

Kopja Informali ta' Sentenza



MALTA

**QORTI TAL-MAGISTRATI
(MALTA) BHALA QORTI TA' GUDIKATURA
KRIMINALI**

**MAGISTRAT DR.
CAROL PERALTA**

Seduta tat-23 ta' Settembru, 2002

Numru 137/2002

**The Police
Inspector Jeffrey Cilia
Inspector Sandro Zarb**

Vs

Andrew James Stuardy

The Court;

Having seen the charges brought against the accused
Andrew James Stuardy, 18 years old, son of Andy and

Pagna 1 minn 8

Qrati tal-Gustizzja

Lucy nee' Emilia Mc Cartney, born in England on the 6th March, 1983, and presently residing in Malta at 2, Triq il-Kungress Marjan, Marsa, and holder of British Passport number 201429737;

With having during the past seven months and before the 19th February, 2002, committed several acts, even if at different times, and which constitute violations of the same provision of the law, and in pursuance of the same design, that is:

a. with having on the 7th January, 2002, at the Jerma Palace Hotel in Dawret it-Torri, Marsascula, committed theft of several items, which theft is aggravated by means, time, and amount exceeding one hundred Maltese liri (Lm100), to the detriment of Sylvana Zammit and Claudine Spiteri;

b. with having on the same date, time, place and circumstances, committed theft of vehicle make Fiat Punto bearing registration number JBA 919, containing several items, which theft is aggravated by means, nature of the thing stolen, time and amount exceeding one thousand maltese liri (Lm1000), to the detriment of Sylvana Zammit.

c. with having on the 3rd August, 2001, at the Palm Court Hotel in Qawra committed theft of several items, which theft is aggravated by amount, to the detriment of Nadia Antonia Pflager;

d. with having on the 23rd September 2001, at the Palm Court Hotel in Qawra, committed theft of several items from rooms no. 576, 574, and 540, which theft is aggravated by means and amount to the detriment of Micheala Hahn, Nadine Melanie Nitschle, Sarah Sophie Geheeb and Michael Arthurs Smith;

e. with having on the 30th September, 2001, at the Palm Court Hotel in Qawra, committed theft of several items from room no. 526, 319A, 329 and 247, which theft is aggravated by means and amount, to the detriment of Kenneth James Jensen, Vikki Ann Robinson, Kenneth Donald Brudenell, Lorraine Elizabeth Powell and Leonard John Harrad;

f. with having on the 23rd October 2001, at the Luna Hotel in Mellieha, committed theft of several items from room no. C46, which theft is aggravated by means, time and amount, to the detriment of Franciscus Vejgen;

g. with having on the 8th October, 2001, at the Luna Hotel in Mellieha, committed theft of several items from room no. E7, which theft is aggravated by means, time and amount, to the detriment of Anthony Rutter;

h. with having on the 2nd November, 2001, at the Domen Hotel in Bugibba, committed theft of several items from no. 143, which theft is aggravated by means and amount, to the detriment of Pietro Schillachi;

i. with having on the 17th December, 2001, at the Domen Hotel in Bugibba, committed theft of several items from room no. 469, 172, and 461, which theft is aggravated by means, time and amount, to the detriment of Florian Kuehn, Elizabeth Pilkington, Richard Justin Healyy.

j. with having on the 10th October 2001, at the Canifor Hotel in Qawra, committed theft of several items from room no. 414, which theft is aggravated by means and amount, to the detriment of Barry Keith Fox;

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k. with having on the 12th November, 2001, at the Canifor Hotel in Qawra, committed theft of several items from room no.420, which theft is aggravated by means and amount, to the detriment of Josephine Christine Staunton.

l. with having on the 15th January, 2001, at the San Pawl Hotel in St. Paul's Bay, committed theft of several items from room no. 327, which theft is aggravated by means and amount, to the detriment of Dorothy Taylor.

m. with having of the 17th January, 2001, at the San Pawl Hotel, in St. Paul's Bay, committed theft of several items from room no. 329, which theft is aggravated by means and amount, to the detriment of Ronald Price;

n. with having on the 11th October, 2001, at the San Mark Hotel in Bugibba committed theft of a photo camera, which theft is aggravated by amount to the detriment of Brian Alderman James Roberts;

o. with having on the 19th October, 2001, at the Santana Hotel in Qawra, committed theft of several items from rooms no. 112, which theft is aggravated by means and amount, to the detriment of Geb Kraub;

p. with having on the 15th August, 2001, at the Limelight Hotel in Bugibba, committed theft of several items from rooms no. 217 and 218, which theft is aggravated by means and amount, to the detriment of Anna Christina Woodward and Rebecca Lynch;

q. with having on the 4th January, 2002, at the Pergola Hotel in Mellieha, committed theft of several items, from room no. 74, which theft is aggravated by means and amount, to the detriment of June Bateson;

r. with having on the 18th November 2001, at the Santa Maria Hotel in Qawra, committed theft of several items from room no. 111-112, which theft is aggravated by means and amount, to the detriment of John Edward Pemleton;

s. with having on the 9th January, 2002, at the Qawra Palace Hotel in Qawra, committed theft of several items from room no. 610 and 675, which theft is aggravated by means and amount, to the detriment of Charmaine Saliba and Margaret Ann Mackenzie;

t. with having on the 11th December, 2001, at the Qawra Palace Hotel in Qawra, committed theft of several items from room no. 367 and 361 which theft is aggravated by means and amount, to the detriment of Wendy Ann Rees and Barry Watts;

u. with having on the 9th December, 2001, at the Kennedy Nova Hotel in Gzira, committed theft of several items from room no. 422, which theft is aggravated by means and amount, to the detriment of Marina Van de Ven;

v. with having on the 27th December 2001, at the Plaza Hotel in Sliema, committed theft of keys and cash from the housekeeper's room, which theft is aggravated by means to the detriment of Carmen Seguna;

w. with having on the 4th December, 2001, at the St. George's Park in Paceville, committed theft of several items from room no. 526, which theft is aggravated by means and amount, to the detriment of Audrey Millword;

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x. with having on the 10th December 2001, at the St. George's Park in Paceville, committed theft of several items from rooms no. 306 and 320, which theft is aggravated by, means and amount, to the detriment of Kenned Ward and Mary Elizabeth Pena;

y. with having sometime between th 11th October, 2001, and the 9th November, 2001, at the Westin Dragonara Resort in St. Julians, committed theft of a projector, which theft is aggravated by means and amount, to the detriment of Peninsula Investment Ltd.;

z. with having on the 27th October, 2001, at the Corinthia Marina Hotel in St. Julians, committed theft of several items from room no. 7138, which theft is aggravated by means, to the detriment of Horst Prufert.

aa. with having on the 24th November 2001, at the La Vallette Hotel in Paceville, committed theft of several items from rooms no. 9038, 9064, 9026 and 9032, which theft is aggravated by means and amount, to the detriment of Margaret Adams, Jean Driver, Marlyn Allsop and Audrey Maureen Brown;

bb. with having on the 15th november 2001, at the Porto Azzurro Hotel in Xemxija, committed theft of several items from rooms no. 521 and 520, which theft is aggravated by means and amount to the detriment of Judy Martins and Marie Jean Bolton;

cc. with having on the 17th January 2002, at the Porto Azzurro Hotel in Xemxija, committed theft of several items from rooms no. 406, 608, 413, 618, and 602, which theft is aggravated by means and amount, to the detriment of Mark Lydon Davis, Carol Ann Ponn, James Dewhurst, Roland Harry Smith and Peter Smith;

dd. with having on the 17th January, 2002, at Gzira, with the intent to commit theft from the Kennedy Nova Hotel, manifested such intent by overt acts and commenced the execution of this crime by forcing open the door of Room no. 312, which theft was not completed in consequence of some accidental cause independent of his will and which theft if committed would have been aggravated by means and amount to the detriment of John Keane;

ee. with having on the 18th February 2002, and during the seven preceding months, in Malta, knowingly received or purchased property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad or knowingly took part, in any manner whatsoever, in the sale or disposal of the same;

ff. with having on the above mentioned dates, time, and places wilfully committed spoil, damage or injury to or upon movable or immovable property belonging to the proprietors of the above-mentioned property and other persons.

Having heard the evidence and the documents exhibited;

Having seen the admission of the accused dated 14th May 2002;

Considers:

That the unconditional admission of the accused to the accusations brought against him by the Prosecution to the charges therein contained, leave this Court with no other alternative but to find the said accused guilty as charged.

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With regards to punishment and after having ascertained itself that th accused will subject himself to the sentence imposed, the Court is hereby imprisoning the accused for a period of two years from which is to be deducted the period he has remained under arrest.

Subsequent to the accused serving his sentence, the Court is ordering his immediate deportation from these Islands, in terms of Chapter 217 of the Laws of Malta.

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