

T. Edward Liberty of the City of Monrovia, Liberia, MOVANT Versus **Sirleaf Mustapha, A.B., J.B, Jacob Luthers** and others to be identified also of Monrovia, RESPONDENTS

LRSC 21

MOTION TO DISMISS APPEAL

JUDGMENT WITHOUT OPINION

When this case was called for hearing, Counsellor Snonsio E. Nigba of the Stubblefield, Nigba & Associates Law Office appeared for the appellant. Counsellor Cooper W. Kruah of the Henries Law Firm appeared for the appellee.

Counsel for the movant/appellee drew the Court's attention to the motion filed to dismiss the appeal. The motion averred that while the respondents/appellants had filed the bill of exceptions, they took no further steps to perfect their appeal. This failure deprived the Supreme Court of jurisdiction over the cause.

A review of the records shows that the final judgment was rendered on March 10, 2014, from which the respondents/appellants announced an appeal to this Court and filed the bill of exceptions on March 17, 2014. A certificate issued and signed by the clerk of the sixth Judicial Circuit Court for Montserrado County dated May 27, 2014, stated that the respondents/appellants had not filed an appeal bond and a Notice of Completion of Appeal up to the issuance of the said certificate, a period of 71 days. The respondents/appellants not having denied the facts stated in the motion to dismiss, the appeal is dismissible as a matter of law. Accordingly, it is hereby

ADJUDGED:

That the motion to dismiss the appeal should be and same is hereby granted, and the appeal is dismissed with costs against the respondents/appellants. The Clerk of this Court is ordered to send a mandate to the trial court commanding the judge presiding therein to resume jurisdiction over the case and enforce its judgment. And it is so ordered.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT OF LIBERIA, THIS 17th DAY OF APRIL A.D. 2015.

[Please see pdf file for signatures]

Note: Mr. Chief Justice Francis S. Korkpor, Sr., having travelled on official business when this case was heard, did not participate in the hearing and determination of this matter. Hence, he did not sign this Judgment.

