



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA**

Sitting of the 13 th June, 2003

Number 157/2003

**Section 8(a)(c) of
Chapter 101 of the Laws of Malta**

**The Police
Inspector Josric Mifsud
v**

YOANN DOMINIQUE POTEL

The Court,

Having seen that the accused **YOANN DOMINIQUE POTEL** aged 20 years, son of Jacky and Mitchelle nee Mateos, born in Vernon , France on the 12th April 1983 and residing at 12, Rue de Seine, Port-Mort, holder of french identity card number 990127100954 was brought forward before her and charged with on the night of the 11th June to the 12th June 2003 and the three months

before this date, had in his possession the resin obtained from the plant Cannabis or any other preparation of which such resin formed the base.

The Court saw all the documents exhibited in these proceedings in particular the Fiat of the Attorney General given according to Section 22(2) of Chapter 101 dated 12th June 2003.

Having heard the accused plead guilty when the examination in chief was made to the accused in terms of section 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta.

Having cautioned the accused in the most solemn manner with regards to the legal consequences ensuing from his guilty plea and having given the same accused time to reconsider his guilty plea, same accused insisted on registering a guilty plea as in fact was registered in the acts of these proceedings on the 13th June 2003, as can be evidenced from the examination carried out in these acts, so it has no alternative but to find the accused guilty of such charges.

The Court before proceeding to pronounce judgment, as was its duty to do, heard the Prosecution and the Defense lawyer make their oral submissions regarding the punishment to be given to the accused.

The Court having seen the relevant sections at law in particular section Section 8(a)(c) of Chapter 101 of the Laws of Malta, condemns the accused YOANN DOMINIQUE POTEL to a period of imprisonment of eighteen months which period is being suspended for two years in terms of section 28A of Chapter 9 of the Laws of Malta.

The Court nominates Pharmacist Mario Mifsud for the destruction of the resin of Cannabis exhibited in these proceedings.

Informal Copy of Judgement

The Court explained the importance of this judgment to the accused and the consequences if he fails to adhere to it.

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