



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 1 st April, 2011

Number. 131/2011

The Police
(Inspector Dennis Theuma)

vs.

Alan O'Connor

The Court,

Having seen the charges brought against the accused s/o James and Geraldine nee' Doran, born in Ireland on the 27/02/1978, residing at 8, Manor Green, Marley Range, Dumdrum, Dublin, Ireland and holder of Irish passport no. PC7615367, charged with having on these Islands, in the night between the 30th and 31st March 2011 had in his possession the psychotropic and restricted drug (ecstasy) without a special authorization in writing by the superintendent of Public Health, in breach of the

provisions of the Medical and Kindred Professions Ordinance, Chapter 31 of the Laws of Malta and the Drugs (Control) Regulations, Legal Notice 22 of 1985 as amended.

The Court is requested that, in pronouncing judgment or in any subsequent order, sentence the person convicted to the payment, wholly or in part, to the registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, including such experts as would have been appointed in the examination of the process verbal of the inquiry, within such period and in such amount as shall be determined in the judgment or order.

Having seen the Attorney General's note that the case be heard and decided before this Court as a Court of Criminal Judicature.

Having heard the accused plead guilty to the charge on which plea he insisted even after the Court gave him time to re-consider.

Having examined all the acts and documents.

Considers:

Accused was found with four ecstasy pills at a party venue for which it does not transpire that they were not for his personal use.

In the circumstances a prison sentence is not called for. Having seen Article 40(A) and 120A of Chapter 31 and having considered accused's voluntary and unconditional plea of guilt decides to apply Article 22 of Chapter 446. Consequently conditionally discharges the accused for a period of six months from today. The Court orders the destruction of the drugs exhibited. Accused is being authorized to withdraw his passport.

The Court has explained to the accused his responsibilities from this judgment.

Informal Copy of Judgement

< Final Judgement >

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