

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

WESLEY C. SMITH  
Plaintiff

v.

ROGER D. VANDERHYE  
Defendant

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CASE NO: CL 2006-0007859

**#2 – AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL**

A pdf copy of this document is available at: [http://www.liamsdad.org/court\\_case/vanderhye](http://www.liamsdad.org/court_case/vanderhye)

**INTRODUCTION**

1. The Plaintiff, Wesley C. Smith, hereby amends counts VII and IX as follows:

**VII - Slander and Defamation of Character**

2. Mr. Vanderhye intentionally lied to Jack Dale and told him that there were court orders that prohibited the Plaintiff from having contact with his son. Mr. Vanderhye also intentionally made a false statement when told the teacher that the Plaintiff was not allowed contact with his son without permission from the mother.

3. Mr. Vanderhye made the following incorrect statement at the trial in District Court which do not match the recording of the incident:

“I said to Mr. Smith, Mr. Smith could you please come to my office and speak with me and he said no he could not, that he wasn't talking to me, that he didn't want have anything to do with me and he was going to see his child. I said Mr. Smith you may not go down to see your child until you come and speak to me “

“I went into the classroom the teacher looked at me and she was absolutely paralyzed she”

“He said he was going to leave and then he was walking towards the parking lot and then he darted onto the playground trying to find his son and that’s when the police had him arrested”

**IX Intentional Infliction of Emotional Distress**

4. In preventing the Plaintiff from attending his son’s class party, in having the Plaintiff arrested, and in lying to the police, lying in court, Mr. Vanderhye acted intentionally to cause the Plaintiff Emotional Distress. The conduct of Mr. Vanderhye was so outrageous and intolerable that many people from across the country have written to the school to complain about his outrageous conduct. The court may not consider the conviction because it is under appeal.

**Respectfully Submitted,  
Wesley C. Smith**

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Wesley C. Smith, Plaintiff  
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no phone

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing amended complaint was served to Hutton & Williams counsel for Mr. Vanderhye via U.S. mail, this 5th day of Oct 2006.

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Wesley C. Smith