

VIRGINIA: IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

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

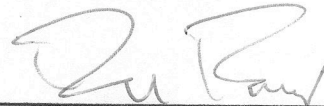
MEMORDANDUM

On or about January 3, 2005, at an ex parte hearing on the motion of Cheri Smith, this Court suspended further visitation by Wesley C. Smith with his son Liam. The basis for the motion and the Order was that Defendant had moved from Virginia to Michigan without proper notice and had taken Liam with him, forcing Complainant to drive to Michigan to pick Liam up and return him to Virginia. The Court set January 18, 2005, at 10:00 a.m., for further hearing on the issue.

At the hearing on January 3, the Court was advised that the Guardian Ad Litem for Liam would be unavailable on January 18. The GAL was instructed to present a memorandum in lieu of appearance.

Pending the final hearing on the merits of this divorce, custody and visitation case, as Guardian Ad Litem I recommend that the father have no further visitation with Liam until (1) the child's psychologist forwards a report indicating such visitation is beneficial, and (2) the Defendant submits to the Court an acceptable plan for such visitation.

While the father is clearly capable of caring for Liam, and Liam is attached to his father, it is the opinion of the GAL that the father is so focused on the alleged adultery and alleged mental illness of the mother that his ability or willingness always to act in Liam's best interest is compromised. The father's taking Liam to Michigan and not returning him is the most recent example of this.



Ronald Wayne Fahy
Guardian Ad Litem
9236 Mosby Street
Manassas, Virginia 20110
703 369-7991