



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

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

Sitting of the 1 st February, 2006

Number 358/2005

**The Police
Inspector Carmelo Bartolo
Inspector Josric Mifsud**

V

MARTIN ANDREW HALL

The Court

Having seen that the accused **MARTIN ANDREW HALL**, aged 35, son of the late Raymond and Edwina nee Cook, born in Birmingham in the United Kingdom on the 8th January, 1969 and residing temporary in Malta at an unknown address, in possession of passport bearing number 453426117 was arraigned before her accused with having on these Islands, on the nineteenth of January 2005 and during the previous days, had been in

possession of the resin obtained from the plant Cannabis or any preparations of which such resin formed the base.

Having seen the Fiat of the Attorney General issued in accordance with article 22(2) of the the Dangerous Drugs Ordinance [Chapter 101] dated 21st November 2005 exhibited in the acts of these proceedings at fol 3 marked as document CSH, so that this case may be dealt with by this Court as a Court of Criminal Judicature and having seen all the other documents exhibited in these acts of the proceedings.

Having seen that the accused had no objection to his case being dealt with summarily 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 on the 29th November 2005 [fol 10].

Having heard the accused plead guilty to the charges brought forward against him during the sitting of the 18th January 2006 [fol 10].

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 and this in the presence of his defense lawyer.

The Court, having been assured that accused understood the nature of the accusations brought forward against him, has 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 charge 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 fully corroborated with the Prosecution during these proceedings and the fact that the amount of drugs found in his possession was negligible with a total of 0.106 grams as can be evidenced from the report drawn up by Mario Mifsud, who was appointed by the Inquiry Magistrate in a process verbal drawn up relevant to this case and exhibited in this same case as a forensic expert.

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 MARTIN ANDREW HALL guilty on his own admission of the charge brought forward against him and decides to discharge him subject to the condition that he commits no other offence for the next three [3] years in terms of section 22(1) of Chapter 446 of the Laws of Malta.**

The Court also condemns the accused MARTIN ANDREW HALL to pay the sum of one hundred and ten maltese liri and ninety two cents [LM110.92] to the Government of Malta regarding the fees due to the Forensic Expert Mario Mifsud and this within two [2] months from when the Director of Courts so demands him formally.

The Court explained the importance of this judgement to the accused and the consequences if he fails to adhere to it, who declared he fully understood.

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

< Final Judgement >

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