

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

MAGISTRATE: Dr Joanne Vella Cuschieri B.A., Mag. Jur. (Eur. Law.), LL.D.

Today 5th November 2015

**The Police
(Inspector Kurt Zahra)
(Inspector Bernard Spiteri)**

vs.

**Mandea Toderita of Romanian nationality, son of
Alexandru and Vasilica nee' Lazar, born at Com.
Movileni Jud. Galati on the 29th September 1963,
with identity card no. RX487204;**

The Court,

Having seen the charges brought against Mandea Toderita:

'On the 26th August 2015 at about 0945hrs, from Tresor D'Or Jewellery situated in Palm Street, Victoria, Gozo committed theft of jewellery, which theft is aggravated by violence and value, exceeding two thousand three hundred twenty nine Euro and thirty seven cents (€2329.37), to the detriment of Paul Farrugia or other persons.

The Court is being kindly requested that when pronouncing judgement or in any subsequent order, sentence the person or persons convicted, jointly or severally, 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 judgement or order.'

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charge brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having seen the minutes of today's hearing;

Having heard submissions by the parties;

Considers;

That in view of the accused's guilty plea to the charge brought against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In the context of punishment or sanction to be meted out to the accused, the Court is taking into consideration the following factors namely (1) that the accused cooperated fully with the police once he was returned to the Maltese Islands (2) that the accused pleaded guilty to the charge at the earliest opportunity in these proceedings (3) the fact that none of the stolen property was retrieved and (4) the submissions by the parties as minuted .

In view of the above, the Court after having seen articles 261 (a) and (b), 262 (1) (b), 267, 279 (b) and 533 of chapter 9 of the Laws of Malta finds the accused guilty of all the charges brought against him and condemns him to twenty four months imprisonment and by application of article 533 (1) condemns the accused to pay the amount of one thousand Euros (€1,000) to the registrar representing part of the costs incurred in connection with the inquiry within the period of two years from today.

(sgd.) Dr. Joanne Vella Cuschieri
Magistrate

(sgd.) Maureen Xuereb
Clerk

True copy

d/Registrar