



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

**MAGISTRATE DR.
DOREEN CLARKE**

Sitting of the 20th August, 2012

Number. 364/2012

**Police
[Inspector Herman Mula]**

-vs-

Elizabeth Loaiza Junca

Case Number: 364/2012

Today, the 20th August, 2012

The Court

Having seen the charges against Elizabeth Loaiza Junca, of 23 years of age, daughter of Javier and Carolina nee' Junca, born in Cali, Colombia on the 7th January, 1989, and residing at Radisson Blu Resort, Ghajn Tuffieha, holder of Colombian Passport no. CC1130602504

Charged with having on these island on the 18th of August, 2012

1. Had in her possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion of the plant Cannabis in terms of Section 8(d) of the Chapter 101 of the Laws of Malta;

2. Imported or caused to be imported, or taken any steps preparatory to importing. any dangerous drug (Cannabis Grass) into Malta against the provisions of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta.

Having seen sections 8(d) and 15A(1) of Chapter 101 of the Laws of Malta.

Having seen the Order of the Attorney General for this case to be tried summarily.

Having seen that the accused admitted the charges brought against her and confirmed her admission of guilt even after having been given sufficient time to reconsider her plea.

Having seen the acts of the proceedings.

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

Having considered

That the accused admitted the charges brought against her; these are consequently sufficiently proven.

Regarding the penalty to be meted out the Court took into consideration the nature of the offences of which the accused is being found guilty on the one hand, and on the other hand the circumstances in which the offences took place, her cooperation with the police, her admission at the earliest stage of these proceedings, and her clean conviction sheet.

Informal Copy of Judgement

For these reasons the Court, after having seen 8(d) and 15A(1) of Chapter 101 of the Laws of Malta, on her admission finds defendant guilty of the charges brought against her and condemns her to six months imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of one year.

The Court is also ordering the destruction, under the direction of the Registrar of this Court, of the substance exhibited as Doc HM5.

The Court explained to the defendant in ordinary language the significance of this judgment and of the consequences should she commit another offence in the period of a year.

< Final Judgement >

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