



ASSOCIATE JUSTICE
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH
TEMPLE OF JUSTICE
MONROVIA, LIBERIA

IN THE HONOURABLE SUPREME COURT OF LIBERIA
SITTING IN SPECIAL SESSION
AUGUST, A.D. 2018

PRESENT: HIS HONOR FRANCIS S. KORKPOR, SR,.....CHIEF JUSTICE
PRESENT: HIS HONOR KABINEH M. JA'NEH.....ASSOCIATE JUSTICE
PRESENT: HER HONOR JAMESETTA H. WOLOKOLLOIE.....ASSOCIATE JUSTICE
PRESENT: HER HONOR SIE-A-NYENE C. YUOH.....ASSOCIATE JUSTICE

Carmenia E. Tolbert-Abdallah, Pro Se, and Villancy Realty)
Inc., represented by its Managing Director, Carmenia E.)
Tolbert Abdallah, of the City of Monrovia....INFORMANTS)

VERSUS)

Momolu V.S. Sirleaf, Dukuly Sirleaf Estate represented by)
Counsellor Momolu V. Sackor Sirleaf.....RESPONDENTS)

GROWING OUT OF THE CASE:)

Stephen A. Tolbert/Carmenia E. Tolbert/Villancy Realty)
Inc., Swiss African Trading Corp. (Satco) Montraco,)
Mesurado Corporation Consolidated (1966) & Mesurado)
Group of Companies, thru its President, Jonathan Shiancoe)
.....PETITIONERS)

VERSUS)

His Honour Varnie D. Cooper, Assigned Circuit Judge,)
Civil Law Court for the Sixth Judicial Circuit, Montserrado)
County, Johnnie Blaine, Clerk of Court, Jimmie Garley,)
Sheriff and all Plaintiffs of the Civil Law Court, Montserrado)
County & Momolu V. S. Sirleaf, Dukuly Sirleaf Estate)
represented by Counsellor Momolu V. Sackor Sirleaf)
.....RESPONDENTS)

GROWING OUT OF THE CASE:)

Momolu V.S. Sirleaf, Dukuly Sirleaf Estate by and thru)
Counselor Momolu V. Sackor Sirleaf,.....PETITIONERS)

VERSUS)

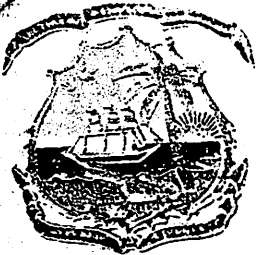
Stephen A. Tolbert/Carmenia E. Tolbert Villancy Realty Inc.,)
Villancy Realty Inc., Swiss African Trading Corp., (Satco),)
Corporation Consolidated (1966) & Mesurado Group of)
Companies, thru its President, Jonathan Shiancoe)

.....RESPONDENTS)

BILL OF
INFORMATION

PETITION FOR
A WRIT OF
PROHIBITION

ACTION OF SUMMARY
PROCEEDINGS TO
RECOVER POSSESSION
OF REAL PROPERTY
AND CANCELLATION
OF LEASE AND SALE
AGREEMENTS



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JUDGMENT WITHOUT OPINION

When this case was called for hearing, Counsellor James E. Pierre of the Pierre, Tweh & Associates appeared for the informants. Counsellor Momolu V. S. Sirleaf appeared for the respondents.

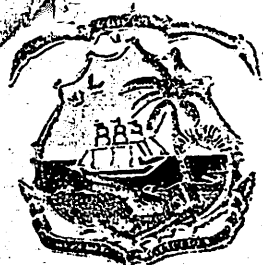
The informants, Carmenia E. Tolbert-Abdallah, pro se, and Villancy Realty, Inc. by and through their legal counsels, brought to the attention of the Court that they were never served with the writ of summons and complaint in the original action to bring them under the jurisdiction of the lower court; therefore, they maintained that the judgment from the lower court cannot bind them.

The respondents filed returns in which they did not deny the contention of the informants to the effect that no service of precept was made on them. We have reviewed the records and seen no evidence of service of precepts on the informants. It is a cardinal principle of law in this jurisdiction that a judgment cannot conclude a party unless that party was brought under the jurisdiction of the court through the service of a writ of summons.

Accordingly, and in view of the foregoing, it is hereby

ADJUDGED:

That the bill of information be and same is hereby granted. The judge of the lower court is mandated to resume jurisdiction over this case and have the writ of summons and the complaint served on the informants so that they will file their responsive pleadings.



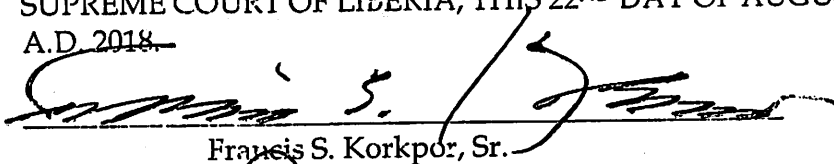
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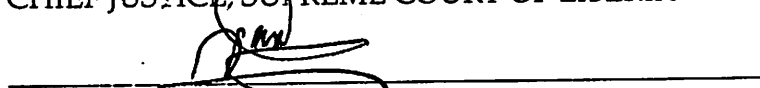
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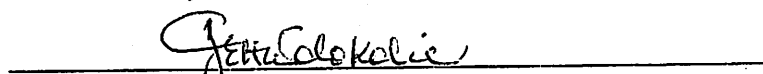
Considering that this case has been pending for a long time, the judge is ordered to give due priority for the expeditious hearing and determination of this matter. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE
SUPREME COURT OF LIBERIA, THIS 22ND DAY OF AUGUST,
A.D. 2018.



Francis S. Korkpor, Sr.
CHIEF JUSTICE, SUPREME COURT OF LIBERIA


Kabineh M. Ja neh
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA


Jamesetta Howard Wolokolie
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA


Sië-A-Nyene G. Yuoh
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA