



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 18 th May, 2010

Number 446/2010

**The Police
For the Principal Immigration Officer
(Inspector Edel Mary Camilleri)**

Vs.

**-OMISSIS-
PROSPER CHRISTIAN ARINZE
-OMISSIS-**

The Court,

Seen the charges brought against –omissis-, Prosper Christian Arinze of 24 years son of Thomas and Pauline born in Nigeria on the 01/01/1986, holder of police number 08KK-078. Escapee from Lyster Barracks, -
omissis- :

-Omissis-

Prosper Christian Arinze alone is charged for: on the month of July 2009 and the months after, while detained at Lyster Barracks Hal Far, Malta, escaped from this place of custody and this in violation of Article 151 of Chapter 9 of the Laws of Malta.

And also for having under the same circumstances, landed or embarked from Malta without being in possession of a passport and have not furnished to the Principal Immigration Officer the prescribed information and such other information as the Principal Immigration Officer may deem proper to require, and this in violation of article 28 of Chapter 217 of the Laws of Malta.

-Omissis-

Seen the acts of the Case and the exhibited documents.

Noted that in today's Sitting accused in the presence of his defence counsel pleaded guilty to the charges brought against him.

The Court warned the accused in the presence of his defence counsel in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked in the presence of his defence counsel whether he confirms his admission of guilt or not, the accused in the presence of his defence counsel confirmed that he is pleading guilty to the charges brought against him.

Noted that in today's Sitting Inspector Dennis Theuma for the Prosecution declared that accused co-operated with the Police.

Informal Copy of Judgement

Heard submissions on punishment by the Prosecution and Defence.

Seen sections 17 and 151 of Chapter 9 and section 28 of Chapter 217 of the Laws of Malta.

Considering that accused Prosper Christian Arinze pleaded guilty to the charges brought against him, the Court has no alternative but to find said accused guilty of the charges brought against him and having considered all the circumstances of the Case including the fact that accused entered his plea of guilt to the said charges in the early stage of the proceedings and also the fact that in today's Sitting Inspector Dennis Theuma for the Prosecution declared that accused co-operated with the Police and having seen sections 28A and 28B of Chapter 9 of the Laws of Malta, condemns accused Prosper Christian Arinze to the punishment of fourteen (14) months imprisonment and orders that this Sentence as regards the punishment of imprisonment should not take effect unless during the period of four (4) years as from today accused Prosper Christian Arinze commits another offence punishable with imprisonment.

The Court is giving the accused Prosper Christian Arinze the explanation prescribed in section 28A(4) of Chapter 9 of the Laws of Malta.

Finally the Court, by virtue of section 392A(2) of Chapter 9 of the Laws of Malta, orders that a copy of this Sentence and all the acts of this Case be transmitted to the Attorney General within the time prescribed by Law.

< Final Judgement >

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