

IN THE COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE
DR. ANTHONY J. VELLA BA., LL.D., MA

Today 1st of March 2018

Police

Inspector Elton Taliana

Vs

Simon Aydelman

The Court;

After seeing the charges brought against Simon Aydelman, son of Isaac and Anna nee' Milshtein, born in USSR on the 2nd March 1962, resides at 28, ic-Cipress, Triq il-Mediterran, San Gwann and holder of passport no. 11638239;

With having on the 30th March 2015 at around 19.15hrs, in Triq il-Mediterran, San Gwann.

- 1) With the intent to kill or to put the life in manifest jeopardy of his wife Eva Aydelman have manifested such intent by overt acts which were followed by a commencement of the execution of the crime, which crime was not completed in consequence of some accidental cause independent of the will of the offender;

- 2) At the time of committing a crime against the person of Eva Aydelman had on his person any arm proper of ammunition or any imitation thereof;

- 3) Kept in any premises or had in his possession, under his control or carried outside any premises or appurtenances any firearm or ammunition;
- 4) As he came in possession of any firearm or ammunition failed to inform the Commissioner of the Police;
- 5) Shot a firearm in a public place, and hence less than two hundred metres from a residential area;
- 6) Threatened with life his wife Eva Aydelman;
- 7) Had in his possession the whole or any portion of the plant Cannabis in terms of Section 8(d) of the Chapter 101 of the Laws of Malta;
- 8) Moreover on the same day and on the previous months in various places around the Maltese Islands pursued a course of conduct which amounts to harassment to his wife Eva Aydelman or other persons, whose course of conduct ought to know that it amounts to harassment of another person if a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other person;
- 9) Moreover on the same day and on the previous months in various places around the Maltese Islands caused his wife fear that violence will be used against her or her property;
- 10) Accused that he committed a crime when he was under a suspended sentence, which sentences were handed over from the Court of Magistrates in Malta, which sentences are definitive and cannot be changed;
- 11) Moreover he is accused of committing a crime when he was 'conditionally discharged' under the Article 22 of the Laws of Malta where he was found guilty from a sentence of the Courts of Malta on the 14th December 2014 by Magistrate Dr. G. Grixti LL.D.;
- 12) The court is also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed Experts;
- 13) The Court is requested to issue a protection order under Article 412(C) in favour of his wife Eva Aydelman.

Having seen all the acts and documents exhibited;

Considers;

After having seen Articles 5(1), 41, 51(2), 51(8) and 55 of Chapter 480 of the Laws of Malta;

Regulation 18(2)(a) and Schedule VIII of S.L. 549.42 of the Laws of Malta;

Articles 17, 31, 49, 28B, 249, 251A, 251B and 533 of Chapter 9 of the Laws of Malta;

Article 23 of the Probation Act, Chapter 446 of the Laws of Malta;

After having heard the evidence and the documents exhibited;

Having seen that the charges brought against the accused are all of a summary nature, and that more than a year has passed since the accused has last appeared, the Court declares these proceedings extinguished.

DR ANTHONY G VELLA BA. LL.D. M.A.

MAGISTRAT