



MALTA

QORTI TAL-MAGISTRATI
(GHAWDEX) BHALA QORTI TA' GUDIKATURA KRIMINALI
MAGISTRAT DR.
JOSETTE DEMICOLI

Seduta ta' l-14 ta' Marzu, 2014

Numru. 133/2014

The Police

(Inspector Frank Anthony Tabone)

-VS-

Stefan Lutze holder of German identity number 191308692, aged 40 years, son of Raymond and Iris nee' Steolte, born in Hannover, Germany on the 17th of April 1973 and resides at an unknown address.

The Court;

Having seen the charges brought forward against the accused with having on the 11th March 2014 and on the previous days in different times from Raymond's Garage situated at Triq tal-Ghajn Fontana, Gozo:

1. Committed theft of money to the detriment of Raymond Sammut ID No. 59954M not exceeding the amount of two hundred and thirty two euro and ninety four cents (€232.94).
2. And also with having in these islands, committed a crime during a period of a conditional discharge issued by the Court of Magistrate (Gozo) on the 13th November 2013 for a period of three years.
3. And also with having in these islands committed a crime during the operational period of a suspended sentence which sentence was given by the Court of Magistrates (Gozo) on the 27th February 2014.

Having seen documents exhibited;

Having heard the accused plead guilty to the charges brought against him, notwithstanding the fact that the Court warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

Having heard the prosecution and defence counsel make their submissions.

Considers:

Having heard the guilty plea of the accused to the charges brought against him the Court has no alternative but to declare the accused guilty of all the charges brought against him.

With regards to punishment the Court took into consideration the fact that the accused pleaded guilty at an early stage of the proceedings, the circumstances of the case, that he co-operated with the Police. Moreover the Court took into consideration the fact that the accused has just been found guilty of the same crime just a few weeks ago and thus that he has committed this crime during a term of conditional discharge and suspended sentence.

Thus the Court will be dealing with the accused both for the crime he has committed for which he has been conditionally discharged by means of the judgment delivered on the 13th November 2013; and will be bringing into the effect the judgment delivered on the 27th February 2014.

In view of the above the Court after having seen articles articles 261, 269, 284, 285, 28(B) of the Chapter 9 of the Laws of Malta and article 23 of Chapter 446 of the Laws of Malta on his admission finds the accused guilty of the charges brought against him and condemns him to a period of eight (8) months imprisonment.

In view of the circumstances of the case, the Court orders that a copy of this judgment be notified to the Director of Corradino Correctional Facility so that he considers whether the accused needs psychiatric help

Kopja Informali ta' Sentenza

and whether it would be opportune that the accused be kept at the Forensic Unit.

< Sentenza Finali >

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