



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

**MAGISTRATE
DOREEN CLARKE**

Sitting of the 1 st November, 2010

Number. 687/2008

**The Police
(Superintendent Norbert Ciappara)**

vs

Mark Charles Kenneth Stephens

Case Number: 687/2008

The Court,

Having seen the charges brought against

Mark Charles Kenneth Stephens, 45 years of age, of British nationality, son of Umberto Anastasio and Maria Louise Anastasio nee' Bartolo, born on the 21st day of March 1963, residing at Regent Palace Court, Bonavita Street, St.Julians, holder of British Passport.

Informal Copy of Judgement

For having on the 31st of July, 2008 and/or the previous weeks in Malta, forged, altered or tampered with a passport or used or had in his possession a passport, which he knew to be forged, altered or tampered with.

And for having on the same dates and circumstances in Malta, received a passport transferred to him by any other person

And for having on the same dates and circumstances in Malta, made use of, or attempted to make use of a passport issued to any other person.

For having committed an offence in breach of, and whilst under a probation order issued by the Court of Magistrates as a Court of Criminal Judicature on the 28th February 2006 (Magistrate Dr Miriam Hayman LL.D).

And for being a recidivist, in terms of section 49 of the Chapter 9 of the Laws of Malta, through a judgement of the 21st January 2008 (Magistrate Dr. Anthony Vella LL.D) which judgement is final definite and immutable.

Having seen the note of the Attorney General whereby acts of the proceedings were remitted to this Court in order for defendant to be tried by this Court as Court of Criminal Judicature in terms of sections:

- a) 5, 4 and 3 of Chapter 61 of the Laws of Malta;
- b) 21 and 23 of Chapter 446 of the Laws of Malta;
- c) 18, 49, 50 and 533 of Chapter 9 of the Laws of Malta.

Having seen that the defendant had no objection to the case being tried summarily.

Having heard the evidence.

Having heard the defendant plead guilty of all the charges brought against him and confirm his admission of guilt even after having been given time to reconsider his plea.

Having heard the submissions made by the parties regarding the penalty to be meted out.

Having considered

That defendant admitted all the charges brought against him; these are consequently sufficiently proven.

Having considered, with regards the penalty to be meted out, the nature of the offences of which defendant is being found guilty, his admission even though at this stage of the proceedings as well as his conviction sheet.

For these reasons the Court after having seen sections 49 and 50 of Chapter 9 of the Laws of Malta, sections 3, 4 and 5 of Chapter 61 of the Laws of Malta and sections 7, 21 and 23 of Chapter 446 of the Laws of Malta, on his admission finds defendant guilty of all the charges brought against him and condemns him to nine (9) months imprisonment. The Court is also condemning defendant to pay the sum of two hundred and sixty six Euros and forty four cents (€266.44) to the Registrar of this Court; this sum, which represents costs incurred in the employment of experts, is to be paid within a period of one (1) year.

< Final Judgement >

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