

JOHN T. MITTEN, Appellant *v.* H. YOUNIS,
Appellee.

JUDGMENT WITHOUT OPINION.

Decided December 31, 1975.

No appearance by either party.

When this case was reached on the motion calendar, it was observed that a motion to dismiss the appeal had been filed on April 16, 1973, and no resistance had been filed, nor did anyone appear for either of the parties. Therefore, in keeping with Rule III, Part 3, of the Supreme Court Rules, it is adjudged that the appeal should be and the same is hereby dismissed with costs against the appellant. And 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 the judgment. And it is so ordered.