

Musu Mayango of the city of Monrovia, Liberia Petitioner Versus **Republic of Liberia** by &
thru Anna Bassie Respondent

PETITION FOR REARGUMENT

JUDGMENT

When this case was called for hearing, the petitioner was represented by Counsellor Idris Sheriff of the Henries law Firm. The respondent was represented by Counsellors Betty Lamin-Blamo, Solicitor General of Liberia, and Augustine C. Fayiah, Assistant Minister for Litigation of the Ministry of Justice, in association with Counsellor Necular Y. Edwards of the Dean and Associates Law Firm.

After a careful examination of the records and having listened to the arguments on both sides and considered the evidence and the laws relevant thereto it is hereby

ADJUDGED

That this Court did not overlook any fundamental fact or law to warrant the granting of a petition for re-argument. The act committed by the petitioner, lacking the element of mutual consent brought her offense of simple assault within the grade of a first degree misdemeanor and not a second degree misdemeanor. The grading of a first degree misdemeanor is for a definite term of imprisonment to be fixed by the court at no more than one year; thus, the petition for re-argument is hereby denied, and the judgment of this Court rendered January 10, 2014 confirming the judgment of the trial court sentencing the petitioner to six (6) months imprisonment is hereby reaffirmed.

The Clerk of this Court is ordered to send a mandate to the trial court to resume jurisdiction over this matter and proceed to have the petitioner herein immediately incarcerated upon the reading of this mandate for a period of six months in accordance with this judgment. IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT OF LIBERIA
THIS 13th DAY OF AUGUST, A. D. 2014

[Please see pdf file for signatures]

Note:

Mr. Justice Philip A.Z. Banks III, was present during the hearing of this case. However due to medical reasons he was absent from the country when a determination of this case was made. Hence, he did not sign this judgment.

