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OF GUAM

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Office of the Attorney General
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

PEOPLE OF GUAM,	)	Criminal Case No. CM <u>CM 0476-13</u>
	)	GPD Report No. 13-14963
)	
vs.	)	Charges:
)	
PETER KOPORA,	) 1.	DRIVING UNDER THE INFLUENCE
DOB: 1/14/1987	)	OF ALCOHOL
	)	(As a Misdemeanor)
)	
Defendant.	) 2.	OPERATING A MOTOR VEHICLE
	)	WITHOUT A VALID DRIVER'S
	)	LICENSE
	)	(As a Petty Misdemeanor)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **PETER KOPORA** of certain crimes committed as follows:

FIRST CHARGE

On or about the 21st day of May 2013, in Guam, **PETER KOPORA** did commit the offense of *Driving While Under the Influence of Alcohol*, in that he did operate and was in physical control of a vehicle while under the influence of alcohol, in violation of 16 GCA § 18102(a) (as enacted on June 22, 1993, Public Law 22-20).

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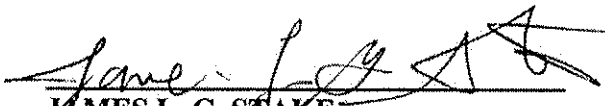
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SECOND CHARGE

On or about the 21st day of May 2013, in Guam, **PETER KOPORA** did commit the offense of *Operation of a Motor Vehicle Without a Valid Operator's License*, in that he did knowingly drive a motor vehicle on a highway without having in his immediate possession a valid operator or chauffeur's license issued under the Motor Vehicle Code of Guam, in violation of 16 GCA § 3101(a) and (c) and 9108, as amended

Dated this day, Tuesday, May 21, 2013.

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


JAMES L. G. STAKE
Assistant Attorney General, Prosecution Division

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. 13-14963 submitted by GPD Officers, which sets forth the following events occurred on Guam.

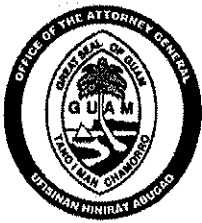
That on May 21st, 2013, at approximately 4:54am, Officer A.R. Atoigue observed a white Mitsubishi Mirage traveling at a high rate of speed in the middle lane on Rt. 1 in Upper Tumon. Officer Atoigue noted the Mirage to execute a right turn from the outer lane, and Officer Atoigue activated his pursuit lights. The operator of the vehicle was unable to produce a driver's license and was identified as PETER KOPORA (John Doe) ("Defendant"). Officer Atoigue noted a strong alcoholic odor emitting from Defendant as Defendant spoke. Defendant refused to take any SFSTs and refused to take scientific testing.

Based on the foregoing, there is probable cause to charge PETER KOPORA (JOHN DOE) with Driving While Under the Influence of Alcohol (As a Misdemeanor), in violation of Title 16 GCA §18102(a) and with Operating a motor vehicle without a valid driver's license (As a Petty Misdemeanor) in violation of Title 16 GCA §3101(a).

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

Executed this 21st day of May, 2013.


JAMES L.G. STAKE



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OF GUAM

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

THE PEOPLE OF GUAM,

vs.

MACARIO TOPASNA PENAFLOR,
DOB: 08-10-1984

Defendant.

CRIMINAL CASE NO. CM
GPD REPORT NO. 13-15022 **CM 0477-13**

Charge:

FAMILY VIOLENCE
(As a Misdemeanor)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **MACARIO TOPASNA PENAFLOR** of a certain crime committed as follows:

On or about the 22nd day of May 2013, in Guam, **MACARIO TOPASNA PENAFLOR**, 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, **Janaica R. Castro**, in violation of 9 G.C.A. §§30.10(a)(1) and 30.20(a).

Dated this 22nd day of May 2013.

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

SEAN E. BROWN
Assistant Attorney General, Prosecution Division

ORIGINAL

IN THE SUPERIOR COURT OF GUAM

DECLARATION

COMES NOW, SEAN BROWN, a duly appointed Assistant Attorney General, and assert, upon information and belief, that the foregoing is true.

I have reviewed Guam Police Report No. 13-15022 submitted by GPD Officer D. F. Santos which sets forth that the following events occurred on Guam.

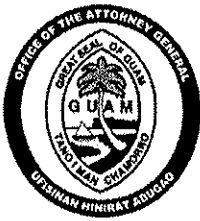
On or about May 21, 2013, at about 10:11p.m., police responded to call of an earlier disturbance in Dededo. Once at the scene, GPD Officer D. F. Santos met with Janaica R. Castro ("Victim"). The Victim reported to police that her boyfriend, MACARIO TOPASNA PENAFLOR ("Defendant") beat her up. Victim stated that Defendant drank beer after his softball practice and the two began to argue on the drive home. Victim explained that Defendant began to punch her arm about eight times while she was driving. Victim further stated that Defendant demanded she pull the vehicle over and she refused. Victim explained that once in Dededo, Defendant turned off the ignition and got out of the vehicle and walked over to her side of the vehicle. Victim told police that Defendant then elbowed her throat area and kicked he leg about six times. Police observed three half inch bruises on Victim's triceps area and one half inch bruise on her back.

Based on the forgoing, there is probable cause to charge MACARIO TOPASNA PENAFLOR with FAMILY VIOLENCE (as a Misdemeanor) in violation of Title 9 G.C.A. §§ 30.10(a)(1) and 30.20(a).

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

Executed this 22nd day of May, 2013.


SEAN BROWN



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OF GUAM

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

THE PEOPLE OF GUAM,

vs.

JOHN PETER TEDTAOTAO,
DOB: 07-21-1971

Defendant.

CRIMINAL CASE NO. CM
GPD REPORT NO. 13-15011 **CM 0478-13**

Charge:

ASSAULT
(As a Misdemeanor)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **JOHN PETER TEDTAOTAO** of a certain crime committed as follows:

On or about the 21st day of May 2013, in Guam, **JOHN PETER TEDTAOTAO**, did commit the offense of *Assault*, in that he did recklessly cause or attempt to cause bodily injury to another, that is, **Felix Cruz**, in violation of 9 G.C.A. §§ 19.30(a)(1) and (e).

Dated this 22nd day of May 2013.

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

Brian D. Gallagher
BRIAN D. GALLAGHER
Assistant Attorney General, Prosecution Division

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 Report number 2013-15011 submitted by officers of the Guam Police Department. This report involves an investigation of a suspect named JOHN PETER TEDTAOTAO (d.o.b. 7-21-1971) and JOSHUA PANGELINAN (aka JOSHUA TEDTAOTAO) (hereinafter defendant Pangelinan). The report revealed the following events occurred in Guam.

On Tuesday May 21, 2013 at approximately 7:30pm, police officers responded to a report of a disturbance at 238C Chalan Balaku. Upon arrival, police Mr. Felix Muna Cruz flagged down officers. Mr. Cruz told the officers that he, along with two of his sons, was visiting his brother at the above address. When leaving, he checked a water meter that had previously been disconnected. The meter had been re-connected with a PVC pipe and a hose. At that time, two men later identified as the above named defendants, began shouting and throwing rocks at Mr. Cruz and his sons.

One son, Daniel Cabrera, moved their vehicle to avoid having it hit by rocks, while Felix Cruz and his sons fled. One rock struck Mr. Felix Cruz in the leg. When the two defendants left, Felix Cruz again checked the meter and found the PVC pipe removed. The water line led to a home where the two defendants lived. Mr. Cruz knew defendant Tedtaotao as defendant Tedtaotao dates Mr. Cruz' sister.

Earlier that same day, defendant Tedtaotao had gone to Mr. Cruz' home and yelled at him for some unknown reason. Mr. Cruz, at that time, reported to the police department and asked that an officer be assigned to speak to defendant Tedtaotao and ask him to stop the harassment. An officer was assigned and did speak to the defendant.

Mr. Cruz also notified the water company of the illegal hookup. Guam Water stated that a field crew would be informed.

Mr. Cruz' two sons were interviewed by the police. Both corroborated their father's statement.

Police inspected the scene. They found a section of PVC pipe near the water meter, and a large area was strewn with rocks.

Police found defendant Tedtaotao with Mr. Cruz 'sister, Joyce Muna Cruz. Defendant Tedtaotao denied throwing rocks. He admitted engaging in an argument with Mr. Cruz earlier in the evening, but stated that he just walked away.

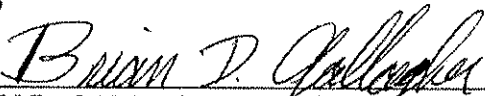
Joyce Cruz stated that she did not see any disturbance. However, she heard a verbal altercation, and called the police to ensure it did not escalate.

John Tedtaotao agreed to give a statement to the police. He stated that he has been with Joyce Cruz since 2000, and has had ongoing altercations with her brothers ever since. He had been out, and when he returned he heard Felix Cruz on the phone with Guam Water Association, and he heard Mr. Cruz mention his name. An argument ensued, but it did not turn physical. Defendant stated that the other defendant, his son, was with him but was not involved in the argument. Defendant also denied tampering with the water line, and that he gets his water from another source. He stated that his son was not involved. Only defendant Tedtaotao was arrested.

Based upon the foregoing, I believe that there is good cause to charge JOHN PETER TEDTAOTAO with the following crime(s):

1. 9 GCA § 19.30 (a)(1). Assault (either recklessly causes or attempts to cause bodily injury to another;);

Dated: May 22, 2013


BRIAN D. GALLAGHER, Assistant Attorney General



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Attorneys for the People of Guam

IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

PEOPLE OF GUAM,

vs.

CANDELARIA M. PEREZ (aka Candy),
DOB: 02/28/1975

Defendant.

Criminal Case No. CF **0278-13**
GPD Report Nos. 13-14334/14384/14385
13-14265/14422/14425

Charges:

- 1. BURGLARY
(As a 2nd Degree Felony)
Two Counts
- 2. THEFT OF PROPERTY
(As a 2nd Degree Felony)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses CANDELARIA M. PEREZ (aka Candy) of certain crimes committed as follows:

FIRST CHARGE

Count One

On or about May 14, 2013, in Guam, CANDELARIA M. PEREZ (aka Candy) did commit the offense of *Burglary*, in that, with the intention of promoting or assisting in the commission of *burglary*, she induced or aided another to enter in the habitable property of Antonia Leon Guerrero located at *Vivian Way* in Tamuning, with intent to commit the crime of *theft* therein, at a time when the premises was neither open to the public nor Defendant was licensed or privileged to so enter in, violation of 9 GCA §§ 37.20(a) and (b), and 4.60.

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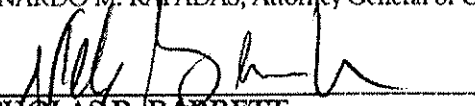
Count Two

On or about May 14, 2013, in Guam, CANDELARIA M. PEREZ (aka Candy) did commit the offense of *Burglary*, in that, with the intention of promoting or assisting in the commission of *burglary*, she induced or aided another to enter in the habitable property of *Michael Leon Guerrero* located at *Happy Landing Road* in Tumon, with intent to commit the crime of *theft* therein, at a time when the premises was neither open to the public nor Defendant was licensed or privileged to so enter in, violation of 9 GCA §§ 37.20(a) and (b), and 4.60.

SECOND CHARGE

On or about March 14, 2013, in Guam, CANDELARIA M. PEREZ (aka Candy) did commit the offense of *Theft of Property*, in that, with the intention of promoting or assisting in the commission of *theft*, she induced or aided another to unlawfully take, obtain or exercise unlawful control over the movable property of *Michael Leon Guerrero*, with intent to deprive *Michael Leon Guerrero* thereof, the amount involved exceeding \$1,500.00, in violation of 9 GCA §§ 43.20(a), 43.30(a), and 4.60.

Dated this May 22, 2013

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

NICHOLAS B. BARRETT
Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

COMES NOW, NICHOLAS BROOKS BARRETT, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the following is true.

I have reviewed Guam Police Report No. 13-13999 submitted by GPD Officer Bia Nanoto, which sets forth the following events occurred on Guam.

On or about May 14, 2013, officers were informed of a burglary in progress to a home on Vivian Way in Tamuning. The victim, identified as Antonia Leon Guerrero ("Leon Guerrero"), reported that she had disrupted an apparent burglary to her home by people driving a blue Chevrolet Aveo (GLP#DL360).

On or about May 15, 2013, officers were summoned to Okkodo High School where they met with special education teacher Mary Lolte ("Lolte"). Lolte said that she had just spoken with one of her students, a fifteen-year-old boy identified as T.R. T.R. told Lolte that on the previous night, his mother PAULA LYNN TEDTAOTAO ("Tedtaotao") had gone on a "burglary spree from Inarajan all the way to the northern part of Guam." When they returned home at about 1:00 a.m., Tedtaotao got upset and became violent towards T.R. T.R. told Lolte that his mother threatened "I'm going to kill you if you tell!" anyone about the burglaries. T.R. was scared and did not wish to return. He brought to school with him a passport and a credit card belonging to Leon Guerrero. He also brought his Nintendo DSI with which he had taken pictures of items at his house that he likewise believed to have been purloined. The photos were of a television, two laptops, garden figurines, and potted plants.

After speaking with Lolte, officers interviewed T.R. He said that on the previous night, his family was going for a drive with his mother's friend "Candy" later identified as CANDELARIA PEREZ ("Candy"). T.R. did not want to be left alone and got in Candy's car, which was blue in color. Candy was the driver and the other passengers were T.R.'s younger sister, his mother, and his older brother ANTHONY GUMATAOTAO ("Gumataotao"). T.R. said that Gumataotao and Candy were the ones who got out of the car and stole items from houses. After showing the pictures to police, T.R. said that he did not know where the television had come from, only that he first saw it when he went home after school on May 14, 2013.

T.R. then escorted police to where he had seen Gumataotao and Candy stealing things. He pointed to a house on Mendiola Lane in Sinajana where he said Gumataotao and Candy had stolen garden figurines from outside the residence. Officers contacted the homeowner Dolores Sablan who confirmed she was missing some garden figurines. The homeowner then reported the loss under GPD report 13-14384. The next house was on Aspengao Street in Ordot where T.R. said Gumataotao and Candy had stolen plants. The theft was later reported by Roland Taitingfong under GPD report 13-14385.

On May 15, 2013, police spoke with Gumataotao. Gumataotao said that on May 14, 2013, he accompanied his mother and her friend Candy in search of homes to burglarize. Candy drove them in her blue car. Candy selected a house in the Jonestown area. She then used a butterfly knife to cut a chain that was securing a gate to the house. Gumataotao then found a window with an air-conditioner that he pushed inward. Gumataotao made entry and was followed by his mother and Candy. Gumataotao was then designated the look-out and remained by the window. At some point, Candy discovered she had misplaced her keys. Gumataotao went to look for them near the car, at which time someone drove up and asked him to explain himself. The person appeared to call police and relayed Candy's license plate. Gumataotao then grabbed his mother's wallet and left in the direction of the Oka Payless where he would later rendezvous with Tedtaotao. By the time they got home, Candy was already there.

Gumataotao also escorted police to several locations where he had knowledge of burglaries and thefts. Gumataotao said the television and one of the laptops had come from a residence in Tumon, which he pointed out as being on Happy Landing Road. Gumataotao said that he had smashed a window to gain entry. He then opened a door for his mother and Candy.

Police spoke with the owner of the residence in Tumon. Michael Leon Guerrero confirmed that he had been burglarized on May 14, 2013. A window had been smashed and electronics such as a television and a laptop had been taken.

Based on the foregoing, there is probable cause to charge CANDELARIA PEREZ with two counts of BURGLARY as a second degree felony in violation of Title 9 G. C. A. § 37.20 and 4.60, the first count at the residence of Antonia Leon Guerrero and the second count at the residence of Michael Leon Guerrero; and one count of THEFT as a second degree felony in violation of Title 9 G. C. A. § 43.20(a) and 4.60 for the theft of property belonging to Michael Leon Guerrero.

Additional charges are likely to be presented at time of indictment.

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

Executed on this 22nd day of May, 2013.


NICHOLAS B. BARRETT