



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

Magistrate Dr. Doreen Clarke LL.D.

Today, the 14th February 2020.

**The Police
(Inspector Joseph Xerri)**

vs

Mishel Nacev

The Court,

Having seen the charges against Mishel Nacev, holder of Macedonian passport number C1354782

Charged with having on the 12th February, 2020, at around 23.00hrs and in the previous hours in Triq Santa Rita, St Julians:

1. Reviled, or threatened or caused a bodily harm to any person lawfully charges with a public duty, namely WPC 398 Shanna Caruana, while in the acts of discharging her duty or because of her having discharged such duty , or with intent to intimidate or unduly influence her in the discharge of such duty;
2. Disobeyed the lawful orders of any authority or of any person entrusted with a public service (namely WPC 398 Shanna Caruana) or hindered or obstructed such person in the exercise of her duties, or otherwise unduly interfered with the exercise of such duties, either by preventing WPC 389 from doing what SHE IS lawfully enjoined or

- allowed to do, or frustrating or undoing what has been lawfully done by other persons;
3. Attempted to use force against WPC 398 Shanna Caruana with intent to insult, annoy or hurt such persons and/or others.

Charged also with having on the same day at around 23.30hrs inside the establishment Bar Native in Triq Santa Rita, St Julians:

4. Smoked tobacco products when smoking in that establishment is prohibited.

Having heard the defendant admit the charges brought against him and confirm this admission of guilt even after having been given time to reconsider his plea.

Having heard the submissions of the parties regarding the penalty to be meted out.

Having seen the acts of the proceedings.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proven.

That, as regards the penalty to be meted out, the Court considered the nature of the offences of which the defendant is being found guilty, his eventual cooperation with the police, his admission at the earliest stage of these proceedings and his clean conviction sheet.

Wherefore the Court after having seen sections 95, 338(ee) and 339(1)(d) of Chapter 9 of the Laws of Malta, and Regulation 14 of Legal Notice 414 of the year 2004, on his admission finds the defendant guilty of the charges brought against him and condemns him to a fine of eight hundred Euros (€800) for the first three charges, and a fine of two hundred and fifty Euros (€250) for the fourth charge.

DR. DOREEN CLARKE
MAGISTRAT