



Qorti tal-Magistrati (Malta)
Bhala Qorti ta' Gudikatura Kriminali

Magistrat Dr. Yana Micallef Stafrace LL.D.

Pulizija

(Spettur Diane Vella)

Vs

Juliana Maria Ann Stagno

Illum 12 ta' Mejju, 2025

Il-Qorti;

Rat l-imputazzjonijet fil-konfront ta' Juliana Maria Ann Stagno bint Joseph John Emanuel Micallef u Kathleen Victoria nee` Danks imwielda fl-04/02/1975 u toqghod Block A 4, FL 6, Triq Pietru D`Armenia, Pembroke ID 166788M.

Billi int akkuzat talli fil-01 ta` Frar, 2022 ghall-habta ta' 23.50 hrs fi Triq Santu Wistin, San Giljan soqt vettura b`numru ta' registrazzjoni CQZ701;

1. B`manjiera traskurata.
2. U talli soqt l-imsemmija vettura b`manjiera perikoluza
3. U aktar talli soqt l-imsemmija vettura b`manjiera bla kont
4. U aktar meta b`nuqqas ta` hsieb, bi traskuragni jew b`nuqqas ta` hila fl-arti jew professjoni jew b`nuqqas ta` tharis tar-regolarmenti tat-traffiku , nvolontarjament ikkagunajt offizi ta` natura gravi fuq il-persuna ta` Vincente Jr Taclibon skond kif iccertifika Dr. Alexander Paul Grima MD. mill-MDH.

Il-Prosekuzzjoni titlob li tigi skwalifikat/a mill-licenzji kollha tieghek tas-sewqan.

Il-Qorti hija gentilment mitluba li f`kaz ta' htija minhabba li tinfliggi il-piena skont il-ligi, tnaqqas il-punti mill-licenzji tas-sewqan hekk kif stabbilit mill-L.S. 65.18 Art 36B u fil-65.18 Sitt Skeda.

Rat l-artikolu 226(1)(b) tal-Kap 9 u Art 15(1)(a)(2)(3) kap 65 u fil-LS65.18 Sitt Skeda tal-Ligijiet ta' Malta.

Rat ix-xhieda kollha prodotta mill-Prosekuzzjoni.

Rat ix-xhieda tal-imputata.

Rat l-atti kollha u x-xhieda u dokumentazzjoni kollha prodotta.

Semghet it-trattazzjoni.

Ikkunsidrat

PS430 A St John u t-tabib Alexander Paul Grima u Mr Simon De Gabriele xehdu permezz ta` affidavid

Vincente Jr Taclibon, xehed hekk

Pros: Mr. Vincente you reported something to the police? Where do you work sir?

Wit: I work in a Ecabs.

Pros: Which locality?

Wit: In St. Julians.

Pros: Something happened over there I was about to finish my work.

Pros: Hold on date and time?

Wit: I was about to finish my work I just finish and park my van.

Court: And you parked where please?

Wit: Garage of Ecabs.

Court: Where did you park?

Wit: Garage of Ecabs St. Julians.

Court: Do you know the name of the road?

Wit: I`m not really know the exact street of.

Court: Ok you know the date?

Wit: Yes it was February 2, 2022.

Court: So what happened it was during the day during the evening?

Wit: In the evening.

Court: So it was dark?

Wit: Yes.

Court: Ok what happened?

Wit: I was about to finish my work going to submit the key the pouch and the money during my shift so I was crossing the road opposite from the garage opposite the office so while I was walking it was nothing I almost close to the edge of the pavement when suddenly I heard an acceleration of a car and hit me instantly.

Court: So you had already crossed the road?

Wit: Almost your honor when instantly it hit me in bumping it was too very fast.

Court: And the car so you were crossing the road and what direction did the car was coming?

Wit: It should come from the right side when I facing our office your honor it is on my right side.

Pros: Do you remember who was driving the car?

Wit: It was a lady.

Pros: Do you recognize her?

Wit: Yes yes during that time she was confronting me about the things that happen but I told her please call the ambulance please because I am bleeding because at that time so I am surviving my own self.

Pros: She was talking to you?

Wit: When I told her to call an ambulance she called and people are coming to get help at that time I don't know if I was going to die I have a 2 yr old son waiting for me at home and wife.

Pros: Do you remember which part of the vehicle she hit you?

Wit: I think it's left side of the car the front.

Pros: With regards to your injuries?

Wit: I have procured of head from here to here.

Pros: How long you were far away from work?

Wit: I had only 8 hour.

Court: You went to work with these injuries?

Wit: No no.

Court: After the injuries when did you go back to work?

Wit: I think month of May.

Court: So took you months to go back to work?

Wit: Yes.

Court: From February to May?

Wit: Yes your honor.

Court: So over a month?

Wit: Yes over a month.

Court: Cross.

Adv: Do you have any evidence to submit regards to your injury?

Wit: Yes I have the certificates from the police and from the hospital and from the doctor.

Court: If I accept these I want the doctors to confirm on oath at this point I can't except them.

Adv: So you confirmed that this accident happened in the evening can I suggest you that it happened late at night?

Wit: Yes.

Adv: And do you confirm that the street in particular there were no traffic in that street it was a quiet street at night?

Wit: Yes.

Adv: And this particular part where the accident is being allured that happened is narrow so many steps do you need to take to cross from one part of the street to the other am I right in saying is narrow as a street?

Wit: It is not that narrow if you check.

Court: How many cars can 2 cars fix next to each other in it?

Wit: It is in different ways there is going down and the other one is going up in the center there is small pavement on the center.

Adv: A traffic island.

Court: So it is divided by a traffic island?

Wit: Yes your honor.

Adv: Could you see the car that you are allegedly hit you coming could you see it coming or the light of the car?

Wit: At that time when you are facing to the office there is no car during that time when I almost close to the edge of the

pavement there is I heard acceleration and that`s coming very fast I don't know what to do.

Adv: And am I right in saying that you can cross this road very quickly and you were almost you said you were almost on the pavement?

Wit: Yes.

Adv: Ok and according to you where were you hit by the car?

Wit: You mentioned you had injuries in forehead did the car hit you in your forehead?

Wit: When I was hit by the car I fell down during that time I holding my a small bag inside the a small Thermos and it was not empty yet a little of water together with on the right hand so I think that one saved me also from the impact of the car.

Court: So the and it threw you on the floor?

Wit: When I was hit I was thrown to the floor.

Adv: I am suggesting that you lost your balance is that true?

Wit: No u didn't loose my balance I was hit by the car.

Adv: Are there any crossing pedestrians nearby?

Wit: No no.

Juliana Maria Ann Stagno xehdet hekk

Avu: Mela Juliana spjega naqra x`gara dak in-nhar tal-incident inti fejn kont umbaghad fejn kont sejra spjega daqxejn il-Qorti umbaghad insqasik dwar l-incident veru propju?

Xhud: Mela kont ghadni ghandi kif spiccajt xoghol xil-11.30.

Avu: U fejn kont tahdem?

Xhud: Dak iz-zmien kont nahdem restaurant manager il-Belt kont on the way għad-dar gejjja minn Triq Sant Andrija.

Avu: U fejn f'liema zona jgħifieri inti tlaqt mill-Belt?

Xhud: Iva, San Andrija u nieżla għad-dawra tal-E-Cabs biex tiġi triq Santu Wistin. Ma kien hemm l-ebda karozza fi triq dak il-ħin tard kienu xi 12:00 nofs il-lejl naħseb.

Avu: U bħala dawl kif kien?

Xhud: F'dak iż-żmien kien mudlam ħafna.

Avu: Għalfejn qed tgħid dak iż-żmien li illum huwa differenti?

Xhud: Illum għamlu id-dwal għax hemmekk hemm kissra li meta tiġi minn fuq kif iddur hemm qisu blind spot, jiġifieri litteralment everything dark u kif dort nisma' ħoss mal-karozza waqft immediatley u hsibt ngħildek il-verita forsi kien xi ħaġa mal-art lanqas biss indunajt li tajjart persuna, jiġifieri għax litteralment ma rajt xejn.

Qorti: It-triq kemm hi wiesgħa?

Xhud: Qisu naqra iktar minn wiesgħa ta' karozza u hemm bankini jew le?

Xhud: Hemm ic-central strip fin-nofs infatti naħseb meta ilqattu jiena naħseb,

Qorti: Minuta din central strip, jiġifieri meta tgħid wiesgħa daqs karozza kien hemm wisa' ta' karozza minn naħa u wisa' ta' karozza naħa l-oħra.

Xhud: Ehe.

Qorti: Jiġifieri inti qed tgħid meta lqattu he was on your right or on your left?

Xhud: Eminni ma nistax nghidlek ghax litteralment ma rajtux kif hrigt ezatt mit-tieqa tal-karozza biex nara x`gara hemmekk ixxukkjajt ruhhi rajt bniedem mal-art.

Qorti: Jigifieri hu kien fuq in-naha teghek meta hrigt meta rajtu?

Xhud: Ehe kien fuq in-naha tiegħi.

Qorti: Fejn hemm ic-central strip?

Xhud: Ehe nahseb rasu habat m`hemmekk nghidlek il-verità hrigt rasi minn got-tieqa u nisma xi hadd jghajjat help me help me nghidlek il-pura verità hadt ftit sekondi ghax dak il-hin kont ixxukkjata ghax ma stennejt qatt li ha nsib bniedem mal-art hrigt u beda jghajjat ghedtlu do not move do not move qalli call an ambulance.

Avu: Ghaliex ghedtlu do not move?

Xhud: Lanqas kont naf jekk hux dmija jew le ghax tant hemm dlam jigifieri d-dawl vera kien poor dak iż-żmien imma bdejt nassumi li kien blood.

Avu: Bhala ilbies tieghu dan kif kif kien?

Xhud: Hu kien biex tghaxxaqha liebes kollox frpm head to toe dark black u hu ta karneggjon iswed ukoll biex taghxxaqha.

Avu: Issa fl-istatement l-injured part qed jghid illi inti kont ġejja b`velocità kbira u qed jghid li ġejja minn x'imkien x'ghandek xi tghid dwar dan u wara ghandek xi ritratti x' tippreżenta lill-qorti?

Xhud: Mela hu kien qal li ġejja mill-bridge, jiena kont ġejja minn Sant'Andrija minn fuq nahseb forsi mil-bridge peress li m`hemmx kissra jista' jkun li forsi fid-dawl tal-karozza kien ikun jidher ma nafx biex inkun qed ngħid il-verità. Biss pero dik il-kisra u fast ma tistax tiġi għax ma ddurx dik.

Avu: Għandek xi ritratt għax hu qed jghid illi inti kellek a large ...?

Xhud: Jiena kull ma kelli infatti jien nahseb li kemm bil-kemm ilqattu fil-verità.

Qorti: Inti għandek xi haġa tal-lokalità?

Xhud: Iva jiena li għandi hawnekk,

Qorti: Dik google maps jew xi haġa simili?

Xhud: Iva, u ghandi tad-dent tal-karozza.

Avu: Mela ha mmorru fuq JM 1 forsi.

Qorti: Jigifieri s-central strip inti qed tghidli qal li hawn fuq, immarkali ic-central strip ha naghmlu hekk.

Xhud: Iva dik hi.

Qorti: Ghamilli X.

Xhud: Issa faccata nahseb ghax skond mil-istatement li qal hu stess li kien jahdem mal-E-cabs.

Qorti: Le le x`rajt inti.

Avu: Mela immarkali il-point of impact tal-incident.

Xhud: Ok, Fil-vicinanze tas-central strip in fatti li jien hemm sibtu ma' rasu just u taht il-centre strip.

Qorti: U DOK JM 2 immarkali id-daqqa sinjura ukoll.

Avu: Mela ha naghmillek domanda ohra fuq il-JM 1 fuq il-ghamiltu int qed nimmagina dotted line one minute spjega daqsxejn x'inhum dak id-dotted line u l-1 minute ghall-xiex inhi?

Xhud: Ifhem ghax nghidlek il-verita zebra crossing ftit l-isfel I mean it is a bit dark u daqxejn dangerous.

Qorti: Hemm zebra crossing fil-vicinanze?

Xhud: 1 minute hemm id-dotted line. One minute away hemm zebra crossing.

Qorti: Fejni iz-zebra crossing sinjura ma tidhirx fir-ritratt?

Xhud: Fejn tieqaf hemmekk tigi ezatt quddiem il-parking tal-Eden.

Qorti: U l-inċident sar fit-T-Junction piu o menu hux hekk?

Xhud: Ezatt, 90 meters approximately hemm.

Avu: Mela mbagħad inti smajt dan il-ħoss inżilt x'gara imbagħad minn hemm?

Xhud: Imbagħad x`hin rajtu ma l-art ghedtlu do not move do not move ghedtlu it`s okay qalli call help call help ghedtlu yes I am going to nghidlek il-verita hadt ftit seconds ghax I was in shock cempilt mal-ewwel l-ambulanza l-emergenza umbagħad gew il-pulizija saqsewni ovvjament x`gara u x`ma garax. In the mean time kien hemm xi nies gew u bdew jippruvaw jgħinuh.

Avu: Dawn l-affarijiet li semmejlina rigward nuqqas ta' dawl illi ma kienx liebes ċar. Dan spjegajtu lill-pulizija?

Xhud: Meta kont qed nitkellem ma tghidlix li ma wiehed jew wahda ghax ma tantx imma niftakar qalli vera kerha dit-triq issa finally gara li gara tieghi issa finally hemm id-dawl issa at least allura coming on the other side it's not an issue ghax hemm id-dawl tal-E-Cabs imma on that side it was Pitch Black.

Avu: Sewwa lilu kellimtu wara l-inċident qal xi diskors?

Xhud: Le le aqqas qatt ma kellimtu ippruvajt nghidlek il-verita staqsejt jekk nistax nara kif inhu u nsaqsi pero hadd tani informazzjoni ghax ovvjament mhux xi haga sabiha li taghddi minnha.

Avu: Xejn daqsekk.

Ray Gatt, Xehed hekk

Qorti: Mela Mr. Gatt gatt x1ha tghidilna please?

Xhud: Kont imqabbad mil-Qorti biex nagħmel ċertifikat fuq id-dizabilità li sofra Mr. Vicente Taclibon Jr. Dan id-dmir għamiltu u ikkostajt li l-pazjent sofra dizabilità ta' 5 fil-mija.

Qorti: Jigifieri mqabbad minni jew minn Qorti ċivili?

Qorti: Nassumi qorti ċivili ma nafx ma nafx prova nsib il-digriet ta'. Jien għandi li 26/2 ma stajtx tezebixxi r-rapport għax ma kienx hawn l-imputata.

Xhud: Fil-fatt 26/2 Ġunju, Mejju/Gunju kont issa dahħaltni f'dubju fil-fatt. 26/2 ta din is-sena.

Qorti: Ehe meta gejt u ma stajtx tezebiegh għax ma kienx hawn l-imputata prezenti.

Xhud: Biex nghin il-qorti kienet issejthet qabel fid-disgħa x'kien hemm divergenza, Imbagħad għamilna rikors u ntlaqa' fil-fatt.

Qorti: Ok giet tarak privat?

Xhud: Jista jkun ma niftakarx.

Qorti: Intom jirrizultalkom mod ieħor milli ratu u raha privat il-midrub għax jien m' iniex qed nara verbali. Jigifieri qed nitkellmu fuq Vincente Taclibon.

Xhud: Iva.

Qorti: Mela dan kellu natura gravi x'kienu ghax 5% iktar tac-civil jiena jekk gravi it took more than a month to hela biex nibdew minn hemm?

Xhud: Hu kellu ksur f`bicca mil-ghadma tac-cervical vertebra.

Qorti: Ok ftehmna, jigifieri gravi?

Xhud: Yes.

Avu: Kontro Ezami, inti meta ghamiltha din ir-review?

Xhud: L-uniku u l-ahhar darba l-10 t`Awwissu 2022.

Avu: Xejn iktar.

Ikkunsidrat

Illi l-imputat wriet *lack of proper lookout* meta laqtet lil midrub. Jekk it-triq tkun mudlama trid toqghod aktat attentata. Fil-vicinanze prossimi tal-incident ma jidhirx minn Dok JM1 li kien hemm zebra crossing li setgha utilizza l-midrub. L-livell kien fi grad ta' traskurat bhekk jirrizultaw l-ewwel(1) u r-raba(4)imputazzjoni izda mhux it-tieni (2)u t-tielet (3)

Decide

Ghal dawn il-motivi wara li rat l-artikoli-226(1)(b) tal-Kap 9 u Art 15(1)(a)(2)(3) kap 65 u fil-LS65.18 Sitt Skeda tal-Ligijiet ta' Malta issib lil Juliana Maria Ann Stagno

hatja tal-ewwel u r-raba' imputazzjoni u tikkundannha
komplessivament ghal multa ta' elfejn euro (2000)
hmistghax(15) -il gurnata skwalifika mill-licenzji kollha
tas-sewqan u erba' (4)punti mill-licenzji taghha tas-
sewqan u tilliberha minn kull htija u piena dwar t-tieni u
tielet imputazzjoni.

DR. YANA MICALLEF STAFRACE LL.D.
MAGISTRAT

Doris Serpina Sciberras
Deputat Registratur

