

April 30, 2007

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Department Of Social Services
Division Of Mother Welfare Enforcement (DCSE)
3535 Franklin Road, SW, Suite H
Roanoke, VA 24014

Re: Scheduling a trial date

Case #: 0003051740

The notice of appeal stated that we were to be in court on April 26, 2007 to set a trial date. I appeared in court but nobody from DCSE did. The judge told me to call the court at 540-980-1500 to set a date for the trial. I did call the number and they gave me a list of available dates and said I should work it out with the DCSE attorney. I called DCSE at (800) 447-1899. DCSE was unable or unwilling to provide me with a phone number or address of the attorney handling my case or even contact info for the attorney department.

Please have the DCSE attorney that will be handling my case in Pulaski Circuit Court contact me to make arrangements to set a trial date. Please note I have demanded a Jury trial and that I will be making document requests and will subpoena witnesses, we need to allow adequate time for that.

Also note that the Judge who made the claimed "order" upon which this action is based is refusing to enforce the claimed order, and has recused himself from even entering a order based on his previous ruling. Due to lack of jurisdiction the case is both before a federal judge to have it vacated, and a special judge has been assigned by the Virginia Supreme Court to rule on the case. It may be if we wait a bit one or the other judges will vacate the order thus eliminating the need for this case to be heard at all.

Sincerely,

Wesley Smith