

Kopja Informali ta' Sentenza



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

**MAGISTRAT DR.
AUDREY DEMICOLI**

Seduta tat-8 ta' Jannar, 2008

Numru 15/2008

The Police
(Inspector Mario Tonna)

vs

Matthew Luke Demicoli

The Court;

Having seen that the accused Matthew Luke Demicoli, 22 years old on 13th June 1985 born at Pieta son of Mario and Susan nee` Field residing at 51 Meadow Flats Triq Alka St. Paul's Bay holder of identity card number 32858M (holder of British passport) was arraigned before her and charged having between the 20th December 2003

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and 2nd January 2004 at various places on the Islands of Malta during different times by means of unlawful practice, or by use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device of pretence calculated to lead to the belief in the existence of any fictitious enterprise or any or of any imaginary power, influence or credit, or to create the expectation of apprehension of prejudice of the Phone world shop at San Gwann MPC Phone shop at Mosta, Cell shop at Ta' Xbiex, Alexander Aquilina and Richard Ellul at Valletta and Ikli as per section 308 of chapter 9 of the laws of Malta.

Also that on the same dates, times and places made to the prejudice of the same enterprises and individuals mentioned above any other fraudulent gain as per sections 309 and 310(b) of chapter 9 of the laws of Malta.

Having heard the accused plead guilty to all the charges brought against him, notwithstanding the fact that the Court warned him of the consequences of his plea after having afforded to him sufficient time within which to withdraw his guilty plea.

Having heard the admission of the accused to all the charges brought against him the Court has no alternative but to find him guilty of all the said charges.

With regards to punishment the Court heard the Prosecution declare that at the time of the commission of the offences with which he is being charged the accused had family problems. The Court also took in consideration the fact that the accused has a clean criminal record, his young age at the time of the commission of the offence and the fact that he submitted a guilty plea at such an early stage of the proceedings.

After having seen Sections 308, 309 and 310 (b) of Chapter 9 of the Laws of Malta the Court finds the accused guilty of all the charges brought against and in terms of Section 7(1) of Chapter 446 of the ALws of Malta orders that the accused is put under the supervision of a

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Probation Order for a aperiod of three (3) years subject to the following conditions:-

1. That during this thre yar probation period the acused Matthew Luke Demicoli folowas and obeys all orders given t him by the Probation Officer.
2. That he maintains a constant and frequent contact with the Probation Officer and that he attends all meetings fixed by the said Probation Officer.
3. That he informs the Probation Officer of any change in his residential address.
4. That the Probation Officer files a written report every six months whereby he or she submits details to the Court in relation to the progress and behaviour of the accused Matthew Luke Demicoli.

The Court has explained to the accused in plain and simple language what are the consequences if he commits an offence during this probationary period of three years.

In terms of Section 7(8) of Chapter 446 of the Laws of Malta the Court is hereby ordering that a copy of this judgement is notified to the Director of Probation Services so that a Probation Officer is appointed to supervise the accused.

The Court after having seen Sections 392A and 401 (3) of Chapter 9 of the Laws of Malta orders that the acts of these proceedings together with a copy of this judgement , be sent to the Attorney General.

< Sentenza Finali >

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