

MOSES MOLLY SIYON, Movant, v. **JAMES SAMBOLA, JR.**, Respondents.

JUDGMENT WITHOUT OPINION

At the call of this case for argument, Counsellor S. Edward Carlor appeared for movant and informed the Court that he had filed a motion to dismiss the appeal; that the notice of assignment for hearing of the motion was served and returned served on counsel for appellant but that the said counsel had failed and neglected to either file a resistance to the motion or to appear as per the assignment. He therefore requested the Court to grant the motion. After having carefully studied the motion to dismiss and the law applicable thereto, it is hereby *adjudged* that the motion to dismiss the appeal be, and the same is hereby granted, with costs against the respondent.

The Clerk of this Court is hereby ordered to send a mandate down to the court below to resume jurisdiction over the case and enforce its judgment. And it is hereby so ordered.