

LEWIS S. THE, Petitioner, *v.* **REPUBLIC OF LIBERIA** and HIS HONOUR A. BENJAMIN WARDSWORTH, Judge presiding over the May Term of the Circuit Court for the Third Judicial Circuit, Sinoe County, Respondents.

JUDGMENT WITHOUT OPINION

Decided: February 5, 1982.

When this case was reached on our docket for argument, Counsellor Clarence O. Turning appeared for petitioner/ appellant and Counsellor Richard MacFarland, legal counsel at the Ministry of Justice appeared for the papillae who made the following records:

"Counsellor Clarence O. Turning submits that subsequent to the Revolution, the appellee filed an instrument of abandonment of some long outstanding criminal cases, among which is this particular case in point before this Honourable People's Supreme Court as was circularized within the judicial system of Liberia, particularly the various courts. Counsel for Petitioner says further that this information will be substantiated by the Ministry of Justice and when so done, we do pray that this case will be stricken from the docket of this Honourable Court."

In response, Counsellor McFarland said:

"At this stage counsel for appellee, Republic of Liberia, most respectfully informs this Honourable People's Supreme Court that the Ministry of Justice, up- on directive of the PRC Government, has abandoned this case at bar."

After studying the records in the case, it is hereby adjudged that the notice of abandonment be and the same is hereby granted.

The Clerk of this Court is instructed to send a mandate to the trial court to resume jurisdiction over this matter and discharge the petitioner/defendant/appellant from further answering the charge of embezzlement out of which this certiorari proceeding grew.

The Clerk of this Court is also ordered to strike the certiorari proceedings from our docket. Costs disallowed. And it is so ordered.

NOTE: His Honour Justice Roosevelt S. T. Bortue participated in the consideration and the decision of this case, but died on the 1st day of January, 1982, prior to the date of this judgment. Hence, he did not sign this judgment.

