

The Intestate Estate the late Thomas Wesley Philips by and thru its Administrator, Mr. Kawii S. Tarniah of the City of Monrovia, Liberia, Movant Versus **Mr. Jesse S. Payne, Sr.**, Attorney-In-Fact for Victoria Johnson Maxwell also of the City of Monrovia, Respondents

LRSC 22

MOTION TO DISMISS APPEAL

JUDGMENT WITHOUT OPINION

When this case was called for hearing, Counsellor J. Johnny Momoh of the Sherman & Sherman Inc. appeared for the Appellant/Movant; while Counsellor Sylvester D. Rennie of the Legal Watch appeared for the Appellee/Respondent.

Counsellors for both parties brought to the attention of the Court that they have filed a Joint Stipulation of Withdrawal in keeping with Rule III, Part II of the 1999 Revised Rules of the Supreme Court which provides that the appellant and appellee may in vacation of themselves or counsel(s) sign and file an agreement with the Clerk of the Honourable Supreme Court of Liberia directing the cause to be withdraw. The stipulation states:

- a) That the entire area covers 24 lots (6 acres) of land out of which 9 lots of land were in dispute;
- b) That the ruling entered in respect of the nine (9) lots appealed to the Honourable Supreme Court of Liberia; and
- c) That both the Appellant and Appellee have decided to withdraw the appeal from the Honourable Supreme Court of Liberia predicated upon an out of Court Settlement reached between the parties.

The Court being satisfied that the Joint Stipulation of Voluntary Withdrawal meets the requirement of law, it is hereby

ADJUDGED:

That the Joint Stipulation of Withdrawal be and same is hereby approved and the case is accordingly hereby ordered withdrawn. The Clerk of this Court is ordered to send a mandate to the court below informing the presiding Judge therein to resume jurisdiction and give effect to this judgment. And it is so ordered.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE SUPREME COURT OF LIBERIA THIS 7TH 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 held, did not participate in the hearing and determination of this matter. Hence, he did not sign this judgment.