

MOBIL OIL LIBERIA INC., by and thru its General Manager, J. E. BAUMAN, Plaintiff-In-Error, v. **HIS HONOUR HALL W. BADIO, SR.**, Assigned Circuit Judge presiding over the People's Fourth Judicial Circuit, Maryland County, sitting in its August A. D. 1982 Term, and **THOMAS McIntosh**, Defendants-In-Error.

JUDGMENT WITHOUT OPINION

Heard: May 24, 1983. Decided: July 8, 1983.

At the call of this case for hearing, Counsellor Christian D. Maxwell appeared for plaintiffs-in-error and requested the Court to take judicial cognizance of defendants-in-error's notice of withdrawal of their appeal from the ruling of the Chambers Justice. Predicated upon this withdrawal, it is hereby adjudged that the ruling of the Chambers Justice granting the application for a writ of error be and the same is hereby confirmed and affirmed and the peremptory writ of error is hereby ordered issued, commanding the presiding judge of the Fourth Judicial Circuit Court to resume jurisdiction over the case, set aside the judgment, and following due notice to all parties, hear the case anew in preference to all other cases. Costs are to abide final determination of the main case. And it is hereby so ordered.

NOTE: Mr. Justice Smith having heard this case in Chambers and ruled thereon, he did not take part in the final determination thereof. Hence, he has not signed this judgment.