

Sonnie Jallah, also of the City of Monrovia, Liberia APPELLANT Versus The
Interstate Estate of the late George S.B. Tulay, represented by Frederick K. Tulay,
Alfred F. Tulay, Joseph B. Tulay, James Salay and Nissah Tulay, all of City of Monrovia
Liberia APPELLEE

LRSC 48

APPEAL

JUDGMENT

When this case was called for hearing, Counsellor J. Laveli Supuwood appeared for the appellant. Counsellor J. Johnny Momo of Sherman and Sherman, Inc. appeared for the appellee.

Having heard the legal arguments on both sides and the contentions advanced by the parties, reviewed the facts and circumstances presented and revealed by the records, and considering the laws relevant to the disposition of this matter, it is hereby

ADJUDGED:

That the appellant is estopped from denying, challenging, or disputing her landlord's title and asserting title in herself which was unlawfully acquired while she remained on the property.

That in a situation of this nature, where there is no dispute that the appellant's entry on the property was based on the permission of the appellee's decedent, a motion for summary judgment in an action for summary proceedings to recover real property, a possessory right, is proper and the judge below did not err when he granted the motion and ordered the appellant ousted, evicted, and ejected from the property, the subject of the main suite.

That we affirm the judge's ruling ordering that the appellant pays all rents due on the subject property from the period when she failed, refused and neglected to pay her rent of three hundred Liberian dollar (L\$300) as agreed between the appellee's decedent and herself. Payment of rent being from November 2003, up to and including the time when appellant is evicted, ejected and ousted from the said property.

We further hold that the appellant pays to the appellee damages of Fifty Thousand Liberian Dollar (L\$50,000.00) for her continued wrongful withholding of the appellee's property; thereby, depriving appellee of income and or enjoyment of the property.

The Clerk of this Court is ordered to send a mandate to the court below to resume jurisdiction over this case and give effect to this judgment. Costs ruled against the appellant. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE HONOURABLE
SUPREME COURT OF LIBERIA THIS 1st DAY OF AUGUST, A.D. 2013.

Note: Mr. Justice Kabineh M. Ja'neh was absent when this case was heard; hence, he did not signed the judgment.

Madam Justice Yuoh had not ascended to the post of Associate Justice of the Supreme Court when this case was heard; hence, she did not sign this judgment.

[Please see pdf for signatures]