



**IN THE COURT OF MAGISTRATES (MALTA)  
AS COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE  
DR. CHARMAINE GALEA**

**Today 13<sup>th</sup> of February 2020**

**The Police  
(Superintendent Josric Mifsud)**

**vs.**

**Tony Harborne  
(British passport number 036230799P)**

The Court;

Having seen that the defendant **Tony Harborne** was charged with having on the 24.10.99 at about 00.30hrs, at Testaferrata Street, Msida, whilst driving vehicle make Opel Corsa bearing registration number LAK764:

- a) Through imprudence, carelessness, unskilfulness in his art or profession, or non-observance of regulations caused grievous bodily harm on the person of James Baldacchino from Rabat.
- b) During same day, time and place driven, attempted to drive or was in charge of vehicle bearing registration No. LAK764 on a road or other public place when he was unfit to drive through drinks or drugs.
- c) During same day, time and place driven, attempted to drive or was in charge of vehicle bearing registration No. LAK764 on the road or other public place

after consuming so much alcohol that the proportion of it in his breath, blood or urine exceeded the prescribed limit.

d) During same time, day and place drove vehicle LAK 764 with excessive speed.

The Court was requested that should the accused be found guilty, Article 533 of Chap. 9 of the Laws of Malta should be applied.

Having heard the evidence;

Having seen that this case was assigned to this Court by a decree of the Chief Justice of the 26<sup>th</sup> of October 2017;

Having seen the documents submitted by Prosecution;

Having seen the evidence submitted before this Court;

Having seen the death certificate of the defendant filed today by Assistant Commissioner Stephen Gatt from where it results that the defendant died on the 6<sup>th</sup> of April 2019 in Blackpool;

After examining the said death certificate, the Court declares that these proceedings have been extinguished by the death of the defendant and hence ceases to take further cognizance of the case.

**Dr. Charmaine Galea**  
**Magistrate**

Diane Gatt  
Deputy Registrar