

Nicholas Sayeneh et al., of the city of Monrovia, Liberia, MOVANTS Versus the **Management of Ecobank**, Monrovia, Liberia, RESPONDENT

LRSC 24

MOTION TO DISMISS APPEAL

JUDGMENT WITHOUT OPINION

When this case was called for hearing, Counsellor Yamie Quiqui Gbeisay, Sr. of the Tiala Law Associates appeared for the movants/appellees. Counsellor T. Negbalee Warner of the Heritage Law Firm appeared for the respondent/appellant.

Counsel for the movants/appellees drew the Court's attention to the motion filed to dismiss the appeal. The motion averred that while the respondent/appellant had filed the bill of exceptions, it took no further steps to perfect the 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 November 3, 2014, from which a court's appointed counsel excepted and announced an appeal to this Court on behalf of the respondent/appellant and delivered same to the respondent/appellant's lawyer on November 4, 2014. The respondent/appellant filed its bill of exceptions on November 13, 2014, but failed to file the Notice of Completion of Appeal, which was confirmed by a certificate issued by the clerk of the National Labour Court dated January 6, 2015; seven (7) days outside of the statutory period. Counsel for the respondent/appellant made submission before this Court conceding the legality of the motion to dismiss thus, 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 respondent/appellant. 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 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.