

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

CHERI SMITH,)	
)	
Complainant,)	
)	
v.)	Chancery No. 53360
)	
WESLEY C. SMITH,)	
)	
Defendant.)	

PETITION FOR RULE TO SHOW CAUSE

COMES NOW the Defendant, Wesley C. Smith ("Mr. Smith"), by counsel, and under oath, requests this Honorable Court issue a Rule against the Complainant, Cheri Smith ("the Complainant") requiring her to appear and show cause why she should not be held in contempt of this Court for failing to abide by the terms of the *Pendente Lite* Order entered October 2, 2003 ("the Order"), and states as follows:

1. The Complainant and Mr. Smith are married, living separate and apart, and have one minor child, namely Liam R. Smith ("the child").
2. The child is a special needs child and has been diagnosed with Downs' Syndrome.
3. Section 3(13) of the Order provides:
 - "Neither parent shall be denied any access to medical, school or hospital records.
 - i. Educational: Within 48 hours of receipt, the Plaintiff shall provide the Defendant with copies of school papers, report cards, notices of IEP meetings, Parent/Teacher Conferences, or other educational information.
4. Since the entry of the Order, the Complainant has refused to send Mr. Smith copies of the aforesaid required "Educational" materials several times.
5. In addition, Mrs. Smith has removed the child's school notebook she maintains

