



MALTA

QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI
MAGISTRAT DR.
NATASHA GALEA SCIBERRAS

Seduta tad-9 ta' April, 2014

Numru 366/2014

The Police

(Inspector Mario Haber)

Vs

Habtoum Kiflom

The Court,

Having seen the charges brought against Habtoum Kiflom, 25 years, Ethiopian National, born in Ethiopia on 31st March, 1989, son of Daka and Saina, holder of Police Number: 06RR-013 and ID Number: 0040245A.

- a) Charged with having in a date not known in September 2011, as a person landing or embarking in or from Malta, failed to be in possession of a passport and failed to provide the Principal Immigration Officer the prescribed information and such other information the Principal Immigration Officer may deem proper to require (Chapter 217, Section 28 of the Laws of Malta).

- b) Charged also with having become a recidivist by committing another crime within five years of a sentence of 9th June, 2010 (Magistrate A. Vella LLD), which became definitive, (Chapter 9, Sections 49, 50 of the Laws of Malta).

Having seen all the documents and Acts of the proceedings and that during his examination in terms of Articles 370(4), 390(1) and (2) of the Criminal Code, the accused declared that he had no objection to his case being dealt with summarily.

Having also seen the Attorney General's consent in terms of Article 370 (4) of Chapter 9 of the Laws of Malta that this case be dealt with summary.

After having heard the accused plead guilty to the charges brought against him and having heard the accused persist in pleading guilty to the said charges after the Court, in terms of Article 453(1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of his statement, and allowed him sufficient time to reconsider his reply, and to alter it;

After having heard oral submissions on the punishment to be inflicted.

Considered that:

In view of the guilty plea filed by the accused, the Court cannot but find him guilty of the charge brought against him.

For the purpose of the punishment to be inflicted, the Court took into consideration the early guilty plea filed by the accused and his criminal record, that the accused is a recidivist in terms of Articles 49 and 50 of Chapter 9 of the Laws of Malta and that the Prosecution is not insisting on the full term of imprisonment contemplated by law.

Conclusion

For these reasons, the Court after having seen Articles 28 and 32(1)(g) of Chapter 217 of the Laws of Malta as well as Articles 49 and 50 of Chapter 9, finds the accused guilty of the charges brought against him and condemns him to three (3) months effective imprisonment.

< Sentenza Finali >

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