



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

**MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA**

Sitting of the 6 th August, 2005

Number 244/2005

**The Police
Inspector Nadia Lanzon
V**

LUCA LIBERALE

The Court

Having seen that the accused **LUCA LIBERALE** aged 21 years, son of Erino and Patrizia nee Stornelli, born in Aquila, Italy on the 1st May 1984 and residing at Via Angifili GN 24, l'Aquila, Italy, holder of Italian passport number AC 5859246 was arraigned before her accused with having in these Islands, on the night between the 5th and 6th August, 2005 been in possession of the resin obtained from the plant Cannabis or any other preparation of which such resin formed the base in terms of Section 8(a) of Chapter 101 of the Laws of Malta.

Having seen the Fiat of the Attorney General dated 6th August 2005 exhibited in the acts of these proceedings so that this case may be dealt with by this Court as a Court of Criminal Judicature.

Having seen that the accused had no objection to his case to be dealt with summarily.

Having heard the accused plead guilty to the charges brought forward against him when he was duly examined in terms of sections 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta and this on the same day of his arraignment today the 6th August 2005.

The Court explained to the accused the consequences of his plea of guilt and after having given him sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

The Court, having been assured that accused understood the nature of the accusations brought forward against him through the explanation she herself made to the accused, had no alternative but to find the accused guilty of such charges.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

The Court took note of the following before proceeding to pronounce judgment in particular the early admission of guilt and consequently the fact that the Court was dispensed from hearing all the evidence of this case, the fact that the accused, who is still very young, and had fully corroborated with the Prosecution during these procedures and the fact that the amount of drugs found in his possession was negligible.

Informal Copy of Judgement

Having seen the relevant sections at law in particular Section 8(a) of Chapter 101 of the Laws of Malta, the Court decides to find the accused **LUCA LIBERALE** guilty on his own admission of the charge brought forward against him and **discharges the offender subject to the condition that he commits no offence for the next 18 months in terms of section 22(1) of Chapter 446 of the Laws of Malta.**

The Court explained the importance of this judgment to the accused and the consequences if he fails to adhere to it.

The Court nominates Godwin Sammut to withdraw and destroy the drug exhibited in the acts of these proceedings.

< Final Judgement >

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