



Office of the Attorney General
Leonardo M. Rapadas
 Attorney General of Guam
Prosecution Division
 287 West O'Brien Drive
 Hagåtña, Guam 96910 • USA
 (671) 475-3406/3324 • (671) 477-3390 (Fax)
www.guamattorneygeneral.com

Attorneys for the People of Guam

**IN THE SUPERIOR COURT OF GUAM
 HAGÁTÑA, GUAM**

CF 0311-12

THE PEOPLE OF GUAM,

CRIMINAL CASE NO. CF
 GPD REPORT NO. 12-14748

vs.

Charges:

JON CARSON LEFEVER,
 DOB: 10-11-1990

1. **FAMILY VIOLENCE**
(As a 3rd Degree Felony)
2. **CHILD ABUSE**
(As a 3rd Degree Felony)

KAYLEEN ROSE T. B. CASTRO,
 DOB: 09-16-1991

3. **FAMILY VIOLENCE**
(As a 3rd Degree Felony)
4. **CHILD ABUSE**
(As a 3rd Degree Felony)

Defendants.

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **JON CARSON LEFEVER** and **KAYLEEN ROSE TENORIO BENAVENTE CASTRO** of certain crimes committed as follows:

FIRST CHARGE

On or about the period between September 1, 2011 and May 1, 2012, *inclusive*, in Guam, **JON CARSON LEFEVER**, did commit the offense of *Family Violence*, in that he did recklessly cause or attempt to cause bodily injury to another family member or household member, that is, **K.J.G.C. (DOB: 05-03-2009)**, in violation of 9 G.C.A. §§30.10(a)(1) and (b) (2) and 30.20(a).

1 **SECOND CHARGE**

2 On or about the period between September 1, 2011 and May 1, 2012, inclusive, in Guam,
3 **JON CARSON LEFEVER**, did commit the offense of *Child Abuse*, in that he did subject a child
4 to cruel mistreatment under circumstances likely to result in death or serious bodily injury, that is,
5 **K.J.G.C. (DOB: 05-03-2009)**, in violation of 9 G.C.A. §31.30(a)(1) and (b).

6 **THIRD CHARGE**

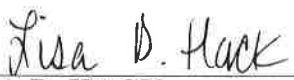
7 On or about the period between September 1, 2011 and May 1, 2012, *inclusive*, in Guam,
8 **KAYLEEN ROSE TENORIO BENAVENTE CASTRO**, did commit the offense of *Family*
9 *Violence*, in that she did recklessly cause or attempt to cause bodily injury to another family member
10 or household member, that is, **K.J.G.C. (DOB: 05-03-2009)**, in violation of 9 G.C.A. §§30.10(a)(1)
11 and (b) (2) and 30.20(a).

12 **FOURTH CHARGE**

13 On or about the period between September 1, 2011 and May 1, 2012, *inclusive*, in Guam,
14 **KAYLEEN ROSE TENORIO BENAVENTE CASTRO**, did commit the offense of *Child Abuse*
15 while having a child in her care or custody or under her control, she unreasonably causes or permits
16 the physical or, emotional health of that child to be endangered, under circumstances likely to result
17 in death or serious bodily injury, that is, **K.J.G.C. (DOB: 05-03-2009)**, in violation of 9 G.C.A. §§
18 31.30(a)(2)(C) and (b).

19
20 Dated this 16TH day of May 2012.

21
22 **OFFICE OF THE ATTORNEY GENERAL**
23 **LEONARDO M. RAPADAS**, Attorney General of Guam

24 
25 **LISA D. HACK**
26 Assistant Attorney General, Prosecution Division
27
28

IN THE SUPERIOR COURT OF GUAM
AMENDED DECLARATION

COMES NOW, Lisa D. Hack a duly appointed Assistant Attorney General, and aver, upon information and belief, that the foregoing is true.

I have reviewed Guam Police Report No. 12-14748 submitted by GPD Officers D. T. Pangelinan and M.D.M. Reyes and others which sets forth the following events occurred on Guam:

On or about May 9, 2012, at approximately 11:35 p.m. Officers received a child abuse complaint. The Officer met with **KAYLEEN ROSE TENORIO BENAVENTE CASTRO**, Victim's mother, ("Defendant 1") who stated she and her children have been residing with her boyfriend, **JON CARSON LEFEVER**, ("Defendant 2") for about eight months. Defendant 1 stated that during the beginning part of January 2012 she witnessed Defendant 2 tie her minor son's hands, **K.J.G.C. (5/3/2009)** ("Victim") and ankles with a thin white rope as punishment. The ropes bruised the Victim's wrists and left redness to his right ankle. Defendant 1 stated the injuries became a "burn scar."

Defendant 1 told police that the Victim was being potty trained and every time her son has an accident or does not listen Defendant 2 spanked the Victim with a belt. Defendant 1 said after the spanking's the Victim's butt would be "red with belt marks so she would put ice on her son's butt." Defendant 1 told Officers that May 1, 2012 was the last time that Defendant 2 spanked the Victim for having an accident.

The Victim was seen by a public health pediatrician and had injuries consistent with abuse. The Officer performed an injury check on the Victim and noted "bruising to the left eye, small cut to the right cheek area, bruising to the forehead, and blood on his underwear from a sore on his penis."

Defendant 2 was advised of his rights and responded by acknowledging and waiving his rights. Defendant 2 admitted that he tied the Victim's wrists to his ankles (hog tied) because he was bored. Defendant 2 also stated that he thought it was funny when the Victim began to cry and that he was also "Messing" with the Victim when he wrapped scotch tape around the Victim's head and pulled the tape off, causing hair to be pulled from the Victim's head.

Based on the foregoing, there is probable cause to charge **JON CARSON LEFEVER** (Defendant) with **Family Violence** (as a Third Degree Felony), in violation of Title 9 G.C.A. §30.10(a) (1) and (b) (2) and §30.20 (a) and **Child Abuse** (as a Third Degree Felony), in violation of Title 9 G.C.A. §31.30 (a)(1) and (b).

Based on the foregoing, there is probable cause to charge **KAYLEEN ROSE TENORIO BENAVENTE CASTRO** (Defendant) with **Family Violence** (as a Third Degree Felony), in violation of Title 9 G.C.A. §30.10(a) (1) and (b) (2) and §30.20 (a) and **Child Abuse** (as a Third Degree Felony), in violation of Title 9 G.C.A. §31.30 (a) (2) (C) and (b).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th day of May, 2012.


LISA D. HACK