

STEPHEN NAGBE, Appellant, v. JOHN A.
DENNIS, Sole Executor of the Estate of the
Late Martin Nemle Russell, Appellee.

JUDGMENT WITHOUT OPINION.

Decided February 3, 1978.

When this case was called, no one appeared for the appellant, and Counsellor *John A. Dennis* appeared for the appellee and filed a motion to dismiss on the grounds that the appeal bond was filed beyond the sixty days required by statute for the filing of such bonds, and for failure to have had prepared and served by the ministerial officer of the trial court a notice of the completion of appeal. After studying the motion and hearing argument thereon, it is adjudged that the motion should be and the same is hereby granted, and the appeal is dismissed with costs against the appellant. And the Clerk of this Court is ordered to send a mandate to the court below commanding the judge presiding therein to resume jurisdiction over the cause and enforce the judgment. And it is so ordered.