

160-104/2026-



This translation consists  
of 3 pages / 6 papers.  
Cert. No.: 9/8-2026  
Date: 7/8/2026

**CERTIFIED TRANSLATION FROM CROATIAN TO ENGLISH  
LANGUAGE  
INDICTMENT**



COAT OF ARMS  
REPUBLIC OF CROATIA  
DISTRICT PUBLIC PROSECUTOR'S OFFICE IN KARLOVAC  
Karlovac, Trg hrvatskih branitelja 1

Number: KO-DO-84/2026-1  
Karlovac, 24<sup>th</sup> February 2026  
ZG/ZG

MUNICIPAL COURT IN KARLOVAC

KARLOVAC

Pursuant to Article 38, paragraph 2, point 6, and Article 341, paragraph 3, in connection with Article 342 of the Code of Criminal Procedure (NN. No. 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 118/18, 126/19, 80/22, 36/24, 72/25, 13/26 - hereinafter CCP), I file an

INDICTMENT

against:

JAMES TERRY FORSYTH, son of Peter and Dawn Forsyth, maiden name Delahunty, born on 4<sup>th</sup> May 1984, in the United Kingdom, London, residing in the United Kingdom, London, Jasper Road 38A, a British citizen, divorced, father of two, business owner, unconvicted, at large,

because:

on the 20<sup>th</sup> February 2026, at approximately 20:20, in the town of Lička Jesenica, Municipality of Saborsko, together and pursuant to a prior agreement with unknown persons, with whom he communicated and from whom he received all the necessary information via his mobile device, with the aim of obtaining an unlawful material benefit through the illegal transportation of foreign nationals, for the amount of 300.00 EUR which he was to receive upon completion of the transportation, in a passenger vehicle Opel Zafira, registration plates and number RI 5973-AA, transported 13 (thirteen) illegal migrants, nationals of Bangladesh, Afghanistan, Pakistan, India and Iran, who had previously unlawfully entered the territory of the Republic of Croatia outside border control, being aware that the said persons were unlawfully residing in the territory of the Republic of Croatia, until he was stopped by police officers,

thus, out of self-interest, he enabled and helped other persons to move illegally in the Republic of Croatia,

and he thereby committed a criminal offense against public order - illegal entry, movement and residence in the Republic of Croatia, another member state of The European Union or a signatory of the Schengen Agreement, described and punishable under Article 326 paragraph 1. of the Criminal Law (NN No. 125/12,

86/18, 87/18, 101/18, 118/18, 126/19, 84/21, 114/22, 114/23, 36/24, 136/25 -  
(continued 11.)

Pursuant to Article 79, paragraph 2 of the CL, I propose that the court seize from the accused James Terry Forsyth the mobile device temporarily seized under the certificate of the Karlovac Police Department, Ogulin Police Station, serial number 00246186, dated 21<sup>st</sup> February 2026.

The evidence on which I base the indictment and which I intend to present at the trial:

1. certificate of temporary confiscation of the item (paper 12)
2. certificate of temporary confiscation of the item (paper 13)
3. record of temporary confiscation of the item (papers 14-15)
4. report on the search of movable property and bank safe (papers 18-21)
5. Record of the interrogation of the suspect James Terry Forsyth, with the accompanying AV recording (papers 24-28)
6. Record of the first interrogation of the accused James Terry Forsyth, with the accompanying AV recording (papers 40-44)

#### Reasoning

The Karlovac Police Department, Ogulin Police Station, filed a criminal complaint against the suspect James Terry Forsyth for the criminal offence of illegal entry, movement and residence in the Republic of Croatia, another member state of the European Union or a signatory of the Schengen Agreement, from Article 326 paragraph 1. of the CL.

Interrogated before the public prosecutor, the accused James Terry Forsyth stated in his defense that he came to Croatia last Monday with a friend, stayed in Zagreb and toured the Republic of Croatia as a tourist. He rented a vehicle in Croatia and, quite coincidentally, it was the larger vehicle he had used to visit Plitvice Lakes, and there he met an unknown man in the parking lot who offered him to transport workers from one location to another. He did not think it was something illegal and had anything to do with migration. That person added him to a group, and he received via his mobile phone the location where he was to go to pick up the people, which he did, and he was supposed to receive 300.00 EUR for transporting those persons to Zagreb. He took it all as a joke and that he would take these people along the way. He picked up migrants at a construction site and would drive them to Zagreb to a construction site. When the people got into his vehicle, he realized they were migrants. He does not remember his communication via cell phone and does not know that anyone would warn him about police officers. It all happened completely by accident.

The record of the temporary confiscation of the item, with the corresponding certificate of serial number 00246186, dated 21<sup>st</sup> February 2026, shows that the migrants in this case were transported in a passenger vehicle, Opel Zafira, with license plates and number RI 5973-AA, which was confiscated from the accused.

From the record of temporary confiscation of the item, with the corresponding certificate of serial number 00246185, dated 21<sup>st</sup> February 2026, it is evident that the Samsung mobile device used by the accused was confiscated from the accused, while from the record of the search of movable property and the bank safe, it follows that it was during the search of the said mobile device that the accused's communication with unknown persons was found, in the form of sending messages and locations, all in connection with the transportation of illegal migrants.

In light of the above, in this specific case I believe that there is reasonable doubt that the accused James Terry Forsyth committed the criminal offense with which he is charged.

Namely, the accused in his defense fully admits to committing the criminal offense, and his defense is consistent with the accompanying material documentation in the case file, primarily the record of the search of the mobile phone that was confiscated from the accused, from which it is indisputable that at the critical moment he communicated with unknown persons in the form of messages regarding the transportation of illegal migrants, as well as in the form of sharing locations with exact coordinates.

Given the above, I believe that the accused's actions constituted the elements of a criminal offense under Article 326, paragraph 1 of the CL, so this indictment appears to be well-founded and legally established.

As the search determined that the Samsung mobile phone, temporarily confiscated from the accused, was used as an object to commit the aforementioned criminal offense, I consider it necessary and legally justified to confiscate it in accordance with Article 79, paragraph 2 of the CL.

DEPUTY PUBLIC PROSECUTOR  
Ziva Gruden  
DIGITAL SIGNATURE

Attachment: -file

I, Silvija Vrđuka, permanent court interpreter for English and Czech, as appointed by the President of the County Court in Karlovac, Decree No. **UP/I-710-02/25-01/254** of 13th June 2021, do hereby certify that the above translation is a faithful and complete translation of the original document written in the Croatian language.

Karlovac, 7<sup>th</sup> August 2026

Cert. No.: 9/8-2026

*Unters*





REPUBLIKA HRVATSKA  
OPĆINSKO DRŽAVNO ODVJETNIŠTVO U KARLOVCU  
Karlovac, Trg hrvatskih branitelja 1

Broj: KO-DO-84/2026-1  
Karlovac, 24. veljače 2026.  
ZG/ZG

OPĆINSKI SUD U KARLOVCU

KARLOVAC

Na temelju članka 38. stavka 2. točke 6. i članka 341. stavka 3., u svezi s člankom 342. Zakona o kaznenom postupku (NN br. 152/08, 76/09, 80/11, 121/11, 91/12, 143/12, 56/13, 145/13, 152/14, 70/17, 118/18, 126/19, 80/22, 36/24, 72/25, 13/26 - dalje u tekstu ZKP), podižem

OPTUŽNICU

protiv

JAMESA TERRYA FORSYTHA, sina Petera i Dawn Forsyth, rođ. Delahunty, rođenog 04. svibnja 1984, u Velikoj Britaniji, London, s prebivalištem u Velikoj Britaniji, London, Jasper Road 38A, državljanina Velike Britanije, rastavljenog, oca dvoje djece, vlasnika firme, neosuđivanog, na slobodi,

da je:

20. veljače 2026. oko 20,20 sati, u mjestu Lička Jesenica, Općina Saborsko, zajedno i po prethodnom dogovoru s nepoznatim osobama, s kojima je kontakte ostvarivao i od njih sve potrebne informacije dobivao putem svog mobilnog uređaja, u cilju da se protupravno materijalno okoristi ilegalnim prijevozom stranih državljana, za iznos od 300,00 eura koji je trebao dobiti po izvršenom prijevozu, u osobnom vozilu marke Opel Zafira, registarskih oznaka i broja RI 5973-AA, prevezio 13 (trinaest) ilegalnih migranata, državljana Bangladeša, Afganistana, Pakistana, Indije i Irana, koji su prethodno na nezakonit način mimo granične kontrole ušli na područje Republike Hrvatske, svjestan da navedene osobe protuzakonito borave na području Republike Hrvatske, sve dok nije zaustavljen po policijskim službenicima,

dakle, iz koristoljublja omogućio drugim osobama nedozvoljeno kretati se u Republici Hrvatskoj,

pa da je time počinio kazneno djelo protiv javnog reda -protuzakornim ulaženjem, kretanjem i boravkom u Republici Hrvatskoj, drugoj državi članici Europske unije ili potpisnici Šengenskog sporazuma, opisano i kažnjivo po članku 326. stavku 1. Kaznenog zakona (NN br. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 114/23, 36/24, 136/25 - u daljnjem tekstu KZ).

Na temelju članka 79. stavka 2. KZ-a predlažem da sud od okr. Jamesa Terrya Forsytha oduzme mobilni uređaj, privremeno oduzet potvrdom PU karlovačke, Policijske postaje Ogulin, serijskog broja 00246185, od 21. veljače 2026.

Dokazi na kojima temeljim optužnicu i koje namjeravam izvesti na raspravi:

1. potvrda o privremenom oduzimanju predmeta (list 12)
2. potvrda o privremenom oduzimanju predmeta (list 13)
3. zapisnik o privremenom oduzimanju predmeta (list 14-15)
4. zapisnik o pretrazi pokretne stvari i bankovnog sefa (list 18-21)
5. zapisnik o ispitivanju osum. Jamesa Terrya Forsytha, s pripadajućom AV snimkom (list 24-28)
6. zapisnik o prvom ispitivanju okr. Jamesa Terrya Forsytha, s pripadajućom AV snimkom (list 40-44)

### O b r a z l o ž e n j e

Policijska uprava karlovačka, Policijska postaja Ogulin, podnijela je kaznenu prijavu protiv osum. Jamesa Terrya Forsytha, zbog kaznenog djela protuzakornog ulaženja, kretanja i boravka u Republici Hrvatskoj, drugoj državi članici Europske unije ili potpisnici Šengenskog sporazuma, iz članka 326. stavka 1. KZ-a.

Ispitan pred državnim odvjetnikom okr. James Terry Forsyth je u svojoj obrani naveo da je prošli ponedjeljak došao u Hrvatsku s prijateljem, te je odsjeo u Zagrebu i turistički obilazio Republiku Hrvatsku. Iznajmio je vozilo u Hrvatskoj i sasvim slučajno se radilo o većem vozilu kojim je bio na Plitvičkim jezerima, a tamo je na parkiralištu upoznao nepoznatog muškarca koji mu je ponudio prijevoz radnika s jedne lokacije na drugu. Nije mislio da se radi o nečemu nelegalnom i da ima veze s migracijama. Ta osoba ga je dodala u neku grupu, te je on putem mobitela zaprimio lokaciju gdje treba otići po ljude, što je i učinio, a trebao je dobiti 300,00 eura za prijevoz tih osoba do Zagreba. Sve je shvatio kao šalu i da će uz put prevesti te osobe. Migrante je pokupio na nekom mjestu gdje je bilo gradilište i vozio bi ih u Zagreb na neko gradilište. Kada su osobe ušle u njegovo vozilo shvatio je da su migranti. Ne sjeća se svoje komunikacije putem mobitela i ne zna da bi ga netko upozoravao na policijske službenike. Sve se dogodilo sasvim slučajno.

Iz zapisnika o privremenom oduzimanju predmeta, s pripadajućom potvrdom serijskog broja 00246186, od 21. veljače 2026., proizlazi da su migranti u konkretnom slučaju prevoženi u osobnom vozilu marke Opel Zafira, registarskih oznaka i broja RI 5973-AA, a koje je oduzeto od okrivljenika.

Iz zapisnika o privremenom oduzimanju predmeta, s pripadajućom potvrdom

serijskog broja 00246185, od 21. veljače 2026., vidljivo je da je od okrivljenika oduzet mobilni uređaji marke Samsung, kojim se okrivljenik koristio, dok iz zapisnika u pretrazi pokretne stvari i bankovnog sefa, protiče da je upravo pretragom navedenog mobilnog uređaja pronađena komunikacija okrivljenika s nepoznatim osobama, u vidu slanja poruka i lokacija, a sve u svezi prijevoza ilegalnih migranata.

Slijedom naprijed navedenog, u konkretnom slučaju smatram da postoji osnovana sumnja da je okr. James Terry Forsyth počinio kazneno djelo koje mu se stavlja na teret.

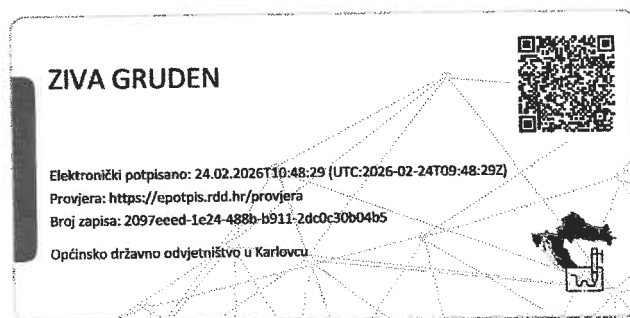
Naime, okrivljenik u svojoj obrani u cijelosti priznaje počinjenje kaznenog djela, a njegova obrana sukladna je i priležućoj materijalnoj dokumentaciji u spisu, prvenstveno zapisniku o pretrazi mobitela koji je oduzet od okrivljenika, a iz kojeg nesporno proizlazi da je isti kritične zgrade komunicirao s nepoznatim osobama u vidu poruka u svezi prijevoza ilegalnih migranata, kao i u vidu dijeljenja lokacija s točnim koordinatama.

S obzirom na navedeno, smatram da je okrivljenik svojim postupanjem ostvario obilježja kaznenog djela iz članka 326. stavka 1. KZ-a pa se ova optužnica ukazuje osnovanom i na zakonu utemeljenom.

Kako je izvršenom pretragom utvrđeno da je mobitel marke Samsung, privremeno oduzet od okrivljenika, korišten kao predmet za počinjenje navedenog kaznenog djela, smatram potrebnim i zakonski osnovanim da se isti oduzme sukladno članku 79. stavku 2. KZ-a.

ZAMJENICA OPĆINSKOG DRŽAVNOG ODVJETNIKA  
Ziva Gruden

Prilog:  
-spis





*Unful*

