V I R G I N I A:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

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

PRAECIPE

THE CLERK will kindly place the attached Motion on this Court's docket for Wednesday, August 13, 2004 at 10:00 a.m. for hearing.

Wesley C. Smith
3215 Ridge View Ct. Ap 104
Woodbridge, VA 22192
(703) 220-2637
Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 6 day of August, 2004, a true and accurate copy of this pleading was served via facsimile and first-class mail, to the Loretta Vardy, Esquire, 12388 Silent Wolf Drive, Manassas, Virginia 20112 and via first class mail and electronic mail to Wesley Smith, 3215 Ridgeview Court, Apt. 104, Woodbridge, Virginia 22192

Wesley C. Smith

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WESLEY C. SMITH,	)	
	)	
Defendant.	)	

MOTION FOR *PENDENTE LITE* RELIEF

COMES NOW the Defendant, Wesley C. Smith ("the Husband"), 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. The Defendant incorporates the statements from the previous motion filed for access to funds in the escrow account – see attached.

2. Starting in Sep 2002 the Complainant has refused to share her income with the Defendant, as they had agreed upon before she attended graduate school, forcing him to incur debt to cover living expenses. The Defendant was unable to obtain employment until he completed significant training and recertification, due to a market downturn and his career skills being out of date due to giving up his career to care for the child. The Defendant finally found a job in Oct 2003.

3. The Complainants refusal to share her income as agreed shows a distinct lack of gratitude for the years the Defendant shared his income with her during the times she: (1) Attended school to completed a BS degree, (2) was willfully unemployed or significantly underemployed, and (3) while she earned a MBA degree in order to avoid caring for our child.