

Rachel Smith Tubman of the City of Monrovia, Liberia MOVANT/APPELLEE v
Charles Coker and **Jonah Meyah**, also of the City of Monrovia, Liberia
RESPONDENT/APPELLANTS

LRSC 7

APPEAL

JUDGMENT

When the case was called for hearing, Counsellor Charles Walker Brumskine of Brumskine and Associates appeared for the movant/appellee. Counsellor J.H. Constance of the Law Offices of Greene & Associates appeared for the respondents/appellants.

The records in the case file revealed that the appellee had filed a motion to dismiss the appeal on the grounds that the respondents/appellants, having announced an appeal from the final judgment of the trial and filed a bill of exceptions, had failed and neglected to comply with the other requirements of the statute for perfection of the appeal, preconditions for the assumption of jurisdiction over the appeal by the Honourable Supreme Court, the foregoing being evidenced by a Clerk's Certificate issued by the clerk of the trial court and exhibited with the motion.

Counsel for respondents/appellants, following the announcement of representations by the parties, acknowledged the factual allegations set out in the motion to dismiss the appeal and conceded to the legal soundness of the said motion, and accordingly made the following submission on the minutes of this Court, as follows:

"Counsel for appellant says that because of the failure/inability and unwillingness of the appellant to provide an appeal bond It was impossible for him, the appellant, to have completed the statutory steps for the completion of the appeal to this Honourable Court. In consequence of that, counsel withdrew the appeal on the 29th day of October, A.D. 2013, through a notice of withdrawal of appeal with the Clerk of this Honourable.

Counsel says he therefore requests this Honourable Court to have the appeal remanded to the court below and so prays. And respectfully submit.

Counsel for the movant/appellee, not having interposed any objections to the submission made by counsel for the respondents/appellants, and this Court, upon review of the records, being convinced that the motion is sound in law and supported by the facts, and taking cognizance of the submission made by counsel for the respondents/appellants and due note of the Notice of Withdrawal filed by the respondents/appellants, it is hereby

ADJUDGED

That the submission made by counsel for the respondents/appellants conceding to the motion to dismiss and the Notice of Withdrawal filed by the respondents/appellants, being in

consonance with the said submission, the same are hereby granted and the appeal is ordered dismissed.

The Clerk of this Court is hereby ordered to send a mandate to the lower court directing the judge presiding therein to resume jurisdiction over the case and to enforce its judgment. Costs are adjudged against the respondents/appellants. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND SEAL OF THE HONOURABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA THIS 10TH DAY OF JANUARY, A. D. 2014

[Please see pdf file for signatures]