

**VIRGINIA:**

**IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY**

<b>CHERI SMITH,</b>	)	
	)	
<b>Complainant/ Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Chancery No. 53360</b>
	)	
<b>WESLEY C. SMITH,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANTS MOTION FOR TRAVEL EXPENSES**

**COMES NOW** the Defendant, Wesley C. Smith, and moves this Court pursuant to Va. Code Ann. § 20-146.21, for entry of an Order requiring the Plaintiff to pay the Defendants travel expenses:

1. § 20-146.21 D states “If a party to a child custody proceeding who is outside this Commonwealth is directed to appear under subsection B or desires to appear personally before the court with or without the child, the court may require another party to pay reasonable and necessary travel and other expenses of the party so appearing and of the child.”
2. The Defendant due to the financial burden imposed by this protracted court battle was evicted and is now residing with his mother in Michigan.
3. The Plaintiff has filed a motion to be heard to restrict the Defendants visitation and the Defendant does desire to appear personally and per § 20-146.21 D the court may award reasonable travel expenses to the Defendant.
4. The court has previously recognized the Defendants financial difficulty when it issued an order to allow the Defendant to proceed without payment of fees or costs.

**WHEREFORE** the Defendant requests the following:

1. An order requiring the Plaintiff to pay for the Defendants expenses in traveling to/from Virginia to attend this and future hearings.
2. That the hearings be scheduled to coincide with visitation to allow the Defend to participate in both hearings and visitation on trips to Virginia.
3. An order such further relief as the nature of the case or the goals of equity require.

**Respectfully Submitted,  
WESLEY C. SMITH  
Defendant/Victim**

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Defendant/Victim