



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF COMMITTAL**

**MAGISTRATE DR.
NEVILLE CAMILLERI**

Sitting of the 13 th June, 2013

Number 547/2013

**The Police
(Inspector Dr Mario Cuschieri)**

vs.

Nicolae Ilie

The Court,

Having heard the prosecution arraign under arrest **Nicolae Ilie**, a Romanian national, born on the 10th April 1984 in Bucharest, Romania presently detained at Corradino Correctional Facility, bearer of Romania Identity Card no. RR 788608;

Having heard submissions by the Prosecution on the European Arrest Warrant and having seen the Certificate of the Attorney General in terms of Article 7 of Legal Notice 320 of 2004;

Having heard submissions by counsel for the requested person;

Having heard the requested person reply to the several questions asked by the Court regarding his identity as a consequence of which replies the Court is satisfied that the person brought before it is the same person in respect of whom the European Arrest Warrant has been issued;

Having heard the Prosecution and the counsel for the requested person declare that the requested person is currently serving one prison sentence in Malta;

Considers

That in terms of Article 10 of L.N. 320 of 2004 the person appearing before it is the person in respect of whom the Part II warrant was issued by Italy;

That in terms of Article 11 of L.N. 320 of 2004 having informed the requested person of the contents of the Part II warrant and having given the requested person the required information about consent as provided in para (2) of the same article;

That having explained the provisions of Article 43 of LN 320 of 2004;

That having heard the requested person consent to his return to Italy;

That having seen that the provisions of Article 43 of LN 320 of 2004 have been complied with;

Consequently, in view of the above, the Court, commits to custody and orders the return of the requested person **Nicolae Ilie** to Italy on the basis of the European Arrest Warrant issued against him in terms of Article 44 of LN 320 of 2004 once he serves the prison sentence he is currently serving in Malta.

Informal Copy of Judgement

< Final Judgement >

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