



MALTA

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

**MAGISTRATE  
DR. CHARMAINE GALEA**

**Today the 29<sup>th</sup> of July 2021**

**The Police  
(Inspector Mark Mercieca)**

**vs**

**Lamin Keita  
(Police number 13W-034)**

The Court,

Having seen that the defendant **Lamin Keita** was charged with having on the 28<sup>th</sup> July 2021 and during the previous months in these Islands;

1. Produced, sold or otherwise dealt with the whole or any portion of the plant Cannabis in terms of Section 8 (e) of the Chapter 101 of the Laws of Malta;
2. Had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion of the plant Cannabis in terms of Section 8 (d) of the Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use;
3. Had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion of the plant Cannabis in terms of Section 8 (d) of the Chapter 101 of the Laws of Malta;

4. Committed these offences in, or within 100 metres of the perimeter of a school, youth club, or centre, or such other place where young people habitually meet in breach of Article 22 (2) of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta.

The Court was humbly requested that in case of guilt, apart from inflicting the punishment as prescribed by law, order also the confiscation of all objects exhibited.

The Court was also requested to apply Section 533 (1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed experts.

Having seen the consent of the Attorney General for this case to be tried by this Court in terms of section 22 (2) of Chapter 101 of the Laws of Malta;

Having seen that the acts of the proceedings;

Having heard the defendant plead guilty to the charges brought against him, which guilty plea was confirmed after the Court explained to him the punishment for the charges brought against him and gave him time to reconsider such plea;

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

**Having considered:**

The defendant admitted the charges brought against him and hence the Court is of the opinion that the same have been sufficiently proven;

Regarding the penalty to be meted out, the Court took into consideration the defendant's clean conviction sheet and his admission at the earliest stage of these proceedings;

The Court also took into consideration the nature and amount of illegal substance found in his possession.

**DECIDE**

Wherefore the Court, after having seen sections 8 (d), 8 (e) and 22 (2) of Chapter 101 of the Laws of Malta, on his admission finds defendant guilty of

all the charges brought against him and condemns him to twelve (12) months imprisonment and to a fine (multa) of seven hundred Euros (€700).

The Court is also confiscating all the objects exhibited in today's sitting marked as Document MAM 7.

The Court is also ordering the destruction of the objects exhibited as Document MAM 7, once this judgement becomes final and definitive, under the supervision of the Registrar, who shall draw up a proces-verbal documenting the destruction procedure. The said proces-verbal shall be inserted in the records of these proceedings not later than fifteen days from the said destruction.

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

Diane Gatt  
Deputy Registrar