



ASSOCIATE JUSTICE
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH
TEMPLE OF JUSTICE
MONROVIA, LIBERIA

IN THE HONOURABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA,
SITTING IN ITS OCTOBER TERM, A.D. 2019

BEFORE HIS HONOR: FRANCIS S. KORKPOR, SR.....CHIEF JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIEASSOCIATE JUSTICE
BEFORE HER HONOR: SIE-A-NYENE G. YUOHASSOCIATE JUSTICE
BEFORE HIS HONOR: JOSEPH N. NAGBEASSOCIATE JUSTICE
BEFORE HER HONOR: YUSSIF D. KABA.....ASSOCIATE JUSTICE

Rose Gibson Walker, Administrator of the)
Intestate Estates of James B. Gibson, Sr., and)
Delaney Moore Gibson Movant)

Versus)

William Banks, Aloysius Banks and Giftee)
Banks of Brewerville, Montserrado County,)
Liberia Respondents)

GROWING OUT OF THE CASE:)

Rose Gibson Walker, Administrator of the)
Intestate Estates of James B. Gibson, Sr., and)
Delaney Moore Gibson Petitioner)

Versus)

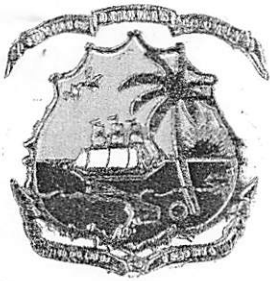
William Banks, Aloysius Banks and Giftee)
Banks of Brewerville, Montserrado County,)
Liberia Respondents)

MOTION TO DISMISS

PETITION FOR
CLOSURE OF ESTATE

Heard: October 29, 2019

Decided: December 23, 2019



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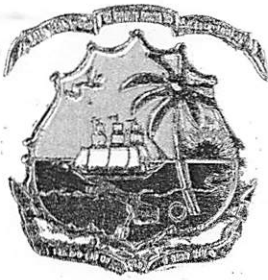
JUDGMENT WITHOUT OPINION

When this case was called for hearing, Counsellor Gloria M. Musu-Scott, of Scott & Associates appeared for the movant. Counsellor J. Johnny Momoh, of the J. Johnny Momoh & Associates Legal Chambers, Inc. appeared for the respondents.

The lawyer representing the movant, by permission, informed the Court that since the respondents filed their bill of exceptions on November 23, 2012, they have taken no further steps to perfect and complete the appeal process as stipulated in the Civil Procedure Law, Rev Code 1:51.8, 51.9 & 51.11, a period of approximately seven (7) years now.

The records show that on November 19, 2008, Rose Gibson Walker and her eldest brother, James B. Gibson, Jr. filed a petition in the Monthly and Probate Court for Montserrado County praying for Letters of Administration to administer the intestate estates of their parents, Mr. James B. Gibson, Jr., and Mrs. Delaney Moore Gibson. On November 21, 2008, following the hearing on the petition, the Probate Court granted same and issued Letters of Administration to Rose Gibson Walker and James B. Gibson Jr. Subsequently, on August 3, 2009, the records show that the administrators filed a petition for the closure of both estates, to which, the respondents filed returns on September 10, 2009, objecting to the closure of the estates. On November 12, 2012, the Monthly and Probate Court, presided over by Judge J. Vinton Holder, after listening to arguments, rendered final judgment granting the petition and ordered the estates closed, from which judgment the respondent excepted and announced an appeal to the Honorable Supreme Court.

The lawyer representing the respondents informed the Court that his client instructed him not to proceed with the perfection of the appeal upon the advice of family members and he therefore interposed no objection to the granting of the motion to dismiss. Accordingly, it is hereby



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ADJUDGED:

That the motion to dismiss the appeal is hereby granted and the appeal is dismissed. The Clerk of this Court is ordered to send a mandate to the trial judge presiding therein to resume jurisdiction over this case and give effect to this Judgment. Costs are ruled against the respondents. And it is so ordered.

GIVEN UNDER OUR HANDS AND THE SEAL
OF THE SUPREME COURT OF LIBERIA, THIS
23rd DAY OF DECEMBER, A. D. 2019

Francis S. Korkpor, Sr.

CHIEF JUSTICE, SUPREME COURT OF LIBERIA

Jamesetta Howard-Wolokolie

ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

Sie-A-Nyene G. Yuoh

ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

Joseph N. Nagbe

ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

Yussif D. Kaba

ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA