

Subah-Belleh & Associates represented by its Partners, Pewu Subah and Willie Belleh of the City of Monrovia, Liberia, APPELLANT VERSUS **Dr. C. Nelson Oniyama**, also of the City of Monrovia, Liberia, APPELLEE

LRSC 6

APPEAL

JUDGMENT

When the case was called for hearing, Counsellors Cyril Jones of Jones and Jones Law Firm and T. Negbalee Warner of Heritage Partners and Associates appeared for the plaintiff/ appellant. Counsellors Momodu T. Babah Jawandoh of MUSIDAL Chambers Liberia, Inc., David A.B. Jallah of the David A.B. Jallah Law Firm, Emmanuel B. James of the International Group of Legal Advocates and Consultants, and Yamie Quiqui Gbeisay, Sr. of Tiala Law Associates, Inc. appeared for the defendant/appellee.

Having reviewed the facts and circumstances presented in the case, the oral arguments advanced by the parties and the contentions set forth in their respective briefs; having carefully examined the laws governing and applicable to ejectment matters; being satisfied that the plaintiff/appellant did not meet the evidentiary burden of proof standard required under the said laws and applicable to ejectment cases, by the establishment, through the preponderance of the evidence, of clear, convincing and unblemished title; and cognizant that the defendant/appellee, has been in possession and shown clear ownership and title to the property in dispute, it is hereby:

ADJUDGED:

That the verdict of the jury in favour of the defendant/appellee and the judgment of the trial judge confirming the said verdict awarding title to the defendant/appellee, being in accord with the facts and the law, the said verdict and judgment are hereby affirmed.

The Clerk of this Court is ordered to send a mandate to the Civil Law Court, Sixth Judicial Circuit, Montserrado County, commanding the judge presiding therein to resume jurisdiction over the case, and to proceed to enforce the judgment of this Court in accordance with law. Costs are adjudged against the plaintiff/appellant.

GIVEN UNDER OUR HANDS AND SEAL OF THE HONOURABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA THIS 8TH DAY OF JANUARY 2015.

[Please see pdf file for signatures]

NOTE: Mr. Chief Justice Francis S. Korkpor, Sr., having dissented, did not sign this judgment.

Madam Jamesetta Howard Wolokolie, having dissented, did not sign this judgment.