



MALTA

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

Sitting of the 15 th March, 2015

Number. 290/2015

**The Principal Immigration Officer**

**(Inspector Darren Buhagiar)**

**vs**

**OFURE IMHENIGA**

**The Court,**

Having seen that the accused **OFURE IMHENIGA**, holder of police number 08UUU-024, was arraigned before her and charged with having on 14<sup>th</sup> March 2015 or previous days in these islands or somewhere else, forged, altered or tampered with 3 documents, being an Italian identity card, Italian residence permit and Italian passport for aliens bearing numbers AR4380135, 14CE743678 and 60231 respectively or used or had in his possession same documents, which he knew to be forged, altered or tampered with.

And also with having on same date, time and circumstances committed any other kind of forgery, or have knowingly made use of any other forged documents mentioned above.

And also with having on same date, time and circumstances forged any document or true copy of a document or an entry made in pursuance of this act.

And charged for being a relapser after convicted in Maltese courts with a sentence given on 7<sup>th</sup> April 2011, which sentence is definitive.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular statement of the accused, consent of the Attorney General for this case to be dealt with summarily, conviction sheet, copy of a judgement issued by Magistrate Dr Audrey Demicoli, copy of identification document of the accused, documentation sent to the

## Informal Copy of Judgement

immigration police, foreigners' permit to stay in Malta and photocopy of the accused' travel documents.

Having heard the accused declare that he does not understand the Maltese language though he 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 he is indigent, the Court appointed Dr Martin Fenech as Legal Aid Lawyer to assist the accused.

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

The Court explained to the accused the consequences of his plea of guilt in the presence of his legal aid lawyer and after having given the accused sufficient time to reconsider his guilty plea and saw that the same accused insisted on registering in the acts of these proceedings his 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 him.

The Court took note what the Prosecution said in that the accused has already been found guilty of a similar crime and this fact was not contested by the defence and consequently felt that a prison sentence would be ideal in the circumstances.

**Thus the Court, having seen the relevant sections at law, in particular Sections 49, 50 and 189 of Chapter 9, Section 5 of Chapter 61 and Section 32(1)(d) of Chapter 217 of the Laws of Malta, and decides to find the accused OFURE IMHENIGA guilty of the charges brought forward against him by the prosecution and condemns him to three months effective imprisonment.**

**< Final Judgement >**

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