



FILED
SUPERIOR COURT
OF GUAM

2014 MAR 22 PM 1:41

CLERK OF COURT

BY: _____

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Attorneys for the People of Guam

IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

PEOPLE OF GUAM,

Criminal Case No. CF 0144-14

GPD Report No. 14-08268

vs.

Charges:

DONALD CASTRO ALDAN ,

1. **POSSESSION OF A SCHEDULE II
CONTROLLED SUBSTANCE**
(As a 3rd Degree Felony)

DOB: 11/23/1968

IVAN LEEBRICK SABLAN CABRERA,

2. **DISTRIBUTION
POSSESSION OF A SCHEDULE II
CONTROLLED SUBSTANCE**
(As a 1st Degree Felony)

DOB: 08/03/1979

3. **POSSESSION OF A SCHEDULE II
CONTROLLED SUBSTANCE**
(As a 3rd Degree Felony)

Defendant.

4. **THEFT BY RECEIVING
STOLEN PROPERTY**
(As a 3rd Degree Felony)

MAGISTRATE'S COMPLAINT

1 The Attorney General of Guam hereby accuses **DONALD CASTRO ALDAN** and **IVAN**
2 **LEEBRICK SABLAN CABRERA** of certain crimes committed as follows:

3
4 **FIRST CHARGE**

5 On or about the 21st day of March 2014, in Guam, **DONALD CASTRO ALDAN** did
6 commit the offense of *Possession of Schedule II Controlled Substance*, in that he did unlawfully and
7 knowingly possessed a Schedule II controlled substance, that is, an amphetamine-based substance, in
8 violation of 9 GCA §§ 67.401.2(a) and (b)(1).

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10 **SECOND CHARGE**

11 On or about the 21st day of March 2014, in Guam, **IVAN LEEBRICK SABLAN**
12 **CABRERA** did commit the offense of *Distribute a Schedule II Controlled Substance*, in that he
13 intentionally and knowingly distributed controlled substance, that is, an amphetamine-based
14 substance, in violation of 9 GCA §§ 67.401.1(a)(1) and (b)(1).

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16 **THIRD CHARGE**

17 On or about the 21st day of March 2014, in Guam, **IVAN LEEBRICK SABLAN**
18 **CABRERA** did commit the offense of *Possession a Schedule II Controlled Substance*, in that he
19 did unlawfully and knowingly possessed a Schedule II controlled substance, that is, an
20 amphetamine-based substance, in violation of 9 GCA §§ 67.401.2(a) and (b)(1).

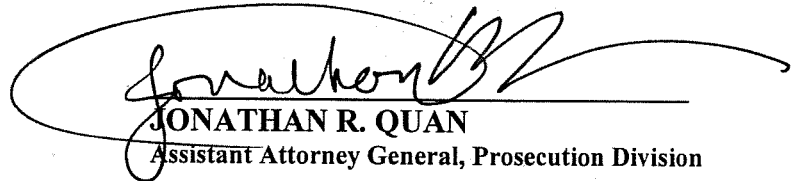
21
22 **FOURTH CHARGE**

23 On or about the 21st day of March 2014, in Guam, **IVAN LEEBRICK SABLAN**
24 **CABRERA** did commit the offense of *Theft by Receiving Stolen Property*, in that he did
25 intentionally receive, retain, and dispose of the movable property, a **TRAINER HANDLING**
26 **GUIDED MISSILE LAUNCHER** (aka "Rocket Launcher" aka "Missile Launcher"), a firearm, of
27
28

1 another, the United States Government, knowing that it had been stolen or believing that it had
2 probably been stolen, in violation of 9 G.C.A § 43.50(a) and 9 G.C.A §43.20(b)

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4 **Dated this day, Saturday, March 22, 2014.**

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

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8 **JONATHAN R. QUAN**
9 **Assistant Attorney General, Prosecution Division**

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IN THE SUPERIOR COURT OF GUAM

DECLARATION

COMES NOW, JONATHAN R. QUAN, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the foregoing is true.

I have reviewed Guam Police Report Nos. 14-8250, 14-8260 and 14-8268 submitted by GPD Officers A. Atoigue, D. Brantley, K. Sanchez and T. Supnet which sets forth the following events occurred on Guam.

On or about, March 21, 2014, GPD Officers executed a search warrant at residence on Swamp Road in Dededo. During execution of the warrant, officers observed a male individual, later identified as **DONALD C. ALDAN** ("Defendant Aldan"), flee from that residence toward a nearby jungle area. Officers chased Defendant Aldan, yelling "Guam Police! Guam Police! Stop!" Defendant Aldan refused to stop, and instead continued to run through the jungle. Defendant Aldan then tripped and fell, but immediately returned to his feet and continued to run from Officers, who continued to instruct him to stop. After emerging from the jungle, Officers chased Defendant Aldan through an open yard, at which time law enforcement Officers near the yard instructed Defendant Aldan to stop and get on the ground. Defendant Aldan briefly halted, and officers eventually caught up to Defendant, securing him in handcuffs.

Officers subsequently conducted a pat down of Defendant Aldan, discovering what appeared to be drug paraphernalia in his front, right pocket of his cargo shorts. Defendant Aldan removed the contents of his pockets, revealing a four-inch long, cut plastic straw that was heat sealed on one end. Officers noted that the inside of the straw contained what appeared to be a crystalline residue. Defendant Aldan admitted to officers that the straw contained "keki," a term for methamphetamine or ice, which he received from IVAN CABRERA ("Defendant Cabrera"), and that he smoked two plates of it. Defendant Aldan additionally told officers that he had an outstanding warrant of arrest in CF0538-09 and had not reported to his parole officer as required.

During the execution of the search warrant, **IVAN LEEBRICK SABLAN CABRERA** ("Defendant Cabrera") was discovered on the premises during the execution of the search warrant. Defendant was patted down and a "fabricated glass pipe with suspected crystal methamphetamine residue and a fabricated glass pipe with suspected marijuana residue" were found on his person. The substances were tested and yielded a "presumptive positive for the presence of amphetamines and marijuana."

Defendant Cabrera was informed of his Constitutional Rights, waived them and agreed to lead Officers to a location (later determined to be Hahasu Drive near Astumbo Gardens) where he had placed a "Rocket Launcher" (later determined to be a "Trainer Handling Guided Missile Launcher") when an attempted sale of the item did not go through. At the location on Hahasu Drive, Officers located a "green colored cylinder with a trigger firing mechanism attached to it."

U.S. Air Force Office of Special Investigation ("OSI") was informed of the discovery and U.S. Air Force Explosive Ordinance Detail and U.S. Air Force OSI transported the item to Anderson Air Force Base.

GPD Officers checked the information regarding the "Rocket Launcher" which was formally described as a "Trainer Handling Guided Missile Launcher" and determined that it is "capable of launching a projectile from the tube... the internal operation of the weapon has a functioning rocket motor capable of launching the projectile either 500 feet or beyond." According to the research conducted by law enforcement, by attaching "any battery with enough power," the "missile launcher" could be activated "to launch the projectile within the tube." GPD Officers were informed that the projectile within would not explode (presumably because it is a "trainer"), but would instead cause "significant damage."

GPD Officers confirmed that the "Rocket Launcher" that was confiscated was in fact the property of the U.S. Government. GPD Officers also confirmed that the "Rocket Launcher" was "capable of firing a projectile that could possibly be operational."

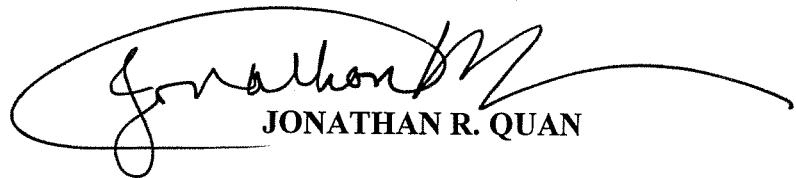
It should be noted that at the location (where the search warrant was executed), GPD Officers also found "clear re-sealable plastic bags" with "white powdery residue, suspected to be crystal methamphetamine" and multiple types of small arms ammunition.

Based on the foregoing, there is probable cause to charge **DONALD C. ALDAN** with the following: one (1) count of **POSSESSION OF SCHEDULE II CONTROLLED SUBSTANCE** (as a Third Degree Felony), in violation of 9 GCA § 67.401.2(a), (b)(1).

Based on the foregoing, there is probable cause to charge **IVAN LEEBRICK SABLAN CABRERA** with **DISTRIBUTION OF A SCHEDULE II CONTROLLED SUBSTANCE** (As a 1st Degree Felony), in violation of Title 9 G.C.A. §67.401.1(a)(1) and (b)(1) and **POSSESSION OF SCHEDULE II CONTROLLED SUBSTANCE** (as a Third Degree Felony), in violation of 9 GCA § 67.401.2(a), (b)(1) and **THEFT BY RECEIVING STOLEN PROPERTY** (As a Third Degree Felony), in violation of Title 9 G.C.A. §43.50(a) and §43.20(b).

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

Executed this 22nd day of March, 2014.


JONATHAN R. QUAN