

**Miama Bestman** of the City of Monrovia, Liberia, APPELLANT/DEFENDANT VERSUS  
**Republic of Liberia** APPELLEE/PLAINTIFF

**LRSC 15**

**THEFT OF PROPERTY  
JUDGMENT**

When the case was called for hearing, Counsellor Paul N. Guah, Sr., appeared for the appellant. Counsellor Micah Wilkins Wright, Solicitor General of Liberia, Counsellor Augustine C. Fayiah, Assistant Minister for Litigation, Counsellor J. Daku Mulbah, County Attorney for Montserrado County, and Counsellor Yamie Quiqui Gbeisay, Senior Legal Counsel, all of the Ministry of Justice, appeared for the appellee.

Having heard the legal arguments presented by both sides in the proceeding, in oral arguments and in their respective briefs; and having further reviewed the facts and all the circumstances presented by the parties, as contained in the records certified to this Court; and having carefully studied the contentions of the parties, as well as the laws cited and relied upon by them; and being satisfied after a careful examination of all the facts and circumstances attending the case, and convinced that the State did not establish beyond a reasonable doubt, as the law so requires, that the appellant committed the offense with which she was charged, particularly the ownership and value of the item alleged to have been stolen, to warrant a verdict of guilty and conviction of the crime of theft of property, it is hereby

**ADJUDGED:**

That the verdict of guilty brought by the petty jury against the appellant and the judgment of the trial court confirming and affirming the said verdict, not being in harmony with and supported by the facts and circumstances in the case and the law attending and controlling in such cases, and the State not having sufficiently met the legal threshold standard of proof beyond a reasonable doubt and the evidence falling short of the legal requirement to warrant a conviction of a defendant in a criminal case, the said verdict and judgment are hereby reversed and the appellant is to answer no further for the crime of theft of property.

Accordingly, the punishment imposed on her, inclusive of imprisonment and restitution, are rescinded and the appellant's bond filed by her ordered returned to her. This judgment, however, is without prejudice to the State to determine upon the commencement of any further criminal charges against the appellant relating to other acts growing out of the incident, such as simple or aggravated assault which was also alleged to have been committed.

The Clerk of this Court is hereby ordered to send a mandate to the court below commanding the judge presiding therein to resume jurisdiction over this case and to give effect to this judgment. Costs are disallowed. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT OF LIBERIA THIS  
19<sup>TH</sup> DAY OF FEBRUARY, A.D. 2013.