



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

**MAGISTRATE DR.
MIRIAM HAYMAN**

Sitting of the 7th February, 2012

Number. 138/2012

**THE POLICE
INSPECTOR SIYLVANA BRIFFA**

VS

**JOE MAXWELL, 42 years, son of Plence and Mary
nee' Ama, born Liberia on the 1st January, 1970,
holder of identity card number 41354A, residing at
Flat 2, Qasam tal-Bini tal-Gvern, Binja L, Ent B,
Zabbar;**

The Court;

Having seen charges proffered against the above-mentioned **Joe Maxwell** who was accused of having:

1. Between the 5th February 2012 and the 6th February 2012, at Flat 2, Qasam tal-Bini tal-Gvern, Binja L, Entratura B, Zabbar, reviled or threatened or caused

bodily harm to any person lawfully charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty;

2. Also of having on the same dates, place, and circumstances, assaulted or resisted by violence or active force, not amounting to public violence, any person lawfully charged with a public duty when in the execution of the Law or of a lawful order issued by a competent authority;

3. Also of having on the same dates, place, and circumstances, wilfully committed any spoil, damage, or injury to or upon any movable or immovable property, belonging to Georgina Borg, which amount of the damage does not exceed one hundred and sixteen Euro and forty-even cents (€116.47) but exceeds twenty-three Euro and twenty-nine (€23.29);

4. Also of having on the same dates, place, and circumstances, caused slight body harm to PC 1304 Christopher Seychell, as certified by Dr Malcolm Paul Galea MD;

5. Also of having on the same dates, place and circumstances did not obey the legitimate orders of the police.

Having seen Attorney General's consent to summary proceedings, to which accused declared that he had no objection.

Having seen accused's early guilty plea at the stage of his arraignment, and this after having been allowed due to by Court to re-consider same.

Having seen records of the acts.

Heard submissions by parties.

Considers:

On admission, Court finds accused guilty as charged, and this after having seen Articles 94, 96, 328, 221, 338, and 17 of Chapter 9 of the Laws of Malta, and condemns him to six(6) months imprisonment, suspended for eighteen(18) months, and this according to Section 28A of Chapter 9 of the Laws of Malta.

< Final Judgement >

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