

MIM'S SUPERMARKET, by and thru its Managing Directress, NAOMI A. GOODING,
Appellant, v. **NATHANIEL T. ROBERTS, et al.**, Appellees.

MOTION TO DISMISS APPEAL FROM THE NATIONAL LABOUR COURT.

Heard: May 16, 1989. Decided: July 14, 1989.

An appeal may be dismissed by the appellate court for failure of the appellant to file an approved appeal bond or to serve a notice of the completion of the appeal.

At the call of this case for hearing, Nathaniel T. Roberts et al. informed the Court that they had filed a motion to dismiss the appeal for reasons that the appellant had failed and neglected to file an appeal bond and to serve a notice of the completion of the appeal. To this motion, counsel for appellant interposed no objections. The motion was therefore granted and the appeal dismissed.

Johnnie N Lewis appeared for the appellant. *Henrietta M Koenig* of the Koenig Law Firm appeared for the appellees.

MR. JUSTICE AZANGO delivered the opinion of the Court.

At the call of this case, appellees informed the Court that they had filed a motion to dismiss appellant's appeal on the following grounds:

1. Movants say that on November 23, 1988, the National Labour Court for Montserrado County rendered final judgment against appellant/respondent in an action entitled "petition to enforce judgment in an action of wrongful dismissal to which judgment the appellant/respondent excepted and prayed for an appeal to the Honourable Supreme Court of Liberia sitting in its March Term, A. D. 1989.
2. That on December 2, 1988, appellant/respondent filed its bill of exceptions thereby removing said action from the jurisdiction of the National Labour Court for Montserrado County.
3. Movants say that up to and including January 24, 1989, and to the filing of this motion, appellant/respondent has failed to file and serve its appeal bond and notice of completion of appeal in keeping with the statute controlling, which makes appellant/respondent's appeal a fit subject of dismissal.

To this motion, counsel for appellant interposed no objection, having considered the legal soundness of the contention of the said motion to dismiss.

Having carefully considered the motion, it is our view that same should be and is hereby granted; the appeal is dismissed with costs against appellant.

The Clerk of this Court is hereby ordered to send a mandate to the lower court informing it of this judgment. And it is hereby so ordered.

Motion granted; appeal dismissed.