

Superior Court Matters Under Advisement

December 1, 2012 Report

This goal of this report is to identify all matters pending under advisement (“UA”) before each of the trial court judicial officers. The total number of days each matter has been pending since it was first taken UA by the assigned judge is noted. For matters that are older than the time standards contemplate, the matter is highlighted in **bold** and the number of days the matter is past the relevant time standard is also noted.

[The data relied on was generated on December 1, 2012. The UA ages are relative to that date.]

PRESIDING JUDGE ALBERTO C. LAMORENA III

Motions (90-day target)

1. **CV789-10** **UA 124 days as of 12-1-12; 34 days beyond target date**
Netcare vs. Rote
- Motion to dismiss
2. **CV300-12** **UA 117 days as of 12-1-12; 27 days beyond target date**
Teresita Mantane vs. Hyannis Air
- Motion to dismiss
3. **CV454-12** **UA 117 days as of 12-1-12; 27 days beyond target date**
GovGuam vs. Helen Torres
- Motion to dismiss
4. **SP035-09** **UA 117 days as of 12-1-12; 27 days beyond target date**
Jane Story vs. Joe T. San Augustine, et al
- Motion for summary judgment
5. CV187-06 UA 82 days as of 12-1-12
Frank Pangelinan vs DOC
- Motion to dismiss
6. CV89-03 UA 75 days as of 12-1-12
HSBC vs. George & Matilda Kallingao
- Motion to dismiss for failure to prosecute
7. CV710-12 UA 75 days as of 12-1-12
Donald Davis vs. D. IHIAC, Inc., et al
- Partial motion to dismiss

8. CF217-11 UA 46 days as of 12-1-12
People vs. John Joseph
- Motion to join with CF332-11
9. CF332-11 UA 46 days as of 12-1-12
People vs. John Joseph
- Motion to join with CF217-11
10. SP215-09 UA 33 days as of 12-1-12
Jim Farnum vs. CSC, GPA, et al
- Motion for reconsideration
11. CV1182-08 UA 26 days as of 12-1-12
vs.
- Motion to dismiss counterclaim for failure to prosecute
12. CV2058-10 UA 26 days as of 12-1-12
vs.
- Motion to dismiss motion to vacate default judgment

Non-Motions (120-day target)

N/A

JUDGE MICHAEL J. BORDALLO

Motions (90-day target)

1. **SP189-10** **UA 129 days as of 12-1-12; 39 days beyond target date**
Juan San Nicolas, et al vs. CSC
- Motion for judgment on the pleadings
2. CM0357-12 UA 80 days as of 12-1-12
People vs. Rudolph Wolphagen
- Motion
3. SP19-11 UA 80 days as of 12-1-12
Marianas Property vs. Estate of Soledad Lujan, et al
- Motion
4. CV861-10 UA 66 days as of 12-1-12
Jesse Michael Lujan vs. Jeff Marchesseault, et al
- Motion
5. CV68-12 UA 61 days as of 12-1-12
Pacific Laundry & Textile, Chamorro Equities ... vs....
- Motion

6. CF429-12 UA 59 days as of 12-1-12
People vs. David Uncangco
- Motion
7. SP55-12 UA 59 days as of 12-1-12
Nadia Salas vs. CSC, DOC,, et al
- Motion
8. CF409-12 UA 57 days as of 12-1-12
People vs. Brian Tenorio
Motion
9. CF698-11 UA 45 days as of 12-1-12
People vs. Joey Crisostomo
Motion for diversion
10. SP019-11 UA 32 days as of 12-1-12
Marianas Properties vs. FHB, et al
- Motion
11. DM802-09 UA 26 days as of 12-1-12
Sellmann vs. Sellmann
- Motion
12. CF517-12 UA 24 days as of 12-1-12
People vs. Erek Manaky
- Motion
13. CV192-10 UA 24 days as of 12-1-12
Henry Escoto, et al. vs. GMHA
- Motion
14. CF281-12 UA 26 days as of 12-1-12
People vs. Whorton Wilson
- Motion
15. CV570-10 UA 26 days as of 12-1-12
Aflague vs. Aflague
- Motion
16. DM873-11 UA 26 days as of 12-1-12
Peredo vs. Peredo
- Motion
17. CF133-12 UA 11 days as of 12-1-12
People vs. Edward Marar
- Motion

Non-Motions (120-day target)

1. **DM718-11** **UA 128 days as of 12-1-12; 8 days beyond target date**
Ronald Pangelinan vs. Jeanna Arnaiz
- Bench trial
2. DM0050-09 UA 93 days as of 12-1-12
Liwayway Isaac vs. Brian Isaac
- Bench trial
3. CV279-11 UA 58 days as of 12-1-12
Hugh Sule, et al.
- Quiet title
4. SP219-12 UA 56 days as of 12-1-12
In the Matter of CSC and Elwin Kitano
Petition for writ
5. DM194-11 UA 51 days as of 12-1-12
Charles Wolford vs. Alicia Wolford
Bench trial

JUDGE ANITA A. SUKOLA

Motions (90-day target)

1. CF253-12 UA 44 days as of 12-1-12
People vs. Juan Jose Torres
Motion for judgment of acquittal
2. CV851-11 UA 22 days as of 12-1-12
Siruelo vs. Besegar
Motion to reconsider
3. PR143-09 UA 10 days as of 12-1-12
Estate of Gloria Villanueva
Motion for second petition for return of sale
4. CV1537-09 UA 1 days as of 12-1-12
ANZ
Motion for reconsideration

Non-Motions (120-day target)

1. DM55-08 UA 67 days as of 12-1-12
Thomas Kloppenburg vs. Arlean Perez Kloppenburg
- Finalizing distribution of certain community property
2. CV1511-09 UA 38 days as of 12-1-12
Crisostomo, Martinez, et. al vs. Abraham Mann
Review proposed finding of facts & conclusions of law
3. CV1753-09 UA 30 days as of 12-1-12
Blair Construction vs. Peter Chung, et. Al
Findings of fact & conclusion of law
4. DM14-11 UA 9 days as of 12-1-12
Ramirez vs. Ramirez
Bench trial

JUDGE ARTHUR R. BARCINAS

Motions (90-day target)

1. CV1895-09 UA 78 days as of 12-1-12
Barry Honda vs. Lawrence Yoshida
- Motion
2. CV1897-10 UA 36 days as of 12-1-12
Eung K. Kim, et al vs. Guam Construction Company
- Motion
3. DM842-10 UA 33 days as of 12-1-12
Carla Stahl vs. Christopher Stahl
- Motion
4. CV123-11 UA 15 days as of 12-1-12
Carlo Branch, et al, Request for Declaratory Relief
- Motion

Non-Motions (120-day target)

1. DM806-07 UA 73 days as of 12-1-12
Keith Daniel Viall vs. Cynthia Sue Viall
- Bench trial
2. SP145-12 UA 12 days as of 12-1-12
Xerox vs. OPA
- Writ

3. CV1201-011 UA 10 days as of 12-1-12
Estate of Emilia Perez Mesa, et al vs. Dept of Rev & Tax
- Bench Trial

JUDGE VERNON P. PEREZ

Motions (90-day target)

1. CF460-12 UA 59 days as of 12-1-12
People vs. Primo Dongon
- Motion
 2. CV466-10 UA 22 days as of 12-1-12
Leon Guerrero
- Motion
 3. CF534-09 UA 18 days as of 12-1-12
People vs.
- Motion to Dismiss
 4. CF33-10 UA 11 days as of 12-1-12
People vs.
- Motion
 5. CV1527-11 UA 1 day as of 12-1-12
? vs. ?
- Motion for default judgment
- * DM468-07
Victor Reyes vs. Diana Reyes
- Motion
[AWAITING SUBMISSION OF PROPOSED FOF & COL]

Non-Motions (120-day target)

- * DM608-10
Profita R.S. Roberto-Santos vs. Kenneth Santos
- Bench trial [Further Proceeding Hearing set for 12-14-12]

Under Advisement Matters Disposed of Between Publication of 11-1-12 and 12-1-12 UA Reports

Motions (90-day time standard)

1. CM542-11; D&O issued on 11-6-12; taken UA on 10-22-12 (UA 15 days)
People vs. Reeves; Motion to Exclude

2. DM239-07; D&O issued on 11-26-12, taken UA on 11-9-12 (UA 17 days)
Aguon vs. Duenas; Motion for Reconsideration
3. CV130-12; D&O issued on 11-14-12, taken UA on 10-26-12 (UA 19 days) *Chen and Chang vs PPC*; Motion to Dismiss
4. CV214-08; D&O issued on 11-6-12, taken UA on 10-12-12 (UA 25 days)
KCI Corp. vs. Sung Min Choi and Karen Young Sook Kim
Motion *In Limine*
5. CM984-11; D&O issued on 11-26-12, taken UA on 10-31-12 (UA 26 days)
People vs. Liang; Motion to Suppress
6. CF277-12; D&O issued on 11-14-12, taken UA on 10-17-12 (UA 28 days)
People vs. George; Motion to Dismiss

Non-Motions (120-day time standard)

N/A

JUDGE JAMES L. CANTO II

Motions (90-day target)

1. CM4-12 UA 47 days as of 12-1-12
People vs. Angelica Northard
Motion to suppress
2. CM1183-11 UA 47 days as of 12-1-12
People vs. Candido Steven Taman
Motion to suppress
3. CF13-12 UA 33 days as of 12-1-12
People vs. Robert Guerrero
Motion to compel and approve jury questionnaire
4. CM401-12 UA 33 days as of 12-1-12
People vs. Enrique Pangelinan
Motion to suppress
5. CM188-10 UA 26 days as of 12-1-12
People vs. Persihda David
Motion to dismiss
6. CM441-11 UA 5 days as of 12-1-12
People vs. Jeremy Cepeda
Motion to dismiss

7. CM548-11 UA 5 days as of 12-1-12
People vs. Res Narruhn
Motion to dismiss
8. CM986-11 UA 5 days as of 12-1-12
People vs. Ahrt Lagirmas
Motion
9. CM1289-11 UA 1 day as of 12-1-12
People vs.
Motion

Non-Motions (120-day target)

1. SP153-12 UA 19 days as of 12-1-12
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??
2. PR126-09 UA 3 days as of 12-1-12
Ana Taison Quichocho, et al
Final Distribution

SENIOR JUDGE PRO TEMPORE
JUDGE ELIZABETH BARRETT-ANDERSON

Motions (90-day target)

1. CV498-11 UA 59 days as of 12-1-12
Quality Distributors vs. Chili's Guam, et al
- Motion
2. DM56-06 UA 51 days as of 12-1-12
Jonray San Agustin, et al vs. Conovas
- Motion
3. CV1378-10 UA 50 days as of 12-1-12
Government of Guam vs. O'Keefe, et al
- Motion
4. CV559-12 UA 17 days as of 12-1-12
Pacific Dining, LLC dba LONESTAR STEAKHOUSE v. Quality Distributors
- Motion

Non-Motions (120-day target)

1. DM69-12 UA 22 days as of 12-1-12
Ferris vs. Ferris
- Bench Trial

Under Advisement Matters Disposed of Between Publication of 11-1-12 and 12-1-12 UA Reports

Motions (90-day time standard)

1. CV 1603-09; D&O issued on 11-26-12; taken UA on 10-03-2012 (UA 43 days)
Vandeveld Law Offices vs. Cyfred Ltd.
Motion to Intervene & Motion to Strike Intervention
2. CM53-12; D&O issued on 11-19-12; taken UA on 09-21-2012 (UA 58 days)
People vs. Barbra Braga
Motion to Dismiss
3. CM1046-10; D&O issued on 11-21-12; taken UA on 09-21-2012 (UA 60 days)
People v. Sam Suzuki
Motion to Reconsider

Non-Motions (120-day time standard)

N/A

REFEREE LINDA L. INGLES

Motions (90-day target)

1. DM 122-00 UA 52 days as of 12-1-12
Lopez vs. Muna
- Motion to modify child support
2. DM723-01 UA 50 days as of 12-1-12
Shelly Bernstein vs. Mark Bauer
- Motion to modify child support
3. DM842-10 UA 33 days as of 12-1-12
Carla Stahl vs. Christopher Stahl
- Motion to set child support
4. DM0253-12 UA 12 days as of 12-1-12
Cherry Miranda vs. Romeo Miranda
- Motion to set child support

5. DM237-12 UA 12 days as of 12-1-12
Romeo Miranda vs. Cherry Miranda
- Motion to set child support

6. DM680-10 UA 1 day as of 12-1-12
Egenias vs. Balauro
- Motion for medical reimbursement

Non-Motions (120-day target)

N/A

MAGISTRATE JUDGE ALBERTO E. TOLENTINO

Motions (90-day target)

N/A

Non-Motions (120-day target)

1. 1C00724609 UA 12 days as of 12-1-12
Bench trial

REFEREE BENJAMIN SISON

Motions (90-day target)

N/A

Non-Motions (120-day target)

1. SD904-12 UA 60 days as of 12-1-12
Guam Metalworks vs. Securitech Solutions

2. 1C00776353 UA 18 days as of 12-1-12
Bench trial