



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

**MAGISTRATE DR.  
FRANCESCO DEPASQUALE**

Sitting of the 23 rd August, 2012

Number 861/2012

**The Police  
(Ins. Sylvana Briffa)**

**vs**

**Maxwell Joe**

The Court;

Having seen the accusations brought forward of **Maxwell Joe** of 42 years, son of Plerce and Mary *nee*' Ama, born in Liberia on the 1<sup>st</sup> January, 1970 holder of Identity Card Number 41354A, and residing at St. Barbara Church, Valletta and charge him;

With having at a time on the 21<sup>st</sup> August, 2012, whilst in Zabbar;

1. Committed theft of objects which are keys, identity card bearing the number 331677(M) on the name of Georgina Borg from Zabbar, and also a document issued by the National Commission of Persons with Disability on the name of Georgina Borg from Zabbar, which theft is aggravated by means and place to the detriment of Georgina Borg from Zabbar and/or other persons;

2. And also on the 22<sup>nd</sup> August 2012, and on the day before such date, on these Islands, after having in possession an identity card bearing the number 331677(M) issued on the name of Georgina Borg from Zabbar, have failed to forthwith deliver or forward it to the holder thereof or to the authorised officer;

3. And also on the 22<sup>nd</sup> August 2012, and on the day before such date on these Islands, without the intent to steal or to cause any wrongful damage, but only in the exercise of a pretended right, had with your own authority, compelled another person to pay a debt, or to fulfil any obligation whatsoever, or in any other manner unlawfully interfered with the property of another person;

4. And also on the 22<sup>nd</sup> August, 2012, and on the day before such date, on these Islands, deemed to be a recidivist as per article 49, 50 of Chapter 9 of the Laws of Malta, after being sentenced for an offence by a judgement which has become absolute;

5. And also on the 22<sup>nd</sup> August, 2012 and on the day before such date, on these Islands, committed a crime punishable with imprisonment during the operational period of a suspended sentence as per article 28A of Chapter 9 of the Laws of Malta, and also during a probation period for 3 years as per article 7 of Chapter 446 given by the Court of Magistrates (Malta), Magistrate Dr Saviour Demicoli LL.D on the 22<sup>nd</sup> June 2012;

Having heard the accused admit all the accusations;

Informal Copy of Judgement

Having seen the records of the case;

Having given the accused another opportunity to reconsider his admission and having asked the accused whether he was aware of the penalties tied to these charges for which he was being accused, which questions the accused answered in the affirmative and confirmed his plea of guilty;

Having seen the judgement delivered on the 22<sup>nd</sup> June 2012 and that the accusations, being committed by this Court, duly admitted, were committed by the accused within the eighteen (18) months period of the suspended sentence;

Having seen articles 85, 263 and 269 of Chapter 9, Article 12(2) of Chapter 258 and Articles 28A 28B of Chapter 9 of the Laws of Malta;

Finds the accused guilty as charged, and with regards to the first (1), second (2) and third (3) offences fines the accused a Multa of one hundred ewro (€100) and with regards to the fourth (4) offence it renders effective the judgement, given on 22<sup>nd</sup> June 2012, to a term of imprisonment of six (6) months from today.

**< Final Judgement >**

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