

**VIRGINIA:**

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

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

**NOTICE**

**PLEASE TAKE NOTICE** that on Wednesday February 15, 2006, at 10:00 a.m., or as soon thereafter as this matter may be heard, the Plaintiff by Counsel will move this Court to hear following MOTION.

**MOTION**

**COMES NOW** the Complainant, Ms. Smith, by counsel, and moves this Court pursuant to Va. Code Ann § 20-103, for entry of an Order requiring the Court’s written permission for either party to file any additional pleadings prior to the trial date. In support of her motion, the Plaintiff states as follows:

1. This case has been before this court for two and one half years;
2. The Defendant has filed fifty –two motions in this case;
3. The Plaintiff has filed approximately fifteen motions in this case;
4. The Defendant has filed appeals on at least two non-final Orders entered by this Court;
5. The Appeals process has delayed the final hearing for one year

**WHEREFORE** the Plaintiff requests the following relief :

1. That the Court enter an Order requiring either party to obtain its written permission prior to the filing of any further pleadings in this case. An order for such further relief as the nature of the case of the goals of equity require.

Respectfully submitted,

**CHERI SMITH**

By Counsel

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Loretta Vardy, Esquire  
Virginia State Bar No. 26225  
12388 Silent Wolf Drive  
Manassas, Virginia 20112  
(703) 791-6078  
Counsel for Ms. Smith.

CERTIFICATION OF NOTICE

This is to certify that on the 13 th day of February 2006, a true copy of the foregoing NOTICE AND MOTION was sent hand-delivered to to the following:

Ronald Fahy , Esquire  
Guardian *ad litem*  
9236 A Mosby Street  
Manassas, VA 20110  
703-369-7991

This is to certify that on the 13 th day of February 2006, a true copy of the foregoing NOTICE AND MOTION was e-mailed to the following:

Wesley Smith  
5347 Landrum Rd APT 1  
Dublin, VA 24084

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Loretta Vardy