



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 OCTOBER 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

Joseph Nyumah Boakai and James )  
Emmanuel Nuquay, Presidential and )  
Vice Presidential Candidates at the )  
October 10, 2017 Elections and the )  
Unity Party, all of Liberia.....INFORMANTS )

Versus )

BILL OF INFORMATION

The National Elections Commission, )  
Represented by Hon. Jerome Korkoya )  
Chairman, of Monrovia, )  
Liberia.....1<sup>st</sup> RESPONDENT )

AND )

Charles Walker Brumskine and Harrison )  
S. Karnwea, Presidential and Vice Presi- )  
tial Candidates at the October 10, 2017 )  
Elections, All Representative Candidates )  
of Liberty and the Liberty Party, all of )  
Liberia.....2<sup>nd</sup> RESPONDENTS )

JUDGMENT

When this case was called for hearing, Counsellors F. Benedict Sannoh and J. Laveli Supuwood appeared for the informants. Counsellors Frank Musah Dean, Jr., and Alexander B. Zoe appeared for the 1<sup>st</sup> respondent National!



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Elections Commission. Counsellors N. Oswald Tweh and Powo C. Hilton appeared for the 2<sup>nd</sup> Respondents.

Having reviewed the contentions raised by the parties, perused their briefs and listened to their arguments, and considered the relevant laws appertaining thereto, it is hereby

ADJUDGED:

That the Constitution of Liberia, at Article 83 (c), sets the time period of thirty (30) days in which the NEC is to hear and make determination in election matters; were this Supreme Court to set a specific date, as requested by the informants, it would be in contravention of the Constitution and the use of power not conferred upon this Court by that sacred document. Such action, this Court has consistently maintained, is *ultra vires*.

That there is no reason for holding the NEC in contempt, when the NEC has not exceeded the time given it under the Constitution. However, the Court reiterates its position that the NEC does not have to consume the entire thirty days given it under the Constitution before concluding a given election matter, and should proceed expeditiously with the investigation of election matters pending before it, recognizing the critical nature of elections cases and their implications on the governance of the nation.

That the Court takes judicial notice that indeed a ruling has been made by the Board of Commissioners of the NEC on the informants' appeal before that Board, subject of this bill of information, which renders the matter moot.



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WHEREFORE AND IN VIEW OF THE FOREGOING, the bill of information is denied. The Clerk of this Court is ordered to inform the parties of this decision. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND SEAL OF  
THE SUPREME COURT OF LIBERIA, THIS  
17th DAY OF NOVEMBER, A.D. 2017

FRANCIS S. KORKPOR, SR.  
CHIEF JUSTICE, SUPREME COURT OF LIBERIA

KABINEH M. JA'NEH  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

JAMESETTA H. WOLOKOLIE  
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

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