



MALTA

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

**MAGISTRATE
ANTONIO GIOVANNI VELLA**

Sitting of the 18 th September, 2006

Number 942/2006

**THE POLICE
INSPECTOR MAURICE CURMI**

VS

BABAFEMI AUSTINE FAMOSAYA

The Court;

After having seen the charges brought against Babafemi Austine Famosaya, 24 years old, son of Olubunmi and Catherine nee' Kehinde, born in Nigeria, on the 3rd of August, 1982, holder of Nigerian Passport number A0864859;

1. Accused of having in these Islands, between June and August 2006, by means of several acts, and even if at different times, that constituted violations of the same provision of the Law, and committed in pursuance of the

same design, committed theft of a BOV Cahslink Card, issued in the name of Jean Jacques Pierard;

2. Also of having in the same period, and under the same circumstances, by means of an unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device, or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation of apprehension of any chemical event, made gain of more than one hundred maltese liri (Lm100.00), but less than one thousand maltese liri (Lm1,000.00), to the prejudice of Jean Jacques Pierard;

3. And also of having in the same period, and circumstances, used another person's access code, password, username, electronic mail address, or other means of access or identification information in a computer.

After having seen the documents exhibited;

After having seen the accused admit to the charges brought against him, after having been given time to reconsider this admission according to Law.

Considers:

After having seen Articles 18, 261, 308, 309, 210(1)(b), 337C(1)(i) of Chapter 9 of the Laws of Malta.

This Court therefore finds Babafemi Austine Famosaya guilty as charged, and condemns him to six (6) months imprisonment, suspended for two (2) years, in terms of Article 28A of Chapter 9 of the Laws of Malta.

< Final Judgement >

-----END-----