



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

**MAGISTRATE DR.
AUDREY DEMICOLI**

Sitting of the 13 th April, 2010

Number. 359/2010

**The Police
(Inspector Geoffrey Azzopardi)**

vs

Lucky Opia Paul

The Court;

Having seen the accused, Lucky Opia Paul, of 29 years, son of Opia Paul and Regina, born in Nigeria on the 23rd of September 1980, residing at Hal-Far Tent Village and holding police number 08BBBB-080, was arraigned before the Court and charged with having:

1. Forged , altered or tampered with any passport or used or had in his possession any passport which he knew to be forged, altered or tampered with in terms of Art 5, Chapter 61 of the Laws of Malta;

2. Without lawful authority used or had in possession any forged document required for the purposes of the immigration Act in terms of Art 32 (1) (f), Chapter 217 of the Laws of Malta;

3. Knowingly made use of the forged documents, that is Spanish residence permit card in terms of Art 189, Chapter 9 of the Laws of Malta;

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

Having heard the guilty plea of the accused to the charges brought against him the Court has no alternative but to declare the accused guilty of the said charges brought against him.

With regards to punishment the Court took into consideration the fact that the accused has a clean criminal record. The Court also took into consideration the fact that he pleaded guilty at an early stage of the proceedings. The Court however also took into consideration the seriousness of the offences of which the accused is being found guilty and deems that effective imprisonment is the adequate punishment.

After having seen section 5 of Chapter 61 of the Laws of Malta, section 32 (1) (f) of Chapter 217 of the Laws of Malta and section 17 and 189 of Chapter 9 of the Laws of Malta, the Court finds the accused guilty of all the charges brought against him and condemns him eight (8) months imprisonment.

In terms of section 401(3) of Chapter 9 of the Laws of Malta, the Court orders that a copy of this judgement together with the acts of these proceedings are sent to the Attorney General within the time limit stipulated by Law.

Informal Copy of Judgement

< Final Judgement >

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