



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

**MAGISTRATE  
DOREEN CLARKE**

Sitting of the 4<sup>th</sup> May, 2008

Number. 399/2008

**The Police  
(Inspector Therese Sciberras)**

**-vs-**

**Alina-Maria Dutulescu  
Marin Miclescu  
Aronel Miclescu  
Stefan Gunic  
Mariana Ghiocel  
*OMISSIS***

Today the 5<sup>th</sup> day of May 2008,

The Court,

Having seen the charges brought against:

Alina-Maria Dutulescu daughter of Adrian and Veronica nee` Dimu, 21 years old born on the 26<sup>th</sup> August, 1986 in Poleiesti, Romania, holder of Romanian Passport number 09755706 and residing whilst in Malta at no fixed address.

Marin Miclescu son of Ion and Filareta nee` Namsu, 22 years old born on the 6<sup>th</sup> August, 1985 in Frincesti, Romania, holder of Romanian Passport number 11693474 and residing whilst in Malta at no fixed address.

Aronel Miclescu son of Stefan and Marianna nee` Micelscu, 19 years old born on the 17<sup>th</sup> October, 1988 in Rimmicu Vilcea, Romania, holder of Romanian Passport number 17916030 and residing whilst in Malta at no fixed address.

Stefan Gunicu son of Antoine and Marea nee` Stoyan, 37 years old born on the 22<sup>nd</sup> April 1971 in Riminicu Vilcea, Romania, holder of Romanian ID number AS 549785 and residing whilst in Malta at no fixed address.

Mariana Ghiocel daughter of Ion and Filaretta nee` Miclescu, wife of Constantin Ghiocel, 36 years old born on the 5<sup>th</sup> July, 1971, Fincesti, Romania, Romania, holder of Romanian Passport number 12550880 and residing whilst in Malta at no fixed address.

**OMISSIS**

Of having:

Between the 2<sup>nd</sup> and 3<sup>rd</sup> May, 2008 whilst in the Maltese island applied a false trade description to any goods that is to say, applied to goods any forged or altered figure, word or mark which according to the custom of the trade is taken to indicate the number, quantity, measure, gauge or weight of the goods (Chapter 9, Section 298 (e)(i)).

Knowingly put into circulation, sold or kept for sale or import for any purpose of trade, any goods bearing a fraudulent imitation of any mark, device or emblem (Chapter 9, Section 298 (f)).

Informal Copy of Judgement

Having seen sections 298(e)(i) and 298(f) of Chapter 9 of the Laws of Malta.

Having heard the accused plead guilty to the charges during the hearing held today by this Court sitting as a Court of Criminal Inquiry, this notwithstanding the fact that the Court warned them of the consequences of their plea and having afforded to them sufficient time within which to withdraw their guilty plea.

Having seen the acts of the proceedings.

Having heard the oral submissions made by the parties.

Considered:

That the accused replied guilty to the charges brought against them consequently the charges are sufficiently proved.

That the accused co-operated with the competent authorities in their investigation and admitted the charges brought against them in the initial stages of the procedures.

For these reasons

After having seen section 298(e)(i) and section 298(f) as well as section 37 of Chapter 9 of the Laws of Malta, on her admission finds the accused **OMISSIS** guilty of the charges brought against her and by application of section 22 of Chapter 446 of the Laws of Malta discharges her on condition that she does not commit an other offence within a period of three (3) years.

The Court explained to the guilty party in ordinary language that if she commits an other offence during the period of three (3) years she will be liable to be sentenced for the original offences.

After having seen sections 298(e)(i) and 298(f) of Chapter 9 of the Laws of Malta, on their admission finds the accused **Alina-Maria Dutulescu, Marin Miclescu, Aronel Miclescu, Stefan Gunic** and **Mariana Ghiocel** guilty of the charges brought against them and condemns them to imprisonment for a term of nine (9) months which term by application of section 28A of Chapter 9 of the Laws of Malta is being suspended for a period of three (3) years.

The Court explained to the guilty parties in ordinary language their liability under section 28B if during the operational period of three years they commit an other offence punishable with imprisonment.

The Court ordered that the objects exhibited by the prosecution (Dok TS 8) be destroyed under the supervision of the Registrar of this Court.

**< Final Judgement >**

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