



## QORTI TA' L-APPELL KRIMINALI

**S.T.O. PRIM IMHALLEF  
VINCENT DE GAETANO**

Seduta ta' l-4 ta' Jannar, 2008

Numru 421/2007

The Police  
(Superintendent Mario Bonello)

versus

Nicholas Ross Wearden Murphy

The Court;

Having seen the charge preferred against Nicholas Ross Wearden Murphy, that is the charge of having on the twelfth (12<sup>th</sup>) August two thousand and seven (2007) at about 11:45p.m. as the person to act as a substitute at *The Creek* bar situated at Rabat Road, Marsalforn, Gozo placed tables or other furniture outside the mentioned tourist premises without a licence for such purpose issued by the Malta Tourism Authority;

Having seen the judgement delivered by the Court of Magistrates (Gozo) on the sixth (6<sup>th</sup>) November two thousand and seven (2007) whereby the said Nicholas

Kopja Informali ta' Sentenza

Ross Wearden Murphy was found guilty as charged and sentenced to the payment of a fine (*ammenda*) of twenty-five Maltese liri (Lm25);

Having seen the application of appeal filed by the Attorney General on the fourth (4<sup>th</sup>) December two thousand and seven (2007) whereby the Attorney General requested a variation of the said judgement in respect of the punishment awarded;

Having noted that the note filed by the Executive Police for the purposes of section 414(1) of the Criminal Code was in fact not filed within four (4) working days from the delivery of the judgement of the Inferior Court, but was in fact filed within five (5) such days;

Having heard Dr. Lara Lanfranco, Counsel for the Attorney General, agree that this note was filed one day late;

Declares the appeal filed by the Attorney General to be null and void, and abstains from taking further cognizance of the same.

**< Sentenza Finali >**

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