



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA

Sitting of the 26 th December, 2014

Number. 1293/2014

The Police

(Inspector Jason F. Sultana)

vs

DETELINA DONEVA

The Court,

Having seen that the accused **DETELINA DONEVA**, holder of Identity Card number 54474A , was arraigned before her and charged with having on the 26th of December 2014, at about 02:00hrs in the morning, in Sliema:

1. Reviled, or threatened, or caused bodily harm to any person lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty.
2. Furthermore, with having on the same date, time place and circumstances assaulted or resist 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. Furthermore, with having on the same date, time, place and circumstances, at night wilfully disturbed the repose of the inhabitants by rowdiness or any other means.
4. Furthermore, with having on the same date, time, place and circumstances, disobeyed the lawful orders of any authority or of any person entrusted with a public service.

Informal Copy of Judgement

5. Furthermore, with having on the same date, time, place and circumstances, wilfully disturbs the public good order or the public peace.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular a statement of the rights of the accused, declaration of forfeiture of the right to legal counsel, PIRS report and true copy of the identity card of the accused.

Having heard the accused declare that she does not understand the Maltese language though she understands the English language and thus the Court ordered that the proceedings are to be held in the English language in terms of Section 5 of the Judicial Proceedings Act.

Having heard the accused declare that she is indigent and that she does not need legal assistance. Hence the Court explained the nature of the charges brought forward against the accused.

Having heard the accused plead guilty to the charges brought forward against her.

The Court explained to the accused the consequences of her plea of guilt and after having given the accused sufficient time to reconsider her guilty plea and saw that the same accused insisted on registering in the acts of

these proceedings her plea of guilt, had no alternative but to register such plea.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against her.

The Court considered the early guilty plea of the accused registered in the first opportunity given to her and the fact that she has a clean conduct sheet before moving on to give judgement.

Thus the Court, having seen the relevant sections at law, in particular Sections 95, 96A and 338(dd)(ee)(m) of Chapter 9 of the Laws of Malta, decides to find the accused DETELINA DONEVA guilty of the charges brought forward against her by the prosecution and condemns her for a period of six (6) months imprisonment suspended for two years in terms of Section 28A of Chapter 9 of the Laws of Malta and to a fine of four thousand euro (€4,000) as stipulated in Section 95 of Chapter 9 of the Laws of Malta.

The Court authorises the accused to pay the fine in monthly installments of one hundred and twelve euro (€112) in terms of Section 14(3) of Chapter 9 of the Laws of Malta, with the first payment not later than the 31st December 2014.

The court also orders that a copy of this judgment is sent to the Director of the Criminal Courts so that he may collect the fine imposed on the accused forthwith.

Finally, the Court orders that a copy of this judgement together with the acts of these proceedings be sent to the Attorney General within three (3) days in terms of Section 401(3) of the Criminal Code.

< Final Judgement >

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