

REPUBLIC OF LIBERIA, by and through the Attorney General/Minister of Justice, et al., Petitioners, v. **DR. TOGBA NAH TIPOTEH**, Professed Chairman for Interest Groups of Liberia, et al., Respondents.

JUDGMENT WITHOUT OPINION

September 27, 1996.

When this case was called for hearing on September 18, 1996 and Counsellor George S. B. Tulay, Solicitor General of the Republic of Liberia, appeared for the petitioners while Counsellors Tiawan Gongloe and Nyenati Tuan appeared for the respondents.

Immediately following the announcement of representation, Counsellor Tulay recorded the following on the minutes of court:

"At this stage, counsel for petitioners, while on his feet, makes a submission and says that he finds himself in a situation that he feels it most improper to prosecute this case, because of the now prevailing condition in our country, relative to the peace process. Counsel for petitioners says that he was once advised by his late father, Associate Justice Frederick K. Tulay, that "it is proper to set free 100 criminals than to prosecute one innocent person; and that for the sake of peace, harmony and unity, he finds it difficult to prosecute this case. And submits".

Since counsel for respondents interposed no objection, it is hereby adjudged that the proceeding having been formerly withdrawn, the Clerk of this Court is hereby ordered to strike the subject proceeding from the records of this Court in keeping with law. And it is hereby so ordered.