



MALTA

**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE DR.
NATASHA GALEA SCIBERRAS**

Sitting of the 27th March, 2015

Number 340/2014

The Police

(Inspector Frankie Sammut)

vs

Danilovski Lasta

Passport No: 011637240

The Court,

Having seen the charges brought against the accused Danilovski Lasta, 50 years, Serbian national, born in Serbia on the 27th December 1964, son of Dragan and Vera nee` Sininovski, residing in Serbia, Serbian Passport number 011637240;

- a. Charged with having on the 27th March 2015 or days prior this date in these islands forged, altered or tampered with a Passport, or used or had in his possession a Passport, which he knew to be forged, altered or tampered with, in the name of Danilovski Lasta bearing numbers 011637240 (Chapter 61, Section 5 of the Laws of Malta);
- b. Charged also with having on same date, time and circumstances committed any other kind of forgery, or having knowingly made use of any other forged document, in the mentioned documents (Chapter 9, Section 189 of the Laws of Malta);
- c. Charged 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 (Chapter 217, Section 32(1)(d) of the Laws of Malta.

Having seen the acts of the proceedings and all documents submitted;

Having heard the Prosecuting Officer declare that the second charge is alternative to the first charge;

Having heard the accused persist on pleading guilty to the first and third charges brought against him, after the court in terms of Article 453 of Chapter 9 of the Laws of Malta, warned him of the legal consequences of such statement and after having allowed him time to retract such statement;

Having heard oral submissions by the parties regarding the punishment to be inflicted.

Considered that:

In view of the guilty plea registered by the accused to the first and third charges brought against him, the Court cannot but find him guilty of these charges.

As regards the punishment to be inflicted, the Court has taken into consideration the early guilty plea filed by the accused, his clean criminal record and that he fully cooperated with the Police during the investigation. The Court has also considered that the Prosecution is not insisting on an effective prison term and the nature of the charges brought against the accused.

Conclusion

For these reasons the Court, after having seen Article 5 of Chapter 61, Article 32(1)(d) of Chapter 217 and Article 17(b) of Chapter 9 of the Laws of Malta, finds the accused guilty of the first and third charges brought against him and condemns him to a term of one year imprisonment which, by application of Article 28A of Chapter 9 of the Laws of Malta, is being suspended for a period of two years from today.

The Court is not taking any further note of the second charge brought against the accused, in view of the Prosecuting Officer's declaration that this is alternative to the first charge.

The Court warned the accused of the legal consequences should he commit any offence punishable by imprisonment within the operative period of the suspended sentence.

< Final Judgement >

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