

VIRGINIA:

IN THE CIRCUIT COURT OF SHENANDOAH COUNTY -

BRIAN CHAPMAN,

Petitioner,

v

Docket No.: CHO5-198

~RENDA CHAPMAN, Respondent.,

ER

This matter came to be heard on the 2nd day of December, 2005, for an *ore tenus* hearing

upon Petitioner's appeal of a Shenandoah County Juvenile and Domestic Relations District

Order denying Petitioner's Motion to Amend Child

Custody. The Petitioner appeared *pro se*, the

Respondent appeared in person and by her counsel Nancy J. Glickman, Esq., and the child

appeared by her guardian *ad litem*, Larry Mayer, Esq.

The testimony of witnesses was taken and

argument was made by the parties.

Upon issuing a letter opinion, but prior to entry of an order,

Petitioner filed a Motion to Reconsider

UPON CONSIDERATION WHEREOF, the Court makes the following Findings of

Fact and Conclusions of Law:

FINDINGS OF FACT

Petitioner has failed to demonstrate a material change in circumstances such as to

warrant a change *in* custody and/or increased visitation.

2. Further, even assuming *arguendo* that such a change has occurred, after consideration of the factors contained in Va Code Section 20-124.3, it is not in the best interests of the child

that there be any change in the current custodial and visitation scheme.

3. Petitioner's past actions and behaviors constitute a risk to the child herein. However,