



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR. GABRIELLA VELLA B.A., LL.D.**

**The Principal Immigration Officer
(Inspector Karl Roberts)**

Vs

Abukar Mohamed Nur

Today, 4th January 2021

The Court,

After having considered charges brought against Abukar Mohamed Nur, thirty (30) years of age, son of Mohamed and Madina, born in Mogadishu, Somalia, on 4th February 1990, presently residing at Flat 3, St. Joseph Flats, Triq Bordin, Marsa, and holder of Police Number 13-O-073, of having on the 3rd January 2021 or days prior this date in these Islands:-

1. Used or had in possession a Passport, which he knew to be forged, altered or tampered with and this in violation of Section 5 of Chapter 61 of the Laws of Malta;
2. On the same date, time and circumstances knowingly made use of any other forged document and this in violation of Section 189 of Chapter 9 of the Laws of Malta;
3. On the same date, time and circumstances without lawful authority used or had in his possession any document required for the purposes of the Immigration Act which is forged and this in violation of Section 32(1)(f) of Chapter 217 of the Laws of Malta;

After having considered the documents submitted by the Prosecution namely: (i) a statement given by the accused - Doc. "A"; (ii) the Personal Details form of the accused - Doc. "B"; (iii) an email from the Police Office at MIA addressed to Inspector Karl Roberts - Doc. "C"; (iv) a photocopy of the counterfeit documents found in the

possession of the accused - Doc. "D"; and (v) the Conviction Sheet of the accused - Doc. "E".

After having heard the accused plead guilty to the charges brought against him, which guilty plea was confirmed by him even after the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

After having heard submissions regarding punishment;

Considers:

The accused is being charged of having on the 3rd January 2021 or days prior this date in these Islands:- (a) used or had in possession a Passport, which he knew to be forged, altered or tampered with and this in violation of Section 5 of Chapter 61 of the Laws of Malta; (b) on the same date, time and circumstances knowingly made use of other forged document and this in violation of Section 189 of Chapter 9 of the Laws of Malta; and (c) on the same date, time and circumstances without lawful authority used or had in his possession any document required for the purposes of the Immigration Act which is forged and this in violation of Section 32(1) (f) of Chapter 217 of the Laws of Malta.

The accused pleaded guilty to the charges brought against him.

In view of the guilty plea by the accused the Court is finding him guilty of the charges brought against him.

In so far as concerns punishment the Court took into account the nature of the charges brought against the accused and also the fact that the accused submitted a guilty plea at an early stage of the proceedings.

Therefore after considering Section 5 of Chapter 61 of the Laws of Malta, Section 189 of Chapter 9 of the Laws of Malta and Section 32(1)(f) of Chapter 217 of the Laws of Malta, the Court reiterates that it is finding the accused guilty of the charges brought against him and condemns him to six (6) months imprisonment.

MAGISTRATE

DEPUTY REGISTRAR