

**MAMADEE KEITA** and **ASSUMANA KEITA**, Informants, *v.* **HIS HONOUR ALFRED B. FLOMO**, Judge presiding over the August Term, A. D. 1979 of the Eighth Judicial Circuit Court, **JAMES M. T. KANDAKAI et al.**, Respondents

JUDGMENT WITHOUT OPINION

Decided: December 20, 1979.

When this case was called, Counsellor Roosevelt Bortue appeared for the informants, and Counsellors James Kandakai and M. Fahnbulleh Jones appeared for the respondents.

These proceedings grow out of Judge Alfred B. Flomo's attempt to enforce a mandate of this Court, which mandate resulted from a judgment rendered on the 29th of June 1978. Informants herein who were defendants had by that judgment been ordered to vacate the property, the subject of ejectment proceedings, and that co-respondent Donzoe the successful plaintiff be put in possession.

When respondent judge, His Honour Alfred B. Flomo attempted to enforce this Court's judgment, informants asked for seven days to vacate the premises; their request for time was granted, but at the end of the time they had requested they refused to leave, and so the judge committed them to prison in contempt proceedings.

It was on this ground that they filed information, complaining against the judge's punishment in the contempt proceedings.

During the arguments here counsel for informants admitted that his clients, the informants, had acted contemptuously in disobeying the court's orders, but he insisted that others beside the informants who were not parties in the ejectment had also been imprisoned, and he contended that this was irregular.

The Court finds itself without jurisdiction to adjudicate a matter in which these other persons referred to had not been made parties to the proceedings; since the said persons are neither under the Court's jurisdiction in the information proceedings, nor were they parties in the ejectment suit. It is therefore adjudged that the bill of information should be and the same is hereby dismissed, with costs against the informants.

The Clerk of this Court is ordered to send a mandate to the trial court commanding the judge presiding therein to resume jurisdiction over the cause and give effect to this judgment. And it is so ordered

NOTE: Mrs. Justice Brooks-Randolph being absent when this case was heard did not take part, hence has not signed this judgement