

STEPHEN M. LOGAN, JOSEPH E. LOGAN, JAMES H. LOGAN, CECELIA LOGAN, et al., Administrators & Administratrix of The Intestate Estate of the LATE JAMES H. LOGAN, Objectors/ Appellants, *v.* **ELAINE McCORMACK, BENJAMIN McCORMACK, SR., BENJAMIN McCORMACK, JR., MARLYN McCORMACK, ELFREDA McCORMACK, and SARAH McCORMACK**, Respondents/Appellees.

JUDGMENT WITHOUT OPINION

Decided: August 17, 2004.

At the call of this case, Counsellor Charles Abdullai appeared for objectors/appellants and Counsellor Francis Y. S. Garlawolu appeared for respondents/appellees. The appellees' counsel then requested the Court for permission to make a submission after notation of representations which request was granted. In his submission, appellees' counsel submitted that consistent with the principle of justice and in order to put this long outstanding matter to rest, he respectfully prayed this Court to order this matter remanded so that same can be heard *de novo*, with costs disallowed. Counsel for appellants conceded to the submission.

Appellants' counsel having conceded to the submission of appellees' counsel, it is hereby adjudged that the submission should be and the same is granted and the appeal dismissed. The Clerk of this Court is ordered to send a mandate down to the court below commanding the presiding judge therein to resume jurisdiction over the case, set aside its ruling/judgment and conduct a new trial. Costs are disallowed. And it is so ordered.