



MALTA

COURT OF MAGISTRATES
(GHAWDEX) AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
NEVILLE CAMILLERI

Sitting of the 4th September, 2014

Number. 75/2014

The Police
(Inspector Frank Anthony Tabone)

vs.

Richard Mccorgray

Number: 75/2014

Today 4th of September 2014

The Court,

Having seen the charges brought against **Richard Mccorgray**, of forty-nine (49) years, son of William and Gemma neé Pace, born in Iserlohn, Germany, on the 2nd. August 1965 and residing at No, 89, Qalb ta' Gesu, Flat 3, Wardija Street, Qala, Gozo, holder of Identity Card Number 269511L charged with having on the 3rd. August 2014 at about 3pm at No. 89, Flat 3, Wardija Street, Qala, Gozo and on the previous days and months in different places around Gozo in different times:

1. caused slight injuries to the person of his parnter a certain Jacqueline Kirk as certified by Dr. M. Attard MD of the Gozo General Hospital;
2. on the same date, time and place assaulted his partner Jacqueline Kirk;
3. on the same date, time and place caused fear to his partner Jacqueline Kirk that violence will be used against her or/and her property;
4. on the same date, time and place voluntarily caused damage to the property (laptop) of his partner Jacqueline Kirk which damages amounts to more than one hundred and sixteen Euro and forty seven cents (116.47).

The Court was also requested that, in case of guilty judgments, apart from applying the penalty according to law, applies also Article 383 of Chapter 9 of the Laws of Malta and also to issue a protection order in terms of Article 412C of Chapter 9 for the protection of the victim.

Having seen the documents exhibited and all the acts of the proceedings.

Having seen the consent of the Attorney General for this case to be dealt with summarily (*fol.* 16 and 17).

Having heard the injured party Jacqueline Kirk declare that she was renouncing to criminal action against the accused and having also heard her state that she was not ready to testify regarding what allegedly happened on the 3rd. August 2014.

Having heard the Prosecution declare that they had no further evidence to produce in this case.

Having seen that the accused chose not to testify and having heard that he did not have any evidence to bring forward.

Considers

Consequently, the Court, declares the first (1st.) charge brought against the accused Richard Mccorgray as being extinguished and acquits him, due to lack of evidence, from the second (2nd.), third (3rd.) and fourth (4th.) charges brought against him.

Finally, due to the fact that the injured party renounced to criminal action against the accused, the Court rejects the Prosecution's request to apply Sections 383 and 412C of

Chapter 9 of the Laws of Malta for the protection of the injured party.

< Final Judgement >

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