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SUPERIOR COURT
OF GUAM

2013 JAN -7 PM 2:01

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BY: _____

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Leonardo M. Rapadas
Attorney General of Guam
Prosecution Division
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Attorneys for the People of Guam

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

THE PEOPLE OF GUAM,

vs.

ERICA JEAN ACFALLE,
DOB: 09/30/1979

Defendant.

CRIMINAL CASE NO. **CF 0011-13**
GPD REPORT NO. 13-00595

Charges:

- 1) **ARSON**
(As a Third Degree Felony)
- 2) **TERRORIZING**
(As a Third Degree Felony)
- 3) **FAMILY VIOLENCE**
(As a Misdemeanor)
- 4) **ASSAULT**
(As a Misdemeanor)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **ERICA JEAN ACFALLE** of certain crimes committed as follows:

FIRST CHARGE

On or about the 6th day of January 2013, in Guam, **ERICA JEAN ACFALLE** did commit the offense of **Arson**, in that she did unlawfully start a fire on property, in reckless disregard of a risk that her conduct would damage or destroy the property of another, in violation of 9 GCA §§ 34.30(a)(2).

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SECOND CHARGE

On or about the 6th day of January 2013, in Guam, **ERICA JEAN ACFALLE** did commit the offense of **Terrorizing**, in that she did knowingly communicate a threat to another person, that is, **Cassie Mona Duenas**, to commit a crime of violence dangerous to human life against **Cassie Mona Duenas**, the natural and probable consequence of such threat being to place **Cassie Mona Duenas** in reasonable fear that the crime would be committed, in violation of 9 G.C.A. §§ 19.60(a) and (b).

THIRD CHARGE

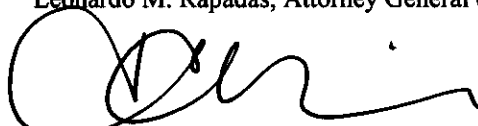
On or about the 6th day of January 2013, in Guam, **ERICA JEAN ACFALLE** did commit the offense of **Family Violence**, in that she did place a family member or household member, that is, **Cassie Mona Duenas**, in fear of bodily injury, in violation of 9 G.C.A. § 30.10(a)(2) and § 30.20(a).

FOURTH CHARGE

On or about the 6th day of January 2013, in Guam, **ERICA JEAN ACFALLE** did commit the offense of **Assault**, in that she did, by physical menace, intentionally put or attempt to put another, that is, **Cassie Mona Duenas**, in fear of imminent bodily injury, in violation of 9 GCA §§ 19.30(a)(3) and (e).

Dated this 7th day of January 2013.

OFFICE OF THE ATTORNEY GENERAL
Leonardo M. Rapadas, Attorney General of Guam



TERI C. BRELOSKI
Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, TERI C. BRELOSKI, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Report 13-00595 submitted by Officer J.M. Dodd (#581), which revealed the following occurred in Guam:

On or about January 6, 2012 at approximately 4:15 a.m., officers from the Guam Police Department responded to an apartment complex in Anigua and met with Cassie Mona Duenas (victim). Duenas reported that she and her roommate, **ERICA JEAN ACFALLE** (defendant) had a verbal disagreement shortly before officers arrived, and that ACFALLE took a pillow, lit it on fire, and threatened to burn down their apartment by attempting to set their Christmas tree on fire.

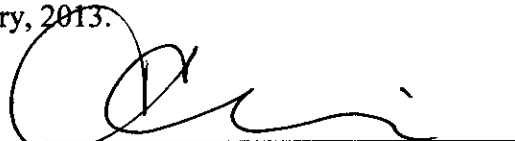
Duenas indicated to officers that when ACFALLE lit the pillow with the lighter and attempted to set the tree on fire, another witness took the pillow away and extinguished the pillow.

Upon their arrival, officers noted the odor of something burning. Officers also overheard ACFALLE yelling, "You want to break shit, I'll break shit" and "I'll burn this fucking place down." Officers subsequently noted observing a partially burned pillow, which had been lying in the bathroom sink.

ACFALLE indicated to officers that she "wanted to burn the apartment down with (Duenas) in it." Officers noted the odor of an alcoholic intoxicant emitting from ACFALLE, slurred speech, and bloodshot, watery eyes.

Based on the foregoing, there is probable cause to charge **ERICA JEAN ACFALLE** with the following: one (1) count of **ARSON** (as a third degree felony), in violation of 9 G.C.A. § 34.30(a)(2); one (1) count of **TERRORIZING** (as a third degree felony), in violation of 9 G.C.A. §§19.60(a) and (b); one (1) count of **FAMILY VIOLENCE** (as a misdemeanor), in violation of 9 G.C.A. §§30.10(a)(2) and (b) and 30.20(a); and one (1) count of **ASSAULT** (as a misdemeanor), in violation of 9 G.C.A. §19.30(a)(3).

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 7th day of January, 2013.



TERI C. BRELOSKI
Assistant Attorney General



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2013 JAN -7 PM-1:14

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BY: 

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2 **Leonardo M. Rapadas**
3 Attorney General of Guam
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6 **IN THE SUPERIOR COURT OF GUAM**
7 **HAGÁTÑA, GUAM**

CM 0080-13

8 PEOPLE OF GUAM,) Criminal Case No. CM _____
9) GPD Report No. 13-00639
10 vs.) Charge:
11 **RISIW ROCHOW,**) **FAILURE TO POSSESS VALID**
12 **DOB: 12/21/1975**) **DRIVER'S LICENSE**
13) **(As a Petty Misdemeanor)**
14 Defendant.)

14 **MAGISTRATE'S COMPLAINT**

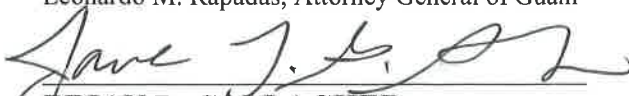
15 The Attorney General of Guam hereby accuses **RISIW ROCHOW** of a certain crime
16 committed as follows:

17 On or about the 6th day of January 2013, in Guam, **RISIW ROCHOW** did commit the
18 offense of *Operation of a Motor Vehicle Without a Valid Operator's License*, in that he did
19 knowingly drive a motor vehicle on a highway without having in his/her immediate possession a
20 valid operator or chauffeur's license issued under the Motor Vehicle Code of Guam, in violation of
21 16 GCA § 3101(a) and (c) and 9108, as amended.

22 Dated this day, Monday, January 7, 2013.

23 **OFFICE OF THE ATTORNEY GENERAL**

24 Leonardo M. Rapadas, Attorney General of Guam

25 
26 **BRIAN D. GALLAGHER**
27 Assistant Attorney General, Prosecution Division

28 **ORIGINAL**

IN THE SUPERIOR COURT OF GUAM
DECLARATION

COMES NOW, Brian D. Gallagher, a duly appointed Assistant Attorney General, and does aver, upon information and belief, that the following is true. I have reviewed Guam Police Department Reports filed in connection with case number 2013-0639 submitted by officers of the Guam Police Department. These reports reveal the following occurred in Guam:

The suspect/ defendant's name is RISIWI ROCHOW (d.o.b. 12-21-1975). On or about January 6, 2013 at 5:50pm, police received a report of an automobile collision involving a pedestrian. The driver had walked into the Tumon-Tamuning Precinct to turn himself in.

According to a statement defendant supplied to investigating officers, defendant was asked by his pastor to move a vehicle once church services had ended. When moving the vehicle, defendant struck a concrete pillar on the passenger side of the vehicle. The victim, Jessica Dois, ran over to try to direct defendant back into the parking stall. Defendant attempted to move the vehicle, but was unable to turn it. Thus, he struck the victim and pinned her between the vehicle's front passenger side and the pillar.

The victim's father arrived at the scene to aid his daughter. Victim's father, according to the defendant, threatened to beat up the defendant if he did not leave. Defendant left the scene, and proceeded directly to the Tumon Precinct, where he turned himself in to the police. Defendant did not have a valid driver's license in his possession. The victim was transported to Guam Memorial Hospital.

Based on the foregoing, I believe that there is probable cause to charge defendant with the following:

1. Failure to Possess Valid Driver's License 16 GCA § 3101. License

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

Dated: January 7, 2013


BRIAN D. GALLAGHER, Assistant Attorney General



1 **Office of the Attorney General**
 2 **Leonardo M. Rapadas**
 3 Attorney General of Guam
 4 **Prosecution Division**
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6 **IN THE SUPERIOR COURT OF GUAM**
 7 **HAGÁTÑA, GUAM**

CM 0081-13

8 PEOPLE OF GUAM,)	Criminal Case No. CM
)	GPD Report No. 13-00504
)	
10 vs.)	Charge:
)	
11 GREGORIO MAURIS PEDRO,)	CRIMINAL MISCHIEF
12 DOB: 11/17/1956)	(As a Misdemeanor)
)	
13 Defendant.)	

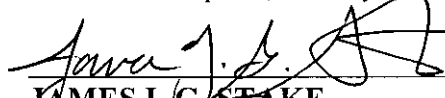
14 **MAGISTRATE'S COMPLAINT**

15 The Attorney General of Guam hereby accuses **GREGORIO MAURIS PEDRO** of a certain
 16 crime committed as follows:

17 On or about the 5th day of January 2013, in Guam, **GREFORIO MAURIS PEDRO** did
 18 commit the offense of *Criminal Mischief (As a Misdemeanor)*, in that he did intentionally damage
 19 the property of another, to wit: Pedro M. Madarang Jr., in violation of 9 GCA §§ 34.50(c) and
 20 34.60(c), as amended.

21 Dated this day, Monday, January 7, 2013.

22 **OFFICE OF THE ATTORNEY GENERAL**
 23 Leonardo M. Rapadas, Attorney General of Guam

24 
 25 **JAMES L.G. STAKE**
 26 Assistant Attorney General, Prosecution Division

27 **ORIGINAL**

○ ○

IN THE SUPERIOR COURT OF GUAM

DECLARATION

COMES NOW, James L.G. Stake, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the foregoing is true.

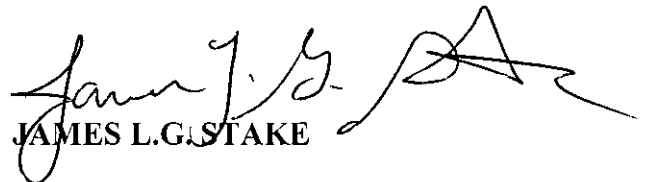
I have reviewed Guam Police Report No. 13-504 submitted by GPD Officer A.M. Perez, which sets forth the following events occurred on Guam.

That on January 5th, 2013, at approximately 6:23am Officers responded to a disturbance at #339 East Agana. Officers met with PEDRO M. MADARANG ("Victim" or "Madarang"). Officers also met with JESSE JOEY JACKSON ("Witness" or "Jackson"). Jackson was with his girlfriend and sister in law at approximately 2:00am the same day on their balcony and they saw a male individual come out from the bar Jacky's Lounge, swaying side to side and having trouble maintaining balance. The male individual was later identified as GREGORIO MAURIS PEDRO ("Defendant.") Defendant picked up a pipe from the ground swung it like a baseball bat hitting Madarang's windshield breaking it. Defendant admitted to walking out of the bar but denied hitting the windshield.

Based on the foregoing, there is probable cause to charge GREGORIO MAURIS PEDRO with CRIMINAL MISCHIEF (As a Misdemeanor), in violation of Title 9 GCA § 34.50(c).

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

Executed this 7th day of January, 2012.


JAMES L.G. STAKE

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BY: 

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Attorneys for the People of Guam

IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

CM 0079-13

THE PEOPLE OF GUAM

CRIMINAL CASE NO. CM
GPD Report No. 13-00658

vs.

Charges:

DINO FRANKLIN LIZAMA,
DOB: 12/19/70

1) **FAMILY VIOLENCE**
(As a Misdemeanor)

Defendant.

2) **ASSAULT**
(As a Misdemeanor)

3) **ASSAULT**
(As a Misdemeanor)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **DINO FRANKLIN LIZAMA** of certain crimes committed as follows:

FIRST CHARGE

On or about the 6th day of January 2013, in Guam, **DINO FRANKLIN LIZAMA** 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, *Lulene Concepcio Baza*, in violation

ORIGINAL

1 of 9 GCA §§ 30.10(a)(1) and 30.20(a).

2 **SECOND CHARGE**

3 On or about the 6th day of January 2013, in Guam, **DINO FRANKLIN LIZAMA** did
4 commit the offense of *Assault*, in that he recklessly cause or attempt to cause bodily injury to
5 another, that is, *Lulene Concepcio Baza*, in violation of 9 GCA §§ 19.30(a)(1) and (e).

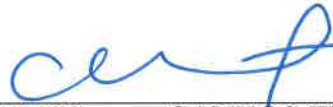
6 **THIRD CHARGE**

7 On or about the 6th day of January 2013, in Guam, **DINO FRANKLIN LIZAMA** did
8 commit the offense of *Assault*, in that he recklessly cause or attempt to cause bodily injury to
9 another, that is, *Luis Segoria*, in violation of 9 GCA §§ 19.30(a)(1) and (e).

10
11 Dated on this date, January 7, 2013.

12 **OFFICE OF THE ATTORNEY GENERAL**

13 Leonardo M. Rapadas, Attorney General of Guam

14 

15 **CHRISTINE SANTOS TENORIO**

16 Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, CHRISTINE SANTOS TENORIO, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Report 13-658 submitted by Officer D.S. Cruz (#630), which revealed the following occurred in Guam:

On or about January 6, 2013, during the evening hours, **DINO FRANKLIN LIZAMA** (“Defendant”) arrived at the residence of Lulene Concepcion Baza (“Victim Lulene”) to drop off their minor son. Defendant became angry with Victim Lulene and pointed his finger at her forehead numerous times, making contact with her forehead. Defendant then struck Victim Lulene’s right arm with a closed fist. Victim Lulene repeatedly told Defendant to stop.

Victim Lulene’s boyfriend, Luis Segoria (“Victim Luis”), opened the front door to the residence to find out what was going on. Defendant said “what, what” to Victim Luis and pushed him in the chest area with both hands, causing Victim Luis to fall backwards. Defendant and Victim Luis struggled on the living room floor for a few minutes.

Victim Lulene sustained a bump on her forehead. Victim Luis sustained abrasions on his neck and chin area, redness on neck, and abrasion on left foot.

Based on the foregoing, there is probable cause to charge **DINO FRANKLIN LIZAMA** with:

1. FAMILY VIOLENCE (as a Misdemeanor) against Lulene Concepcion Baza, in violation of 9 G.C.A. § 30.10(a)(1) and 9 G.C.A. § 30.20(a); and
2. ASSAULT (as a Misdemeanor) against Lulene Concepcion Baza, in violation of 9 G.C.A. § 19.30(a)(1).
3. ASSAULT (as a Misdemeanor) against Luis Segoria, in violation of 9 G.C.A. § 19.30(a)(1).

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 7th day of January, 2013.



CHRISTINE SANTOS TENORIO
Assistant Attorney General



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OF GUAM

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BY *[Signature]*

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Attorneys for the People of Guam

IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

GF 0009-13

THE PEOPLE OF GUAM,

vs.

MICHAEL EZRA,
DOB: 02/27/1995

Defendant.

Criminal Case No. CF
GPD Report No. 13-00571

Charges:

1) **AGGRAVATED ASSAULT**
(As a Second Degree Felony)

Special Allegation: *Possession & Use of a Deadly
Weapon in the Commission of a Felony*

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **MICHAEL EZRA** of certain crimes committed as follows:

On or about the 5th day of January 2013, in Guam, **MICHAEL EZRA** did commit the offense of **Aggravated Assault**, in that he did recklessly cause serious bodily injury to another, that is, *Vincent J. Quintanilla, Jr.*, in circumstances manifesting extreme indifference to the value of human life, in violation of 9 G.C.A. §§ 19.20(a)(1) and (b).

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SPECIAL ALLEGATION

*Possession and Use of a Deadly Weapon in the
Commission of a Felony*

On or about the 5th day of January 2013, in Guam, **MICHAEL EZRA** did knowingly and unlawfully use a deadly weapon, that is, a **Leatherman tool**, in the commission of a felony, that is, *Aggravated Assault*, in violation of 9 G.C.A. § 80.37.

Dated this 7th day of January 2013.

OFFICE OF THE ATTORNEY GENERAL
LEONARDO M. RAPADAS, Attorney General of Guam



GERALD L. HENDERSON
Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, Gerald L. Henderson, a duly appointed Assistant Attorney General, aver upon information and belief that the following is accurate. I have reviewed **Guam Police Report 13-0571** submitted by **Officer S.M. Arceo**. A review of said report has revealed the following:

On 1/5/13, at 11:25 p.m., Officer J.I. Aguon was dispatched to #197b, Hahasu, Dededo, Guam in reference to a stabbing. Upon arrival the Officer met with the victim, Vincent J. Quintanilla Jr. The Officer noted the victim had a horizontal laceration, measuring about 4-5 inches on the front side of his neck, just under his Adam Apple. The Victim was transported to Guam Memorial Hospital. The Victim subsequently indicated that he was stabbed by Michael Ezra (DOB 2-27-95). The victim wrote that a drunk boy had attacked him. He wrote that it was dark and he thought the boy had chopped him with his hand. He then discovered he was bleeding from the neck.

Ricky Lee Santos related seeing the Defendant and Victim walking together on a dirt road shortly before the assault took place.

It was subsequently determined by the Guam Fire Department's Advanced Life Support that the Victim had suffered a five inch avulsion by the trachea, which was serious and life threatening if not treated.

A leatherman tool with a red substance, possibly blood, was recovered from the dirt road where the Victim and Defendant were last seen walking together.

Based on the foregoing there is probable cause to **charge Michael Ezra (DOB 2-27-95) (Defendant)** with one count of **AGGRAVATED ASSAULT** (As a second Degree Felony), in violation of 9 G.C.A. §19.20(a)(1) and (b) and **Deadly Weapon Used in Felony** 9 G.C.A. §80.37;

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 1/7/2013.



Gerald L. Henderson
Assistant Attorney General



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OF GUAM

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Attorneys for the People of Guam

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

THE PEOPLE OF GUAM,

vs.

KYLE J. INDALECIO CAMACHO,
DOB: 07/21/1992

Defendant.

Criminal Case No. **CF 0010-13**
GPD Report No. 13-00556

Charges:

- 1) **KIDNAPPING**
(As a First Degree Felony)
**Special Allegation: Possession & Use of a Deadly
Weapon in the Commission of a Felony**
- 2) **ROBBERY**
(As a Second Degree Felony)
**Special Allegation: Possession & Use of a Deadly
Weapon in the Commission of a Felony**
- 3) **TERRORIZING**
(As a Third Degree Felony)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **KYLE J. INDALECIO CAMACHO** of certain crimes committed as follows:

FIRST CHARGE

On or about the 5th day of January 2013, in Guam, **KYLE J. INDALECIO CAMACHO** did commit the offense of *Kidnaping*, in that he intentionally and unlawfully removed another, namely **Bobbie Jo Fausto & Shienna Maracio**, a substantial distance from the vicinity where he/she was

ORIGINAL

1 found, to facilitate the commission of a felony, that is, [crime] in violation of 9 GCA § 22.20(a)(2)
2 and (b), as amended.

3 **SPECIAL ALLEGATION**

4 *Possession and Use of a Deadly Weapon in the
Commission of a Felony*

5 On or about the 5th day of January 2013, in Guam, **KYLE J. INDALECIO CAMACHO**
6 did knowingly and unlawfully possess a deadly weapon, that is, a **folding knife**, in the commission
7 of a felony, that is, *Kidnapping*, in violation of 9 G.C.A. § 80.37.

8 **SECOND CHARGE**

9 On or about the 5th day of January 2013, in Guam, **KYLE J. INDALECIO CAMACHO** did
10 commit the offense of **Second Degree Robbery** in that he intentionally was armed with and
11 displayed what appeared to be a deadly weapon, while in the course of committing theft of a cell
12 phone, in violation of 9 G.C.A. § 40.20(a)(3) and (b).

13 **SPECIAL ALLEGATION**

14 *Possession and Use of a Deadly Weapon in the
Commission of a Felony*

15 On or about the 5th day of January 2013, in Guam, **KYLE J. INDALECIO CAMACHO**
16 did knowingly and unlawfully possess a deadly weapon, that is, a **folding knife**, in the commission
17 of a felony, that is, *2nd Degree Robbery*, in violation of 9 G.C.A. § 80.37.

18 **THIRD CHARGE**

19 On or about the 5th day of January 2013, in Guam, **KYLE J. INDALECIO CAMACHO** did
20 commit the offense of **Terrorizing**, in that he did knowingly communicate a threat to another
21 person, that is, *Shienna Maracio*, to commit a crime of violence dangerous to human life against
22 *Bobbie Jo Fausto*, the natural and probable consequence of such threat being to place *Shienna*
23 *Maracio* in reasonable fear that the crime would be committed, in violation of 9 G.C.A. §§ 19.60(a)
24 and (b).

25 Dated this 7th day of January 2013.

26 **OFFICE OF THE ATTORNEY GENERAL**
LEONARDO M. RAPADAS, Attorney General of Guam

27 

28 **GERALD L. HENDERSON**
Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, Gerald L. Henderson, a duly appointed Assistant Attorney General, aver upon information and belief that the following is accurate. I have reviewed **Guam Police Report 13-0556** submitted by **Officer J.G. Camacho**. A review of said report has revealed the following:

On 1-5-13, at 8:18 p.m., Officers responded to the report of abduction from the parking garage of the Micronesian Mall. Officer's met with Shienna Maracio who reported that she was in the parking garage and heard screams. She approached her sister's car, Honda Civic License Plate # SJ 1040, and saw a man in the car with her sister, Bobbie Jo Fausto. Before the car left the parking lot Fausto said not to call the police or the man would kill her.

At 9:30 p.m., Officer Corpuz was in the Marbo Cave area and spotted the victim's Honda Civic. As the Officer approached the vehicle head lights turned on the vehicle began to move. The Officer instructed the driver/defendant to stop and exit the vehicle. The Defendant surrendered and the victim was found in the back seat with her hands handcuffed behind her.


Officers observed the victim to have the following injuries; Circular bruising (possible bite) on left upper arm, bruising to both wrists, bruising to chest and lower neck area, bruising to right side of face area, bruising to forehead.

The Victim was interviewed and stated that she was entering her vehicle at the Micronesian Mall when the Defendant got into her car and shoved her face. He demanded she give him her cell phone. The Defendant handcuffed one of her hands and then punched her in the face several times until she allowed him to cuff her other hand. The victim's sister approached the car and the Defendant instructed the victim to tell her not to call the police or he would kill the victim. The victim told her sister this and the Defendant then drove off to the Marbo cave area. He then parked and told her he would not hurt her but if she did not comply he would have done something different. He then showed her a pocket knife.

The Defendant was interviewed by Officer K.J. Corpuz. The Defendant was identified as Kyle Julian Camacho (DOB 7/21/92). The Defendant stated that he approached the victim in the parking lot. The victim was seated in her car. The Defendant grabbed handcuffs from his bag and cuffed one of the victims wrists. She struggled and he then pulled a folding knife and showed it to the victim. The knife was in the closed position. The victim then cuffed herself at his instruction. He then drove the vehicle out of the parking lot. He drove the vehicle to the Marbo cave area. He ordered the victim to lie down in the back seat. Later a police vehicle approached and an Officer arrested him.

Based on the foregoing there is probable cause to charge **Kyle Julian Camacho (DOB 7-21-92) (Defendant)** with one count of Kidnapping (as a First Degree Felony) in violation of 9 G.C.A. § 22.20(a) (2) & b, and **Deadly Weapon Used in Felony** 9 G.C.A. §80.37; **Robbery** (As a Second Degree Felony) in violation of 9.G.C.A. §40.20 (3) & b; **Deadly Weapon Used in Felony** 9 G.C.A. §80.37 and **Terrorizing** (As a Third Degree Felony) in violation of 9 G.C.A. 19.60(a).

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 1/7/2013.



Gerald L. Henderson
Assistant Attorney General

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Attorneys for the People of Guam

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IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

THE PEOPLE OF GUAM

vs.

Nathan Joseph Camacho Babauta,
DOB: 09/08/1989

Defendant.

CRIMINAL CASE NO. CM 0082-13
GPD Report No. 13-00582

Charges:

- 1) **FAMILY VIOLENCE**
(As a Misdemeanor)
- 2) **ASSAULT**
(As a Misdemeanor)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **NATHAN JOSEPH CAMACHO BABAUTA** of certain crimes committed as follows:

FIRST CHARGE

On or about the 6th day of January, 2013, in Guam, **NATHAN JOSEPH CAMACHO BABAUTA** 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, *Joseph C. Babauta*, in violation of 9 GCA §§ 30.10(a)(1), (b)(5), and 30.20(a).

ORIGINAL

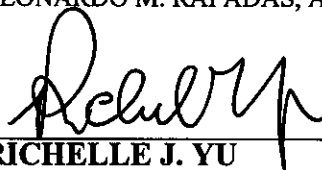
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SECOND CHARGE

On or about the 6th day of January, 2013, in Guam, **NATHAN JOSEPH CAMACHO BABAUTA** did commit the offense of *Assault*, in that he recklessly caused bodily injury to another, that is, *Joseph C. Babauta*, in violation of 9 GCA §§ 19.30(a)(1) and (e).

Dated on this date, January 7, 2013.

OFFICE OF THE ATTORNEY GENERAL
LEONARDO M. RAPADAS, Attorney General of Guam



RICHELLE J. YU
Assistant Attorney General, Prosecution Division

PRIORS

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, RICHELLE J. YU, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Report 13-582 submitted by Officer E.A. Amaguin (#636), which revealed the following occurred in Guam:

On or about January 6, 2013, at approximately 12:35 a.m., officers from the Guam Police Department responded to an assault complaint in Dededo, Guam. Officers met with Joseph C. Babauta ("Victim") and Witness under a canopy at the back of a four-unit apartment complex.

Witness told police officers that Victim and his son **NATHAN JOSEPH CAMACHO BABAUTA** had been arguing about **BABAUTA**'s girlfriend. Witness observed **BABAUTA** throw Victim against the wall of her apartment unit so hard that Victim knocked his head against it and fell down. **BABAUTA** then repeatedly punched Victim while he was on the ground. Witness stated that she tended to Victim after the fight and Victim slipped in and out of consciousness.

Police officers noted that Victim had fresh blood dripping down his cheek from his right eye, a laceration on his right eyebrow, an abrasion on his forehead, a laceration on the back of his head, and an abrasion on his right knee. The officers conducting a scene check also noted smears of what appeared to be blood on the outside wall of Witness' front door. **BABAUTA** had blood smeared on his right shoulder and chest, and an abrasion on his left knuckles.

Police officers detected an odor of an intoxicating beverage from Victim. They also noted an extremely strong odor of an intoxicating beverage emitting from **BABAUTA**'s breath and person. **BABAUTA** admitted to having consumed a six pack of beer.

Based on the foregoing, there is probable cause to charge **NATHAN JOSEPH CAMACHO BABAUTA** with the following: One (1) count of **ASSAULT** (as a misdemeanor), in violation of 9 G.C.A. §19.30(a)(1) and (e); and One (1) count of **FAMILY VIOLENCE** (as a misdemeanor), in violation of 9 G.C.A. §§30.10(a)(1), (b)(5) and 30.20(a).

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 7th day of January, 2012.



RICHELLE J. YU
Assistant Attorney General