

LIBERIA AMUSEMENT LTD., represented by and through its President, **GEORGE A. PADMORE**, Appellant, *v.* **JOHN** and **WILMOT DENNIS**, only surviving heirs of the late **GABRIEL L. DENNIS**, Appellees.

JUDGMENT WITHOUT OPINION

Decided: June 14, 1979.

At the call of this case Counsellor Joseph J. F. Chesson, Toye C. Bernard and Moses Yangbe appeared for the appellees and Counsellor M. Fahnbulleh Jones appeared for the appellant. Counsel for appellees, who instituted the action in the lower court, informed the Court of the pendency of an ejectment action in the court below between the same parties and involving the same subject matter, which would also settle the dispute between them, and requested leave of the court to withdraw their appeal and the case. There being no objections, the leave was granted. It is therefore adjudged that the leave to withdraw the appeal having been granted, the case is ordered from our docket, and the Clerk of this Court is ordered to send a mandate down to the court below ordering it to resume jurisdiction over the case when the appellees may exercise their right to withdraw the case if they so desire. Costs disallowed. And it is hereby so ordered.

NOTE: Chief Justice Pierre being recused did not sit on this case, hence has not signed this judgment.