



ASSOCIATE JUSTICE
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH
TEMPLE OF JUSTICE
MONROVIA, LIBERIA

In the Honorable Supreme Court of the Republic of Liberia
Sitting in its March Term, A.D. 2019

Before His Honor: Francis S. Korkpor, Sr. Chief Justice
 Before Her Honor: Jamesetta H. Wolokolie..... Associate Justice
 Before Her Honor: Sie-A-Nyene G. Yuoh..... Associate Justice
 Before His Honor: Joseph N. Nagbe Associate Justice
 Before His Honor: Yussif D. Kaba..... Associate Justice

In Re: Juanita C. Walker-Calloway and Famatta Walker-Freeman..... INFORMANTS)

VERSUS)

) BILL OF
) INFORMATION

His Honor J. Vinton Holder and Cecelia Walker, also heir of the Late Arthur Walker, Sr. et al of the City of Monrovia, Liberia..... RESPONDENTS)

GROWING OUT OF THE CASE:)

Juanita C. Walker-Calloway, otherwise known as Cecelia Walker, also heir of the late Arthur Walker, Sr., et al of the City of Monrovia, Liberia..... APPELLANTS)

VERSUS)

) PETITION FOR EQUITABLE
) DISTRIBUTION OF THE
) INTESTATE ESTATE OF THE
) LATE ARTHUR B. WALKER, SR.

Cecelia Walker also one of the heirs of the late Arthur B. Walker, Jr., of the City of Monrovia, Liberia..... APPELLEE)

JUDGMENT

When this case was called for hearing, Counsellor Mamee Gongba of the Liberty Law Firm appeared for the informants. Counsellor Milton D. Taylor of the Law Offices of Taylor & Associates, Inc. appeared for the respondents.



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Having heard the arguments, reviewed the facts and circumstances revealed by the records and examined the laws controlling, it is hereby

ADJUDGED:

That in 1994 the Supreme Court having ruled on a Petition for Equitable distribution of the Intestate Estate of Arthur B. Walker Sr. sends a mandate to the lower court ordering the following

The judgment of the Probate Court be and the same is hereby reversed and the case is remanded to the Probate Court of Montserrado County with instructions that it resumes jurisdiction over the subject intestate estate and order the Curator of Montserrado County to take charge of all of the real property of the late Arthur B. Walker, Sr. which were erroneously distributed between Edwin B. Walker and Arthur Benedict Walker, Jr. and where Administrator's deed have been issued, the Probate Court shall order the Curator to seek the cancellation of all such deeds before the appropriate court; thereafter, the curator shall apportion such real property of the intestate estate to all of the decedent's heirs in keeping with the Decedent's Estate Law.

That this mandate of the Supreme Court not having been read, the lower court could not resume jurisdiction over the case nor enforce the judgment growing out of said mandate. Therefore the lower court is ordered to resume jurisdiction and have the mandate of this Court read;

That due to the lapse of the period of 19 years and intervening circumstances wherein innocent purchasers had acquired interest in the subject intestate estate, it becomes necessary to modify the 1994 mandate of this Court to protect the interest of innocent purchasers as follows:

1. That the Probate Court is hereby ordered to resume jurisdiction over the case and order the curator to take charge of all of the properties of the Late Arthur B. Walker, Sr. which was erroneously distributed between Edwin Duala Walker and Arthur B. Walker, Jr.;



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2. That Juanita C. Walker Calloway and Famata Walker Freeman, been legitimized children of the Late Arthur B. Walker, Sr., be considered as part of the heirs of the late Arthur B. Walker, Sr.;
3. That the Probate Court proceed to have the properties of the Intestate Estate of Arthur B. Walker, Sr. distributed equally among the heirs with the proviso that should any portion of the said estate be previously alienated by any of the heirs, that portion should count against the share of that heirs in the property of the intestate estate;
4. That the Probate Court Judge execute this mandate within six months as of the reading of said mandate by the lower court and have the estate closed.

WHEREFORE AND IN VIEW OF THE FOREGOING, the ruling of the lower court of 2013 on the motion for the enforcement of the mandate of the Supreme Court is hereby ordered reversed and the said court is order to proceed consistent with the modified mandate as contained herein. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND SEAL OF THE
HONORABLE SUPREME COURT OF THE REPUBLIC
OF LIBERIA THIS 9TH DAY OF AUGUST, 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

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