

BENTLY INTERNATIONAL TRADING CORPORATION, Appellant, v. **ALBERT SOLO**, Appellee.

JUDGMENT WITHOUT OPINION

Heard: October 26, 1988 Decided: December 29, 1988

When this case was called for hearing, appellee was represented by Counsellor Teye C. Bernard. Appellant was represented by the Tubman Law Firm in person of Counsellor Philip A. Z. Banks, III. Counsellor Bernard brought to the attention of the Court that he had filed a motion to dismiss the appeal. The contents of the motion are as follows:

1. That on June 9, 1987, the National Labor Court of Liberia, Montserrado County rendered final judgment in favor of appellee to which judgment the appellant excepted and announced an appeal to the Honorable Supreme Court of Liberia, sitting in its October Term, A. D. 1988.

2. That the appellant has failed to file an approved appeal bond and has also failed to file and serve a notice of completion of appeal within statutory time as the law requires; in that, final judgment was rendered on the 9th day of June, A. D. 1987, and the appellant should have filed its appeal bond within sixty (60) days after final judgment, which should have been no later than August 9, 1987, which was the 60th day after final judgment. But the appellant failed to comply with this statutory requirement. That up to and including August 27, 1987 which was the 78th day after the trial court's final judgment, the appellant had still not filed its appeal bond and had not filed and served its notice of completion of appeal as required by law, as can be more fully seen from a copy of the certificate from the clerk of the National Labor Court, dated August 27, 1987 hereto attached and marked Exhibit "B" to form a part of this motion.

4. That the appellant's failure to comply with the statutory requirements as mentioned herein for the completion of an appeal renders the appeal dismissible.

To this motion, counsel for appellant interposed no objection. Having carefully read and studied the motion and the records in this case, it is hereby adjudged that said motion be and the same is hereby granted and the appeal dismissed.

The Clerk of this Court is hereby ordered to send a mandate to the court below informing it of this judgment with instruction that it will resume jurisdiction over the subject and enforce its judgment. And it is hereby so ordered.