



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

Magistrate Dr. Doreen Clarke LL.D.

Today, the 7th of September, 2021

**The Police
(Inspector Alfredo Mangion)**

vs

John Connor Donnelly

Drugs number: 111/2021

The Court,

Having seen the charges against John Connor Donnelly, 35 years of age, son of Paul and Petrishia nee' Farrelly, born in Dublin, Ireland on the 23rd June 1986, residing at Majestic Court East, Fl 7, Cross Road, Mellieha and holder of Irish Passport bearing number PT5459782.

Charged with having on the 8th July 2021 and/or in the previous weeks and months on these Islands:-

1. Imported, or caused to be imported, or took any steps preparatory to import any dangerous drug (Cannabis Grass) into Malta against the

provisions of The Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta;

2. Cultivated the plant Cannabis in terms of Section 8(c) of the Chapter 101 of the Laws of Malta;
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.

The Court is being requested that, in pronouncing judgment or in any subsequent order, confiscate all the exhibits being presented.

The Court is being requested that, in pronouncing judgement or in any subsequent order, sentence John Connor Donnelly to the payment, whole or in part, to the registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgement or order as per Article 533(1) of the Chapter 9 of the Laws of Malta.

Having seen the order of the Attorney General issued in virtue of section 22(2) of Chapter 101 of the Laws of Malta for these proceedings to be heard summarily by this Court sitting as a Court of Criminal Judicature.

Having heard the prosecuting officer declare, for purposes of the first and second charges, that this is a case of importation and cultivation for personal use.

Having seen that the defendant admitted the charges brought against him, and that he confirmed this admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

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

Having considered

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

With regards 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, his cooperation with the investigating officer, his admission at the earliest stage of these proceedings, and his clean conviction sheet. The court also took into consideration the quantity and nature of the substance found as well as the declaration of the prosecuting officer that this was a case of importation and cultivation for personal use.

Wherefore the Court, after having seen sections 7,8(c), 8(d), 22(1)(a) and 22(b)(ii) of Chapter 101 of the Laws of Malta and the regulation 9 of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charges brought against him and condemns him to a fine of five hundred Euros (€500) which is to be paid within six months. By application of section 533 of Chapter 9 of the Laws of Malta the defendant is also being condemned to pay half of the fees incurred in the employment of experts in the inquiry held relative of this case; payment is to be effected within three months of his being so requested.

DR. DOREEN CLARKE
MAGISTRAT