

Kopja Informali ta' Sentenza



**QORTI TAL-MAGISTRATI (MALTA)  
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT  
DOREEN CLARKE**

Seduta tat-3 ta' Gunju, 2011

Numru. 692/2011

**Police  
(Inspector Yvonne Farrugia)**

**vs**

**Maria Iuliana Stoica**

Today, the 3<sup>rd</sup> June, 2011

The Court,

Having seen the charges against Maria Iuliana Stoica, 29 years, daughter of Virgil and Gabriela nee' Zanifirache, born in Colibasi, Romania, on the 1<sup>st</sup> June, 1982 and residing at 1, Posidion Court, Elia Zammit Street, Paceville, and holder of Romanian Passport bearing number 85478416.

Charged with having

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Qrati tal-Gustizzja

1. in these Islands, between the months of June 2010 and August 2010 by means of any 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 or apprehension of any chimerical event made gain of more than the sum of over two thousand, three hundred and twenty nine Euros and twenty seven Euros Cents (€2,329.27) to the detriment of Mario Apap (I.D no. 79756M).

2. And for having on the same dates, location and circumstances misapplied, converted to her own benefit of any other person, anything which has been exhausted or delivered to her under a title which implies an obligation to return such thing or to make use thereof for a specific purpose, that is the sum of money exceeding two thousand and three hundred and twenty-nine Euro and thirty seven cents (€2,329. 37) to the detriment of Mario Apap (I.D no 79756M).

The Court was also requested to, in pronouncing judgement or in any subsequent order, sentence the person convicted to the payment, wholly or in part, to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgement or order, as per section 533 of Chapter 9 of the Laws.

The Court having seen sections 293, 308, 309 and 310(1)(a) of Chapter 9 of the Laws of Malta.

Having seen that, during today's hearing held by this Court as a Court of Criminal Inquiry, the defendant admitted the second charge brought against her and confirmed this admission of guilt even after having been given time to reconsider her plea.

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Having seen that the prosecuting officer declared that the two charges brought against defendant were alternate to each other.

Having seen the documents presented by the prosecuting officer.

Having heard submissions regarding the penalty to be meted out.

Having considered

That defendant admitted the second charge brought against her; this is consequently sufficiently proven.

The prosecuting officer declared that the two charges were brought against defendant alternatively to each other. In view of the fact that the second charge has been admitted the Court will abstain from taking further cognisance of the first charge.

That, in so far as the penalty to be meted out is concerned, the Court took into consideration the nature of the offence of which defendant is being found guilty, the circumstances of the case, the fact that the defendant cooperated with the police, her admission at the earliest stage of the proceedings and her clean conviction sheet.

Wherefore the Court, whilst abstaining from taking further cognisance of the first charge brought against the defendant, after having seen 293 and 310(1)(a) of Chapter 9 of the Laws of Malta on her admission finds the defendant guilty of the second charge 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 two years. Further more by application of section 24 of the same Chapter 446 of the Laws of Malta orders the defendant to pay Mario Apap the sum of seven thousand two hundred and forty Euros (€7,240).

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The Court explained to the defendant in ordinary language of the consequences should she commit an other offence within the period of two years.

**< Sentenza Finali >**

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