



The Court of Magistrates (Malta) as a Court of Criminal Judicature

THE POLICE (INSPECTOR ALFREDO MANGION) V. JEAN WARREN DYLAN RIVIERE (SWEDISH PASSPORT NO. 86067748)

(PRODUCTION, SALE OR DEALING WITH CANNABIS – KAP. 101 ART. 8(E) – CANNABIS FOUND IN POSSESSION OF ACCUSED UNDER CIRCUMSTANCES DENOTING THAT IT WAS NOT INTENDED FOR HIS PERSONAL USE – KAP. 101, ART. 8(D))

MAGISTRATE: DR. VICTOR G. AXIAK

19 May 2023

THE COURT,

having seen the charges brought against Jean Warren Dylan Riviere (“the person charged” or “the accused”) who was arraigned before her today and charged with having:

on the 17th May 2023 and/or the previous days in Msida and on 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**

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

having seen that the person charged pleaded guilty to the charges brought against him and confirmed such admission having been given ample time to reconsider it,

having heard submissions on punishment by the Prosecution and by Counsel for the person charged,

gives the following

Judgement

1. During today's sitting, the Prosecution read out under oath the charges brought against the person charged. The accused pleaded guilty to the charges brought against him. The Court explained the consequences of the admission to the accused and postponed the case to ensure that the accused consults his lawyer once again and reconsider his decision. When the case was called once again the accused reiterated his admission to the charges brought against him.

Decision

For these reasons and having seen the relevant articles of the law (Articles 8(e), 8(d) and 22(2)(b) of Chapter 101 of the Laws of Malta) the Court finds the person charged guilty of the charges brought against him upon his admission and condemns him to imprisonment for a period of six (6) months and to a fine (multa) of five hundred euro (€ 500). The Court accepts the request made by the accused to pay the fine in instalments and orders that the fine is paid in five (5) monthly equal instalments in accordance with Art. 14 (2) of the Criminal Code. The Court also orders that all articles in respect of which the offence was committed are forfeited to the Government and destroyed in terms of law.

V.G. Axiak

Magistrate

Y. M. Pace

Dep. Registrar