



COURT OF MAGISTRATES (MALTA)
As a Court of Criminal Judicature

MAGISTRATE
Dr. Victor George Axiak LL.D. Dip. Tax

Sitting held on 1 June, 2020
Urgent Sitting

The Principal Immigration Officer
(Inspector Darren Buhagiar)

vs

Gabriel Ehizogie

The Court,

1. Having seen the charges brought against Gabriel Ehizogie of 35 years of age, a citizen of Nigeria, son of Victor & Victoria, born in Ekpoma, Nigeria on 08-04-1984, residing in Napoli, Italy and holder of Nigerian passport bearing number A09968141:
 1. Charged with having on 4th December 2019 or previous days somewhere in these islands or somewhere else, forged, altered or tampered with a document, being a false Italian residence permit card or used or had in his possession same document, which he knew to be forged, altered or tampered with (Ch. 61, Art 5);
 2. Charged with having on same date, time and circumstances committed any other kind of forgery, or have knowingly made use of any other forged

document mentioned above at Malta International Airport (Chap. 9, Sec. 189);

3. And also charged with having on same date, time and circumstances forged any document or true copy of a document or an entry made in pursuance of this act (Chap. 217, Sec. 32 (1)(d)).
2. Having seen the documents exhibited in the acts of the case.
3. Having seen that during the sitting held on 1 June 2020, the Prosecuting officer withdrew the third charge and the accused admitted the first two charges in so far as these relate to having the document in question in his possession (first charge) and to using knowingly the document in question (second charge).
4. Having seen that the accused reiterated such admission after the Court gave him an opportunity to retract it.

Considered

5. That with regard to the penalty to be meted out the Court took into consideration the nature of the offences of which the defendant is being found guilty and the fact that the accused cooperated with the Police and registered an early admission. In these circumstances the Court feels that it would be appropriate to impose the minimum term in terms of law.

Decide

6. **For these reasons, the Court having seen the relevant articles of the law (Ch. 61 Art. 5, Ch. 9 Art. 189, Ch. 217 Art. 32(1)(d)) finds the defendant guilty of the first two charges brought against him in so far as these refer to the possession and use of a forged document and condemns him to six (6) months imprisonment from which there should be deducted the period spent under preventive arrest.**

Dr. Victor George Axiak
Magistrate

Mario Azzopardi
Deputy Registrar