



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

**MAGISTRATE DR.
JACQUELINE PADOVANI**

Sitting of the 19 th October, 2010

Number 1057/2010

**POLICE
INSPECTOR CHRISTOPHER PULLICINO
VS
GRAFIAN CALDARARU
MARIUS CLAUDIU STANESCU
GHEORGHE STANESCU**

The Court,

Having seen the charges brought against the accused Grafian Caldhararu, 37 years, son of Lupascu and Costanza nee' Stanenscu, born Romania on the 19th December 1973 with no fixed address and holder of Romanian ID card bearing the number GL573141. Marius Claudiu Stanescu, 20 years, son of Stanescu Mihai and Fraga nee' Mihai, born Romania on the 4th March, 1990, with no fixed address and holder of Romanian ID card bearing the number GL332341. Gheorghe Stanescu, 36 years, son of Daniel and Tarsica nee' Caldhararu, born Romania on the 31st March 1974, with no fixed address

and holder of Romanian ID card bearing the number GL663396.

And charge them with having at different localities and in different dates in these Islands between the period of the 28th of September 2010 and the 15th October 2010, committed several acts, even if at different times, and which constitute violations of the same provision of the Law, and have been committed in puruance of the same design, that is:

Gheorghe Stanescu and Marius Claudiu Stanescu only:

a) At St. Julian's on the 3rd of October 2010 at about 01.30hours, committed theft of a male wallet containing thirty euros in cash and various documents, which theft is aggravated by time and was committed to the detriment of Steve Spiteri;

b) At Imsida, on the 5th of October 2010 or on the days prior, some time between 13.30hrs and 17.00hrs, committed theft of a woman's purse to the detriment of Neli Georgieva Zaharieva from Bulgaria;

c) At the 'Danish Village Complex' Mellieha, on the 15th October, 2010 at around 15.00hrs, with the intent to commit theft, manifested such intent by over acts and commenced the execution of this crime by taking a fifty euro note from the trousers pocket of Jorgensen Tage Sigfred, which theft was not completed in consequence of some accidental cause independent of their will.

Gheorghe Stanescu, Marius Claudiu Stanescu and Grafian Caldararu:

d). Charged with having on different dates and times between the 28th September 2010 and the 15th October 2010, and from other different places on the Maltese Islands, committed theft of cash and other items which thefts were committed to the detriment of various unknown persons.

Informal Copy of Judgement

Therefore, whilst I am exhibiting the Romanian Identity documents of Gheorghe Stanescu, Marius Claudiu Stanescu and Grafian Caldararu, I request that this case be investigated according to Law.

Having heard the evidence tendered on oath;

Having seen the record of the proceedings;

Having heard the plea of guilt registered by the accused;

Having heard the confirmation of the plea of guilt, after that the Court accorded a reasonable time for reconsideration;

Having heard the oral submissions;

Deliberates:

On the strength of their own plea of guilt the Court finds the accused **Grafian Caldararu, Marius Claudiu Stanescu and Gheorghe Stanescu** guilty as charged and after having seen Articles 284, 285, 18, and 28A of the Chapter 9 of the Laws of Malta, **condemns the accused Grafian Caldararu, Marius Claudiu Stanescu and Gheorghe Stanescu to a term of imprisonment of six (6) months which term of imprisonment shall be suspended for a period of two (2) years.**

This punishment is being awarded after the Court took into consideration the early guilty plea lodged by the accused, the fact that they are first offenders in Malta and the fact that the res furtiva has been retrieved.

The Court ensured that the accused understood the consequences of a suspended sentence.

< Final Judgement >

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