

**Court of Magistrates (Malta)
As A Court of Criminal Judicature**

Magistrate Dr. Claire L. Stafrace Zammit B.A. LL.D.

**The Police
[Inspector Godwin Scerri]**

vs

Brian David Ciarlo

Case Number: 405/2018

Today, the 9th of July, 2018

The Court,

Having seen that the accused Brian David Ciarlo holder of Maltese Identification Document Number 236502L was accused of having;

On the 29th of June 2018, at around 14:45 hrs, from the ‘Topaz hotel’ room number 4469, situated at Censu Tanti street in St Paul’s Bay, committed the theft of a *television set, electronic devices, luggage, cash and a safe deposit box*, with such thefts aggravated by means, amount and place in breach of *Articles 263, 267 u 269 of Chapter 9 of the Laws of Malta*.

And accused him of having on the same date and in St Paul’s Bay willfully committed voluntary spoile, damage or injury to or upon any movable or immovable object, of damage that exceeds 250 euro, but does not exceed the amount of 2500 euro to the detriment of Inna Valentinova in breach of *Article 325(1)(b) of Chapter 9 of the Laws of Malta*.

And accused him of having on the 25th of June 2018, at around 17:00 hrs, from the ‘Topaz hotel’ room number G169, situated at Censu Tanti street in St Paul’s Bay, committed the theft of a *television set, electronic devices, jewelry, and clothing*, with such thefts aggravated by means, amount and place in breach of ***Articles 263, 267 u 269 of Chapter 9 of the Laws of Malta.***

And accused him of having on the 1st of June 2018, at around 15:30 hrs, from the ‘Bugibba hotel’ room number 203, situated in Tourist street in St Paul’s Bay, committed the theft of a *television set*, with such theft aggravated by means, amount and place in breach of ***Articles 263, 267 u 269 of Chapter 9 of the Laws of Malta.***

And accused him of having on the 16th of May 2018, at around 23:00 hrs, from number 52 Mayfair Crt situated in Alka street in St Paul’s Bay, committed the theft of a bicycle, with such theft aggravated by value, time and place in breach of ***Articles 267, 270 and 269 of Chapter 9 of the Laws of Malta.***

The Court was requested to consider Mr Brian David Ciarlo as a recidivist in breach of ***Articles 49, 50 & 289 of Chapter 9 of the Laws of Malta.***

Having seen all documents;

Having seen the guilty plea by accused and he confirmed his guilty plea after that he was given considerable time to reconsider;

Having seen that almost all of the res furtiva has been returned.

On the above basis and upon seeing Articles 263, 267, 269, 325(1)(b), 270, 49, 50 and 289 of Chapter 9 of the Laws of Malta finds accused Brian David Ciarlo guilty of all charges and condemns him to two (2) years imprisonment.

The Court is also recommending that accused be put on the list of persons awaiting for drug rehabilitation programme.

Ft./Dr. Claire L. Stafrace Zammit B.A. LL.D.
Magistrate

Benamina Mifsud
Dep. Reg.