



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

**MAGISTRATE DR.
JACQUELINE PADOVANI**

Sitting of the 16 th March, 2011

Number 418/2010

**POLICE
INSPECTOR JOSEPH HERSEY
VS
DESMOND OMOROGHOMWAN**

The Court,

Having seen the charges brought against the accused Desmond Omoroghomwan, son of Omoroghomwan and Ivy, born in Benin City in 1980, having Police no: 07II-010, and currently residing at Hal Far tent village.

And charge him with having on the months prior to the 3rd March 2011, as a person who embarked in Malta, failed to be in possession of a passport, and this in violation of Article 28 of Chapter 217 of the Laws of Malta.

The Court is humbly requested to investigate the case according to law.

Informal Copy of Judgement

Having heard the evidence tendered on oath;

Having seen the record of the proceedings;

Having heard the plea of guilt registered by the accused

Having heard the confirmation of the plea of guilt, after that the Court accorded a reasonable time for reconsideration.

Having heard the oral submissions

Deliberates:

On the strength of the registration of a guilty plea by the accused, the Court finds the accused Desmond Omoroghomwan guilty as charged and after having seen *Article 28 A of Chapter 9 of the laws of Malta and Article 28 of Chapter 217 of the Laws of Malta* condemns the accused Yaya Cisse to four (4) months imprisonment suspended for one (1) year.

The Court explained the consequences of a suspended Sentence to the accused in a manner to ensure that he fully understood the repercussions thereof.

This punishment was awarded after the Court took in to consideration the fact that the accused was a first offender, that he registered a guilty plea in the early stages of the proceeding and in view of all the circumstances of the case.

< Final Judgement >

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