

SAMUEL SARWIEH, Appellant, v. **BENJAMIN TOGBA**, Appellee.

JUDGMENT WITHOUT OPINION

Decided July 29, 1988

When this case was called for argument, both counsel were present in court. Whereupon counsel for appellee, Counsellor Roger K. Martin, informed the Court that he had filed a motion to dismiss appellant's appeal for failure to file an appeal bond and a notice of completion of appeal within the statutory time. Counsellor Lawrence Johnson, appearing for appellant, conceded the legal soundness of the said motion and therefore interposed no objection thereto.

After studying the said motion and observing that the grounds for dismissal are in keeping with law, it is hereby adjudged that the motion to dismiss be, and the same is hereby granted. The Clerk of this Court is hereby ordered to send a mandate to the lower court to resume jurisdiction over the case and enforce its judgment in the matter. Costs are assessed against appellant. And it is hereby so ordered.

NOTE: Mr. Justice Azango being absent when this was determined, hence did not sign this Judgment.