

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

CHERI SMITH,

Complainant,

v.

WESLEY SMITH,

Respondent.

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IN CHANCERY NO. 53360

**ROGER VANDERHYE'S**  
**MOTION TO QUASH WITNESS SUBPOENA**

Non-party Roger Vanderhye ("Mr. Vanderhye"), by counsel, hereby requests the Court quash the witness subpoena served upon him by Respondent Wesley Smith ("Mr. Smith"). The reasons for this Motion to Quash are as follows:

1. This is apparently a divorce and custody proceeding between Mr. Smith and Complainant Cheri Smith ("Mrs. Smith").
2. Mr. Vanderhye is not a party to the case, nor can he properly be considered a witness relating to any issues in this case.
3. Mr. Vanderhye is the principal of Spring Hill Elementary School, in McLean, Virginia. Spring Hill Elementary is attended by approximately 850 students. As the principal of that school, Mr. Vanderhye is responsible for those students, and is charged with the supervision of a staff of 86 employees.
4. On the afternoon of May 16, 2006, Mr. Smith caused a subpoena to be served on Mr. Vanderhye, commanding his presence at the trial of this case on May 22, 2006. A copy of the subpoena is attached as Exhibit "A."

