

IN THE HONORABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA
SITTING IN ITS MARCH TERM, A.D. 2026

BEFORE HIS HONOR : YAMIE QUIQUI GBEISAY, SR.....CHIEF JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE
BEFORE HIS HONOR : YUSSIF D. KABA.....ASSOCIATE JUSTICE
BEFORE HER HONOR: CEATNEH D. CLINTON-JOHNSON.....ASSOCIATE JUSTICE
BEFORE HIS HONOR : BOAKAI N. KANNEH.....ASSOCIATE JUSTICE

Moses Wogbeh, former Managing Director of the
Forestry Development Authority (F.D.A), John Kantor
former Technical Manager, Jangar Kamara former
Manager for Commercial Forestry (FDA), David Blayee
former County Surveyor, Grand Bassa County, Ministry
of Mines and Energy and Maxwell Gwee, former
Director of Cartography, Ministry of Mines and Energy
all of the City of Monrovia, Liberia..... Appellants

Versus

APPEAL

Republic of Liberia by and thru the Management of the
Forestry Development Authority (F.D.A), Montserrado
County, Liberia.....Appellee

GROWING OUT OF THE CASE:

Republic of Liberia by and thru the Management of the
Forestry Development Authority (F.D.A), Montserrado
County, Liberia..... Plaintiffs

Versus

Moses Wogbeh, former Managing Director of the
Forestry Development Authority (F.D.A), John Kantor
former Technical Manager, Jangar Kamara former
Manager for Commercial Forestry (FDA), David Blayee
former County Surveyor, Grand Bassa County, Ministry
of Mines and Energy and Maxwell Gwee, former
Director of Cartography, Ministry of Mines and Energy
all of the City of Monrovia, Liberia..... Defendants

CRIMES

ECONOMIC SABOTAGE, CRIMINAL
CONSPIRACY, FORGERY OR
COUNTERFEITING, OBTAINING
AND ISSUING DECEPTIVE WRITING,
OBSTRUCTION OF GOVERNMENT
FUNCTIONS BY PUBLIC SERVANTS

Heard: March 17, 2026

Decided: August 27, 2026

MR. JUSTICE KANNEH DELIVERED THE OPINION OF THE COURT

This is an appeal before this Court from the final judgment of the First Judicial Circuit, Criminal Assizes "C" for Montserrado County, rendered on August 25, 2015, sitting in its May Term A.D. 2015, adjudging the co-defendants, now co-appellants guilty as follow:

1. That David Blayee and Maxwell Gwee were found guilty of the crime of Obtaining and Issuing Deceptive Writings;
2. That Moses Wogbeh and Jangar Kamara were found guilty of the crime of Obstruction of Government Function by Public Servants; and

3. That Moses Wogbeh, John Kantor, Jangar Kamara, David Blayee and Maxwell Gwee were collectively found guilty of Economic Sabotage in the tune of Six Million United States Dollars (US\$6,000,000.00).

The facts as culled from the certified records revealed that the appellants were indicted by the Grand Jury for Montserrado County during the February A.D. 2014 term of court for acts allegedly committed between April 2010 and December 2011, and that the appellants waived their rights to trial by jury which was granted by the court. The indictment charged the appellants that they knowingly conspired to defraud the Government of Liberia of revenue and facilitated the wrongful and illegal issuance of sixty-one (61) Private Use Permits (PUPs) authorizing commercial logging operations on nearly 2.5 million hectares of land areas without the payment of land rental fees to the Government of Liberia and the communities under the National Forestry Reform Law of 2006 and the Community Rights Law of 2009.

We herein quote the pertinent parts of the indictment as found in the trial records:

“INDICTMENT

COUNT ONE (1)

- 1.1 The Grand Jurors for the County of Montserrado, Republic of Liberia, upon oath do hereby find more probably than not, that, Moses Wogbeh, former Managing Director of the Forestry Development Authority (FDA) of the City of Monrovia, Republic of Liberia, and Jangar Kamara, former Manager Commercial Forestry, of the Forestry Development Authority (FDA), of the City of Monrovia, Republic of Liberia, Cllr. Benedict Sagbeh, former In-House Legal Counsel of the Forestry Development Authority (FDA) of the City of Monrovia, Republic of Liberia, Mr. John Kantor, former Technical Manager of the Forestry Development Authority (FDA), Augustine B. M. Johnson, former Manager GIS of the Forestry Development Authority, Torwan Yantay former Acting Manager for Geo Information System of FDA, David Blayee, former County Surveyor, Grand Bassa County, of the Ministry of Lands, Mines & Energy, of the City of Monrovia, Republic of Liberia, and Maxwell Gwee, former Director of Cartography, Ministry of Lands Mines & Energy did conspire to, and did do and commit the crimes of Economic Sabotage and Criminal Conspiracy, in violation of Chapter 15, Subchapter F, Section 15.80(a)(b)(c) and Chapter 10, Section 10.4(1)(2)(3)(4) respectively of the New Penal Law of Liberia, Title 26, Liberian Codes and Chapter 18, Section 18.9(b)(c) “Economic Sabotage” of the National Forestry Reform Law (NFRL)(2006) in the form and manner as follows to wit:

- 1.2 That between April 2010 to December 2011, at the Head Office of the Forestry Development Authority (FDA), Private Prosecutrix, located at Wein Town, Mount Barclay, Montserrado County, Republic of Liberia, Co-Defendants Moses Wogbeh there and then being Managing Director/Secretary to the Board of Directors of the FDA, Jangar Kamara there and then being the Technical Manager for Commercial Forestry, Cllr. Benedict Sagbeh there and then being In-House Legal Counsel for FDA, John Kantor there and then being Technical Manager for Research, Torwan Yantay there and then being the Acting Manager for Geo Information System of FDA, Augustine B. M. Johnson there and then being the Manager for Geo Information System and Expert of FDA, David Blayee, there and then being County Surveyor, Grand Bassa County, of the Ministry of Lands Mines & Energy, and Maxwell Gwee, there and then being Director of Cartography of the Ministry of Lands Mines and Energy, respectively, did knowingly conspire to defraud the Government of Liberia of revenue by facilitating the wrongful and illegal issuance of up to Sixty (61) Private Use Permits (PUPs) that authorized commercial logging operations on nearly 2.5 million hectares of land area of Liberia.
- 1.3 That between April 2010 up to and including December 2011, the Co-Defendants Moses Wogbeh, Cllr. Benedict Sagbeh, John Kantor, Torwan Yantay and Augustine B.M. Johnson knowingly, recklessly, and purposefully conspired and facilitated the issuance of, and caused to be issued, up to Fifty Six (56) Private Use Permits (Licenses), over community deeded forest lands that are indicative of Community Forest Land that by definition are governed and regulated by the Community Rights Law (2009), knowing fully well that Private Use Permits (PUPs) should be issued to private landowners or their privies only, in contravention of Sections 5.6(d) and 18.9(b) of the National Forestry Reform Law (2006), and 2.3(b) of the Community Rights Law (2009), thereby depriving communities of Revenue and the Government of Liberia of land which they would have been entitled to had the license been issued under the Community Rights Law (2009).
- 1.4 That in contravention of Section 5.6(d)(v) of the National Forestry Reform Law (NFRL)(2006) which requires that a Private Use Permit (PUP) is issued only if the applicant "has complied with all legal requirements for Environmental Impact Assessments," Co-Defendants Moses Wogbeh, John Kantor, Torwan Yantay, Cllr. Benedict Sagbeh, clothed with the authority of ensuring that all Forest Resources and Private Use Permits are issued consistent with law, and with the authority to issue Private Use Permits, knowingly, recklessly, and purposefully recommended the issuance of, facilitated the issuance of, and did issue or caused to be issued, 61 Private Use Permits (PUPs) without the applicants first satisfying the legal requirements for Environmental Impact Assessment in

contravention of Sections 5.6(d)(v) and 18.9(D) of the National Forestry Reform Law (2006).

- 1.5 That from April 2010 to December 2011, at the Head Office of the Forestry Development Authority (FDA), Private Prosecutrix, in the City of Monrovia, Republic of Liberia, in contravention of Sections 5.6(d)(i) and 18.9(b) of the National Forestry Reform Law (NFRL)(2006) which requires that a Private Use Permit is granted only if the applicant is the landowner or has written permission from the landowner, private land and the Co-Defendants Moses Wogbeh, Jangar Kamara, John Kantor, Benedict Sagbeh, Torwan T. Yantay, Augustine B.M. Johnson, Maxwell Gwee and David Blayee arbitrarily recommended the issuance, facilitated the issuance of, and did issue or caused to be issued, up to Fourteen (14) PUPs on land area larger than the area contained in the deed submitted by the applicants, evidence the fact that the applicants were not the owners, neither did their purported privies have title to the increased land areas; the total increase in land area being 160,505 hectares to the detriment of the Government of Liberia.
- 1.6 That in August of 2012, Co-Defendants Moses Wogbeh and Jangar Kamara with intent to defraud the Government of Liberia and make an opportunity for the PUP holders to defraud the Government of Liberia, purposely and knowing disregarded the President of Liberia's moratorium placed on all PUP activities and instructed that shipment had been harvested under the illegal PUPs from the Port of Buchanan must be allowed as all requisite financial obligations are settled. As the result of Co-Defendants' action, over 40,000cm³ of logs were [shipped].
- 1.7 That between the period April 2010 to December 2011, Co-Defendants Augustine B. M. Johnson and Torwan Yanty whilst serving as Manager of GIS and Expert and GIS Coordinator/Acting Manager respectively, knowingly and purposely did generate false and misleading verification reports wherein the reports predicted the application for Private Use Permit (PUP) and their alleged visits to the field, and arbitrarily increased land areas than the areas contained in the deeds of the applicants which served as a basis for issuance of PUPs over areas larger than those contained in the deeds of the applicants and over area that were designated as proposed protected areas in violation of Section 18.9(b)(c) of the National Forestry Reform Law (2006) with intent to defraud and make an opportunity for the PUP holders to defraud the Private Prosecutrix, the affected communities, and the Government and people of Liberia.
- 1.8 That between the periods April 2010 to December 2011, John Kantor whilst serving as Technical Manager of the Forestry Development Authority (FDA), purposely, knowingly, and recklessly submitted verification reports to the Managing Director and facilitated, and caused the issuance of PUPs, for areas larger than those contained in the deeds of the applicants over areas where there were overlaps areas and over areas that

- were designated as proposed protected areas in violation of Section 18.9(b)(c) of the National Forestry Reform Law (2006), with intent to defraud and make an opportunity for the PUP holders to defraud the Private Prosecutor, the affected communities, and the Government and people of Liberia.
- 1.9 That between April 2010 to December 2011, Co-Defendant Cllr. Benedict Sagbeh as In-House Legal Counsel of Private Prosecutrix, knowingly and purposely failed and omitted to render adequate legal advice to the Private Prosecutrix (FDA) in respect of the laws governing the issuance of Private Use Permits (PUPs), and colluded with other Co-Defendants to cause the issuance of the Private Use Permits (PUPs) in violation of Sections 5.6 and 18.9(b)(c) of the National Forestry Reform Law (2006) with intent to defraud and make an opportunity for the PUP holders to defraud the Private Prosecutor, the affected communities, and the Government of Liberia.
 - 1.10 That between April 10, 2010, to December 2011, Co-Defendant, Moses Wogbeh as Managing Director of the Private Prosecutor knowingly, purposefully and recklessly approved, issued and executed a total of 61 Private Use Permits (PUPs) in violation of Sections 5.6 and 18.9(b)(c) of the National Forestry Reform Law (2006), and Section 2.3(b) of the Community Rights Law (2009) with intent to defraud the Private Prosecutrix, the affected communities and the Government and people of Liberia and also created an opportunity for the PUP holders to defraud the Government.
 - 1.11 That from December 2010 to July 2011, Co-Defendant David Blayee issued Certificates of Correction of deeds without authority to do so, thereby increasing the land areas of the deeds by approximately 26,186 hectares, with the intent to defraud the Government and creating an opportunity for the PUP holders to defraud the Government.
 - 1.12 That from April 2010 to December 2011, Co-Defendant Maxwell Gwee knowingly and purposefully failed to carry out due diligence in the process of authentication/validation of deeds and impersonated and signed validation letter as Acting Assistant Minister of Land, Mines & Energy, when the Assistant Minister George Miller was in Liberia and Maxwell Gwee was not so acting. Co-Defendant Gwee recommended that Private Use Permits be issued based on his authentication/validation of the deeds. Co-Defendant Maxwell Gwee validated an Aborigines Grant deed in favour of the Chief, Elders, and Citizens of Kulu Shaw-Boe District even though the deed is said to have been signed by President Tubman on July 12, 1952 and was probated on February 10, 1951, meaning that it was probated 17 months before it was even signed by the President. Co-Defendant Maxwell Gwee also validated and authenticated an Aborigines Grant deed for the Chief, Elders, and Citizens of Kolahun Chieftdom even though the land deed is said to have been signed by President Tubman on October 18, 1951 and was probated on March 15, 1951, meaning that it was probated 7 months before it was

signed by the President. The deed is said to be granted to the Chief, Elders, and Citizens of Kolahun Chiefdom when, in fact there is no "Kolahun Chiefdom" rather there is a Kolahun District. Co-Defendant Maxwell Gwee also validated and authenticated an Aborigines Grant deed for the Chief, Elders, and Citizens of Boe Clan even though the land deed is said to have been signed by President Tubman on March 10, 1952 and was probated on January 26, 1950, meaning that the deed was probated 26 months before it was signed by the President.

- 1.13 That because of Defendants blatant abuse of their offices and violation of the several provisions of the National Forestry Reform Law (NFRL)(2006) and the Community Rights Law (2009), the Private Prosecutrix (FDA), yea the Government of Liberia has suffered a loss in revenue of over US\$6,000,000.00 (United States Dollars) and Six Million would have been generated from land rental had the permits been issued under the Community Rights Law, and amounts generated by holders of PUPs under fraudulent and fictitious deeds, thereby defrauding the Private Prosecutrix and the Government and people of Liberia, and knowingly creating the opportunity for PUP holders to defraud the Government and people of Liberia.
- 1.14 That Chapter 15, Subchapter F, Section 15.80(a)(b)(c) of the New Penal Law of Liberia, Title 26 of Liberian Codes Revised provides that:

"A person is guilty of a first-degree felony, if he:

- (a) Knowingly conspires or colludes to defraud the Government of Liberia;
- (b) Knowingly makes an opportunity for any person to defraud the Government of Liberia or another;
- (c) does or omits to do any act with intent to enable another to defraud the Government of Liberia;

- 1.15 That Chapter 10, Section 10.4(1)(2)(3)(4), Criminal Conspiracy provides that:

- (1) A person is guilty of conspiracy to commit a crime if, with the purpose of promoting or facilitating its commission, he agrees with one or more persons to engage in or cause the performance of conduct which constitutes the crime, and any one or more of such persons does an act to effect the objective of the conspiracy.
- (2) If a person knows that one with whom he agrees or has agreed will agree with another to effect the same objective, he shall be deemed to have agreed with the other, whether or not he knows the other identity.
- (3) If a person conspires to commit a number of crimes, he is guilty of only one conspiracy so long as such multiple crimes are the object of the same agreement or continuous conspiratorial relationship.
- (4) A conspiracy shall be deemed to continue until the crime which is its object is committed or the agreement that it be committed is abandoned by the defendant and by those with whom he conspired. A conspiracy shall be deemed to have been abandoned if no overt act to effect its objectives

- has been committed by any conspirator during the applicable period of limitations.
- 1.16 That Chapter 18, Section 18.9 "Economic Sabotage" of the National Forestry Reform Law (NFRL)(2006) provides that "the following are offenses punishable under the Penal Law as economic sabotage":
- a. "For an Operator or Holder to conduct Operations beyond the Granted area;
 - b. For an agent or employee of the Authority to grant permission to harvest or use Forest Resources in contravention of any provision of this law;
 - c. For an agent or employee of the Authority to grant permission to harvest or use Forest Resources in a manner inconsistent with the status of a Protected Area or Proposed Protected Area.
 - d. For an agent or employee of the Authority to release confidential business information protected under Subsection (c) of Section 18.15 of this law."
- 1.7 Plaintiff says and submits that the defendants have no affirmative defense in the premises.

COUNT TWO (2)

- 2.1 The Grand Jurors for the County of Montserrado, Republic of Liberia, upon oath do hereby find more probably than not, that, Cllr. Benedict Sagbeh, former legal counselor of the Forestry Development Authority (FDA) of the City of Monrovia, Republic of Liberia, Moses Wogbeh, former Managing Director of the Forestry Development Authority (FDA) of the City of Monrovia, Republic of Liberia, and Jangar Kamara, former Technical Manager, Commercial Forestry, of the Forestry Development Authority (FDA), of the City of Monrovia, Republic of Liberia, John Kantor, former Technical Manager for Research of the Forestry Development Authority (FDA), of the City of Monrovia, Republic of Liberia, did conspire to, and did do and commit the crime of Obstruction of Government Functions by Public Servant in violation of Chapter 12, Subchapter A, Section 12.3 of the New Penal Law of Liberia and Criminal Conspiracy in violation of Chapter 10, Section 10.4(1)(2)(3)(4) of the New Penal Law of Liberia, Title 26 of Liberian Codes Revised in the form and manner as follows to wit:
- 2.2 That from February 2012 up to including August 2012, at the Head Office of the Forestry Development Authority, Private Prosecutrix, located at Wein Town, Mount Barclay, Montserrado County, Republic of Liberia, Co-Defendants Moses Wogbeh and Jangar Kamara there and then being Managing Director/Secretary to the Board of Directors and Technical Manager for Commercial Forestry respectively, of the Forestry Development Authority (FDA), and as public officials, did purposely conspire to and obstruct, impair, and pervert the implementation and/or administration of the moratorium issued and placed by the Board of Directors of the Forestry Development Authority on (i) the issuance of new Private Use Permits (PUPs) and (ii) the discontinuation of

activities under all existing Private Use Permits (PUPs) with the exception of the four already operated at that time: Lofa Development Corporation/Mary Kpoto (PUP 2), People of Zaye Town/Sarah Miller (PUP 3), People of Teemor Section (PUP 10), and Tartweh-Drapoh DMC (PUP 26). The Defendants, with intent to pervert, impair and frustrate the execution of the mandate of the Board of Directors of the FDA refused to timely communicate the Board's mandate to the holders of PUPs affected by the moratorium, and to Societe Generale de Surveillance (SGS), the contractor implementing Liberia's timber chain-of-custody system, even though they had knowledge of the existence of the moratorium, and were mandated to communicate same to the affected PUP holders and SGS as of February 2012.

- 2.3 That notwithstanding the Board of Directors' instruction to Co-Defendants in February of 2012, to communicate with the affected PUP holders and the SGS informing them of the moratorium, Co-Defendant Moses Wogbeh did not communicate with the affected PUP holders informing them that a moratorium had been put in place by the Board of Directors; on June 15, 2012, Co-Defendant Wogbeh wrote SGS, informing SGS that the Board had instructed that all inactive PUPs be suspended—Four (4) months after he had been instructed to do so.
- 2.4 That contrary to the Board of Directors' mandate that the moratorium is placed on the issuance of new Private Use Permits (PUPs) and halting of activities under all existing Private Use Permits (PUPs) with the exception of the four already operating at that time: Lofa Development Corporation/Mary Kpoto (PUP 2), People of Zaye Town/Sarah Miller (PUP 3), People of Teemor Section (PUP 10), and Tartweh-Drapoh DMC PUP 26, Co-Defendant Jangar Kamara on June 22, 2012, wrote SGS informing SGS that the letter previously sent to SGS was a partial listing of Non-active PUPs with the exception of Bolloh and Jloh, which exception was never made by the Board of Directors of the Forestry Development Authority (FDA) under the moratorium. In a second letter/email sent by Co-Defendant Jangar Kamara on August 14, 2012, (after the President of Liberia had reaffirmed the FDA Board's moratorium on August 5, 2012), Co-Defendant Jangar Kamara wrote SGS that "by directive of the Managing Director, SGS/LiberFor is hereby informed that though there is a suspension of activities of PUPs, the issue of shipment from the Port of Buchanan must be allowed as long as all requisite financial obligations are settled". Again, on August 15, 2012, following an email request from Sebastian of SGS regarding two shipments of 40,000m³ expected from Atlantic Resources, Jangar Kamara states "Regarding the issue of Atlantic, please be assured that we will consider this in our letter"—all of the instructions contained in the letters to SGS were inconsistent with the Board of Directors' mandate to Co-Defendants Wogbeh, Kamara and Sagbeh.

