

SAMUEL CHABO, Appellant, *v.* **JOHN CARANDA**, Appellee.

JUDGMENT WITHOUT OPINION

Decided: June 15, 1979.

When this case was called, Counsellor Toy C. Bernard appeared for the appellee and filed a motion to dismiss the appeal on the ground that there was not valid appeal bond in the record, in that the bond was without affidavit of the sureties as the law requires. After studying the motion, and there being no resistance to the motion, it is adjudged that the motion should be and the same is hereby granted and the appeal is dismissed with costs against the appellant. The Clerk of this Court is ordered to send a mandate down to the court below commanding the judge presiding therein to resume jurisdiction over the cause and enforce the judgment. And it is so ordered.

NOTE: Mr. Justice Tulay having presided over the case in the Chambers did not take part, hence has not signed this judgment.