

CECIL D. B. KING, President, C. D. B. King Rock Quarry, Informant, v.
PROVIDENCE CONCRETE WORKS, INC., by and thru its President, **CHRISTIAN**
D. MAXWELL and **EBAG COMPANY**, by and thru its Manager, Respondents.

JUDGMENT WITHOUT OPINION

Decided July 6, 1983.

When this case was called for argument, Counsellor Stephen B. Dunbar, Sr., appeared for the informant and Counsellor Christian D. Maxwell appeared for the respondents. Counsel for informant made the following record on the minutes of Court, withdrawing the bill of information without reservation:

"At this stage, informant's counsel, Counsellor Stephen Dunbar, Jr., most respectfully gives notice upon the record of this Honourable Court that he hereby withdraws the information filed by him since May 7, 1976, without reservation. And respectfully submits."

After considering the withdrawal as entered upon the record, it is hereby adjudged that the bill of information as filed by the informant, plaintiff in the injunction proceeding, against the defendants/respondents be, and the same is ordered stricken from the docket of this Court with costs against the informant.

The Clerk of this Court is hereby ordered to send a mandate to the trial court, commanding the judge therein presiding to resume jurisdiction over the proceeding out of which the information grew and enforce the judgment therein. And it is so ordered.

NOTE: Chief Justice Gbalazeh and Justice Morris, being absent when this case was heard, did not take part; hence, did not sign this Judgment.