

ISAAC DUNSON and JOHN BARRIAN,
Appellants, v. J. W. KAI, OLDLADY
ZOYAHBLOH et al., Appellees.

JUDGMENT WITHOUT OPINION

Decided: July 14, 1989.

When this case was called for hearing, no one appeared for the appellants, but Counsellor George Y. Odoi appeared for the appellees and informed the Court that Counsellor Moses M. Abajge, Counsel for appellants, was duly served with the notice of assignment as is evidenced by the returns of the marshal and therefore, appellees' counsel moved the Court to dismiss the appeal, citing the Civil Procedure Law, Rev. Code 61.15, on dismissal of appeal for failure of appellant to appear for the hearing to support his contention. In consideration of the marshal's returns to the notice of assignment, coupled with the appellants' nonappearance and the controlling statute, it is hereby adjudged that the appeal in this case be and the same is hereby ordered dismissed.

The Clerk of this Court is ordered to send a mandate to the judge presiding in the court below to resume jurisdiction and enforce its judgment as rendered. And it is hereby so ordered.

NOTE: Messrs. Justices Kpomakpor and Junius being absent when this case was determined did not sign this judgment.