

GABRIEL W. BROWNE, Appellant, v.
JOHNNY BONNER, Appellee.

JUDGMENT WITHOUT OPINION.

Decided June 12, 1970.*

No appearance for appellant. *O. Natty B. Davis* for appellee.

At the call of the case for hearing, no one appeared for the appellant. Counsellor *O. Natty B. Davis* appeared for the appellee. At this stage, counsel for appellee made application to the Court to invoke Rule Four, Part 5, of the Revised Rules of this Court and dismiss the appeal. After due consideration, it is hereby adjudged that this case having been assigned and bulletined for more than a week and neither appellant nor his counsel having appeared, the application of counsel for the appellee is granted and the case dismissed, with costs against appellant.

And the Clerk of this Court is hereby instructed to send a mandate to the trial court informing it of this judgment. And it is so ordered.

* The Chief Justice did not sit in the case.