





Counselor Betty Lamin Blamo, Solicitor General, Ministry of Justice, Counselor Augustine C. Fayiah, Assistant Minister for Litigation, Ministry of Justice and Counselor J. Daku Mulbah, County Attorney for Montserrado County, appeared for the respondent.

Having carefully reviewed the records, heard the arguments and contentions advanced by the counsels representing the parties and considered the laws cited and relied upon, it is hereby

#### ADJUDGED:

That corporate actions are taken pursuant to board resolutions. In this case, the Press Union of Liberia did not exhibit a board resolution from the National Chronicles Newspaper authorizing the Press Union of Liberia to file this petition for the writ of prohibition on behalf of the National Chronicles Newspaper.

Similarly, there is no showing that the Board of Directors of the Press Union authorized its President, Kamara A. Kamara, to institute this petition for the writ of prohibition on behalf of the National Chronicles Newspaper. Therefore, the Press Union of Liberia did not have the standing to file this petition for the writ of prohibition on behalf of the National Chronicles Newspaper. Whereupon, the alternative writ of prohibition issued is quashed and the peremptory writ requested is denied.

Notwithstanding the dismissal of the petition for the writ of prohibition, we take due note of the reasons advanced by the Government for closing down the offices of the National Chronicles Newspaper---that the stories the National Chronicles Newspaper published were heinous, disrespectful and detestable, and were published at the time the state of emergency declared to fight the deadly Ebola virus was in force and effect, that if left unchecked, the stories would have created fear and panic resulting into uprising and destruction of lives and properties; and that restricting the print, electronic or social media from sensational, false and/or inaccurate reporting that could cause panic and undermine the fight against the virus was one of the measures approved by the National Legislature for the Government to use in the fight against the Ebola virus.



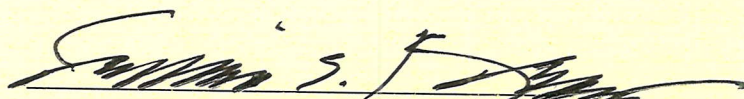
We take further note of the fact that the state of emergency, declared on August 7, 2014, expired on November 13, 2014, and was not renewed. Moreover, the Ebola virus has been contained and is no longer a threat to our national existence. Therefore, there can be no "fear and panic" created from the stories published by the petitioners that would result into "uprising and destruction of lives and properties" as contended by the Government. Given this fact and given the further fact that the petitioners herein were not charged and have not been charged with the commission or omission of any crime as a result of the alleged "heinous, detestable and disrespectful" publications, the reasons given by the Government for closing down the National Chronicles Newspaper have become moot and of no consequence in the absence of charges being brought against the petitioners after the state of emergency. Courts of law have the authority, and often duty, to dismiss a case on their own initiatives, without any application from any party, where the issue involved has become moot, abstract or irrelevant; hence, to continue to have the offices of the National Chronicles Newspaper closed without a court order, long after the state of emergency is a violation of the petitioners' rights not contemplated by law.

It is therefore the order of this Court that the offices of the National Chronicles Newspaper closed down on orders of the Government during the state of emergency, by and through the Ministry of Information, Cultural & Tourism be reopened and are hereby ordered reopened with immediate effect. The Clerk of this Court is ordered to forthwith inform the parties of the decision of this Court. It is so ordered.

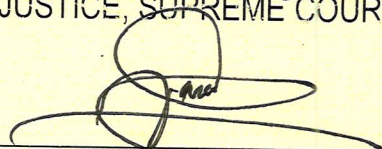
Prohibition denied



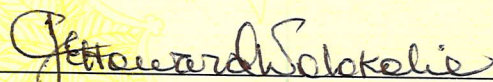
GIVEN UNDER OUR HANDS AND  
THE SEAL OF THE SUPREME  
COURT OF LIBERIA THIS 7<sup>th</sup> DAY  
OF AUGUST, A.D. 2015



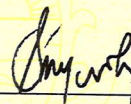
Francis S. Korkpor, Sr.  
CHIEF JUSTICE, SUPREME COURT OF LIBERIA



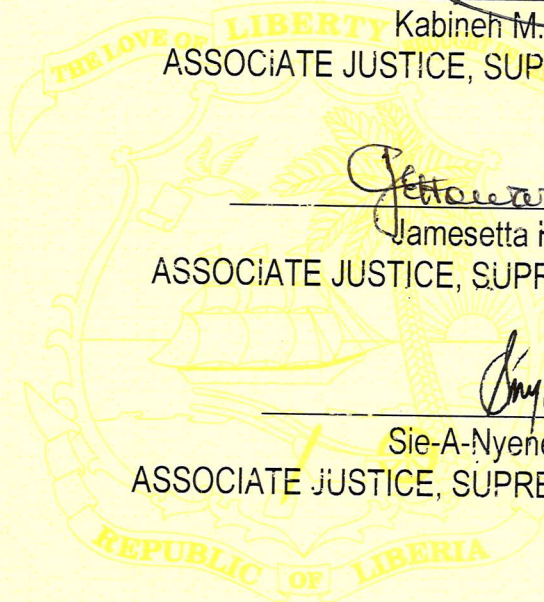
Kabinah M. Ja'neh  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Jamesetta H. Wolokoie  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



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



**Note:**

Mr. Justice Philip A.Z. Banks, III.  
travelled and did not sit on this matter;  
hence, he did not sign this Judgment.