



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 24 th December, 2010

Number. 1374/2010

**The Police
(Inspector Trevor Micallef)**

vs

**Joao Lopes Gomes, 27 years, son of Jose` Luis
Resende and Beatriz nee` Sausa, date of birth 17th
November, 1983, Brazil, residing 16, Triq S. Canataci,
Swieqi, holder of Brazilian passport no. FB 724189**

The Court;

Informal Copy of Judgement

Having seen the charge brought against accused Joao Lopes Gomes, who was charged for having in these islands from Bar Native situated in St. Rita Steps, St. Julians on 23rd December 2010 at about four in the morning (04:00a.m):

Committed theft of a handbag which contained a mobile phone make Samsun GT-B3310 valued at one hundred and sixty euros (€160) and fifteen euros (€15) in cash to the detriment of Rebecca Baldacchino and seven hundred euros (€700) in cash to the detriment of Rebecca Baldacchino and Bank of Valletta and/or other persons which theft is aggravated by 'amount' and 'time'.

Having seen the documents exhibited;

Having seen the Attorney General's consent dated 24th December, 2009;

Having heard the evidence;

Having heard the accused admit to the charges brought against him which admission was reaffirmed after the accused was given adequate time to reconsider same.

Having heard submissions regarding the punishment to be inflicted;

Considers;

That in view of the guilty plea registered by accused the Court cannot but find the accused guilty as charged.

That in considering the punishment to be inflicted the Court is taking into consideration the early guilty plea filed by the accused, his clean criminal record and the fact that the accused cooperated with the police and returned all the items and money stolen to the injured party.

Consequently the Court having seen Section 261(c),(f), 267 and 270 of Chapter 9 of the Laws of Malta finds the accused guilty as charged, however in view of the above made considerations and after having seen Section 22 of Chapter 446 of the Laws of Malta the Court is discharging the accused on condition that he does not commit another crime within three (3) years from today.

The Court warns the accused according to law should he commit another crime during this period of conditional discharge.

< Final Judgement >

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