husband is unable to pay the mortgage payment and other expenses related to the marital residence and the Parties’ everyday life.
5. As a direct result thereof, the marital residence is now subject to the initial stages of foreclosure proceedings.
6. The Husband has diligently pursued employment for the past few months to no avail.

