

**BOE TABAR**, *alias* **MARY FREEMAN**, Appellant, v. **SEA-NEVER-DRY**, *alias*  
**JUDEH SAYON**, Appellee.

APPLICATION FOR ORDER TO THE CIRCUIT COURT OF THE SIXTH  
JUDICIAL CIRCUIT, MONTSERRADO COUNTY, TO RESUME  
JURISDICTION AND ENFORCE ITS JUDGMENT.

Argued May 2, 1956. Decided June 29, 1956.

Where an appellant has not perfected the appeal within the prescribed period of time the Supreme Court will order the court below to resume jurisdiction and enforce its judgment.

Judgment was entered against appellant in a replevin action in the Stipendiary Magistrate's Court. Appellant successively appealed to the Circuit Court and to the Supreme Court, but failed to perfect either of these appeals. The Circuit Court dismissed the case, and the Supreme Court *granted* an application for an *order* to the court below to resume jurisdiction and enforce its judgment.

*Michael M. Johnson* for appellant. *T. Gyibli Collins* for appellee.

MR. JUSTICE HARRIS delivered the opinion of the Court.

The above named appellant entered an action of replevin against the above named appellee in the Stipendiary Magistrate's Court for the Commonwealth District of Monrovia. Trial was held and judgment rendered against the appellant, to which she excepted and instituted an appeal to the Circuit Court of the Sixth Judicial Circuit, Montserratado County ; but, since she failed to perfect her appeal to that court, the case was dismissed. To this judgment she excepted and instituted an appeal to the Supreme Court, but failed to perfect her appeal to this Court.

Appellee, through his counsel, has applied to this Court for an order to the court below to resume jurisdiction and enforce its judgment. The records of the Circuit Court of the Sixth Judicial Circuit, Montserratado County, under the signature and seal of the clerk of said court, show that the appeal from the Stipendiary Magistrate's Court was dismissed on October 13, 1954. From that date to the present, a period of quite one year and seven months, not a scintilla of record in this case has been forwarded to this Court. The application of the appellee is therefore granted with instructions to the court below to resume jurisdiction and enforce its judgment with

costs against appellant. And it is hereby so ordered.

*Order granted.*