

CHARLES J. JAMES, Sr., Appellant, v. **ETTA WRIGHT** and **ROBERT TAYLOR**, Appellees.

APPEAL FROM THE PROBATE DIVISION OF THE CIRCUIT COURT,
SECOND JUDICIAL CIRCUIT, GRAND BASSA COUNTY.

Argued October 15, 1956. Decided February 22, 1957.

Failure to file an approved appeal bond within sixty days after rendition of judgment is ground for dismissal of the appeal.

Appellant petitioned the court below for probate of a will. Appellees objected. After a hearing the objections were sustained. Appellant submitted an appeal to this Court but failed to file an approved appeal bond. Appellees moved to dismiss the appeal. The *motion* was *granted*.

No appearance for appellant. *Etta Wright* for appellees.

MR. JUSTICE PIERRE delivered the opinion of the Court.

According to the records certified to us, the late Patience F. Smith died leaving a will in which she devised to her brother, Charles S. James, Sr., a piece of property known in Lower Buchanan, Grand Bassa County, as Lot Number 122. When the said will was offered for proving, the appellees herein filed objections, and Charles S. James, Sr., filed a resistance, thereby joining issue in the Probate Court. On hearing, the issues were determined in favor of the objectants. The respondent below announced an appeal to this Court.

After the records had been forwarded to the office of the clerk of this Court the appellees filed a motion to dismiss the appeal on the ground that no approved appeal bond had been submitted. Though notice of this motion was served on appellant he has failed to resist it or to show cause why it should not be granted. This leaves us no alternative but to proceed to pass upon the motion.

Every practicing counsellor should be acquainted with the legal requisites necessary for perfecting an appeal to this Court. Failure to file an approved appeal bond within sixty days of rendition of judgment is ground for dismissing an appeal. The motion is therefore granted and the appeal is dismissed with costs of these proceedings ruled against the appellant. And it is so ordered.

Appeal dismissed.