



CHIEF 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 MARCH TERM, A.D. 2017

BEFORE HIS HONOR: FRANCIS S. KORKPOR, SR.....CHIEF JUSTICE
BEFORE HIS HONOR: KABINEH M. JA'NEH.....ASSOCIATE JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE
BEFORE HIS HONOR: PHILIP A.Z. BANKS, III.....ASSOCIATE JUSTICE
BEFORE HER HONOR: SIE-A-NYENE G. YUOH.....ASSOCIATE JUSTICE

Hon. Sando D. Johnson, Senator, Bomi County)
Republic of Liberia.....Appellant)

Versus)

The Unity Party, represented by its National Chairman)
and all Officers and Hon. Edwin M. Snowe, Representative,)
District #6, Montserrado County, Republic of Liberia)
.....Appellees)

AND)

The National Elections Commission, by & thru its)
Chairman, Counsellor Jerome Kokoryah & Members of)
The Board of Commissioners, including all)
Magistrates of Elections, Directors and Supervisors)
under their control of the City of Monrovia, Liberia....Appellee)

AND)

Hon. S. Gayah Karmo, of Government Farm,)
CODE 03007, Senjeh District, Bomi County)
Liberia.....Appellant)

Versus)

The Unity Party, represented by its National Chairman)
and all Officers and Hon. Edwin M. Snowe, Representative,)
District #6, Montserrado County, Republic of Liberia)
.....Appellees)

APPEAL
(OBJECTION)

APPEAL

GROWING OUT OF THE CASE:

The Unity Party, represented by its National Chairman
and all Officers and Hon. Edwin M. Snowe, Representative,
District #6, Montserrado County, Republic of Liberia
.....Appellants

Versus

Hon. Sando D. Johnson, Senator, Bomi County
Republic of Liberia.....Appellee

APPEAL
(OBJECTION)

GROWING OUT OF THE CASE:

Hon. Sando D. Johnson, Senator, Bomi County
Republic of Liberia.....Objector

Versus

The Unity Party, represented by its National Chairman
and all officers and Hon. Edwin M. Snowe, Represtnative,
District #6, Montserrado County, Republic of Liberia
.....Respondents

ACTION:

) Objection to Nomination
) Qualification, Registration
) & Certification

JUDGMENT:

When this case was called for hearing, Counsellors David B. Gibson, Jr., of the Renaissance Law Group and S. Gayah Karmo, *Pro se* appeared for the appellants. Counsellors A. Ndubuisi Nwabudike and Benedict F. Sannoh of the Sannoh & Partners, PC, appeared for the appellees.

Having carefully reviewed the certified 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 one does not have to be domiciled in a constituency/district in order to register and vote in that constituency/district; one only has to be a resident in the constituency/district in

order to register and vote therein; it makes no difference whether the person is a sitting representative in a constituency/district in a different county.

That there is no law that forbids a sitting representative of a constituency/district in one county from changing his/her domicile to another constituency/district in another county, while still serving as a representative of the constituency in the county he was elected.

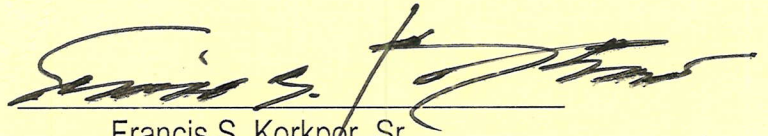
That this Court has no authority to extrapolate the intent of the framers of the Constitution beyond the plain and specific wordings of the provisions of the Constitution. Therefore, where a constitutional provision, on its face, is so plain and unambiguous, it needs no further interpretation. In our view, had the framers of Article 30(b) of the Constitution intended for elected legislators to continuously remain domiciled in the county or constituency to be represented not less than one year prior to the time of election and during the entire time of their tenure in the Legislature without changing their domicile, the Constitution would have so stated. Under the circumstance, we hold that what the Constitution does not so expressly provide for cannot be urged upon this Court to consider, as doing so would amount to lawmaking, a function solely ascribed to the Legislative Branch of Government.

That electoral districts are created by law and the current demarcation which provides for 73 electoral districts was done through a joint resolution of the Legislature, approved by the President of Liberia and published; electoral districts are not created whenever a sitting legislator decides to register, vie or contest for an elective post in a constituency other than the one he/she represents.

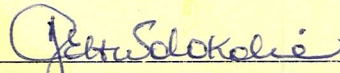
That the rulings of the Board of Commissioners of the NEC dismissing the objections filed by the appellants, Honorable S. Gayah Karmo and Honorable Sando Johnson, to the registration, nomination, qualification, and certification of the appellee, Honorable Edwin Melvin Snowe, is hereby affirmed.

The Clerk of this Court is ordered to send a mandate to the National Elections Commission to give effect to this Judgment. Costs are ruled against the appellants. And it is so ordered.

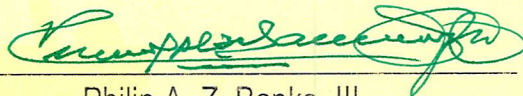
GIVEN UNDER OUR HANDS AND
THE SEAL OF THE SUPREME
COURT OF LIBERIA THIS 5th DAY
OF SEPTEMBER, A.D. 2017



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



Jamesetta H. Wolokolie
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Philip A. Z. Banks, III.
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

Note:

Mr. Justice Kabineh M. Ja'neh having travelled out of the country, did not sit for the hearing and determination of this case. Hence, he did not sign this Judgment.

Madam Justice Sie-A-Nyene G. Yuoh rescued herself from the hearing and deliberations of these proceedings. Hence, she did not sign this judgment.