

SUPERIOR COURT MATTERS UNDER ADVISEMENT

March 1, 2013 Report

The 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 March 1, 2013. The UA ages are relative to that date.]

PRESIDING JUDGE ALBERTO C. LAMORENA III

Motions (90-day target)

1. **CV1182-08** **UA 116 days as of 3-1-13; ; 16 days beyond target date**
Benii Restaurant vs. Nina Kyong Lee
- Motion to dismiss counterclaim for failure to prosecute
2. **CV2058-10** **UA 116 days as of 3-1-13; 16 days beyond target date**
Teker, Torres & Teker vs. Porter
- Motion to dismiss motion to vacate default judgment
3. CV932-12 UA 88 days as of 3-1-13
Chang vs. Guam Construction Company
Motion to dismiss
4. CV1785-09 UA 88 days as of 3-1-13
Hugh Sule vs. Guam Board of Examiners for Dentistry
Motion to compel discovery
5. CV1848-01 UA 81 days as of 3-1-13
Bautista, Guthrie, Perez, etc.
Motion for attorney fees
6. CV0758-12 UA 74 days as of 3-1-13
vs.
Motion to dismiss
7. CV1211-11 UA 74 days as of 3-1-13
FHB vs. Jessie Lujan
Motion to dismiss
8. DM860-11 UA 74 days as of 3-1-13
Peter Medina vs. Lolitz Munoz & Benny Barcinas
Motion for summary judgment & genetic testing
9. CM770-12 UA 58 days as of 3-1-13
People vs. Benjamin J. Schiff
Motion to dismiss
10. DM709-11 UA 58 days as of 3-1-13
??
Disqualification of Judge JLCII re 6107

11. CV710-12 UA 53 days as of 3-1-13
Donald Davis vs. IHIAC, Inc.
Motion to disqualify law firm

Non-Motions (120-day target)

1. JD0296-12 UA 9 days as of 3-1-13
In re
Fact Finding

Under Advisement Matters Disposed of Between Publication of 2-1-13 and 3-1-13 UA Reports
Motions (90-day time standard)
Non-Motions (120-day time standard)

JUDGE MICHAEL J. BORDALLO

Motions (90-day target)

1. **SP189-10** UA 219 days as of 3-1-13; 129 days beyond target date
Juan San Nicolas, et al vs. CSC
- Motion for judgment on the pleadings
2. **SP19-11** UA 122 days as of 3-1-13; 32 days beyond target date
vs.
- Motion to dismiss
3. **DM802-09** UA 116 days as of 3-1-13; 32 days beyond target date
Sellmann vs. Sellmann
- Motion
4. **CV192-10** UA 114 days as of 3-1-13; 32 days beyond target date
Henry Escoto, et al. vs. GMHA
- Motion
5. **CV570-10** UA 93 days as of 3-1-13; 3 days beyond target date
Aflague vs. Aflague
- Motion
6. **DM873-11** UA 92 days as of 3-1-13; 2 days beyond target date
Peredo vs. Peredo
- Motion
7. **CM29-11** UA 91 days as of 3-1-13; 1 day beyond target date
People vs. ?
Motion
8. CF169-12 UA 85 days as of 3-1-13
People vs. Troy S.N. Ogo
- Motion
9. CV753-05 UA 78 days as of 3-1-13
Fidelity Enterprises, LTD vs. National Union
- Motion

Trial Court Matters Under Advisement as of 3-1-13
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10. CF207-12 UA 64 days as of 3-1-13
People vs. Danny Cruz
- Motion
11. CF518-12 UA 57 days as of 3-1-13
People vs. Chin-Ho Wang
- Motion
12. CV223-10 UA 45 days as of 3-1-13
vs.
- Motion
13. CM969-10 UA 42 days as of 3-1-13
People vs. Tomson Tommy
- Motion
14. CV781-12 UA 37 days as of 3-1-13
Tricia Candoleta vs. Tamio Clark, et al
- Motion
15. CF380-12 UA 31 days as of 3-1-13
People vs. Lastwell Bisek
- Motion
16. CV1651-10 UA 17 days as of 3-1-13
vs.
- Motion
17. JP709-01 UA 15 days as of 3-1-13
vs.
- Motion
18. CF222-12 UA 8 days as of 3-1-13
People vs. Cecilio Rodriguez
- Motion
19. SP100-12 UA 8 days as of 3-1-13
vs.
- Motion
20. CM730-12 UA 7 days as of 3-1-13
People vs. Ulysis Kapwich
- Motion

Non-Motions (120-day target)

1. **DM0050-09** **UA 151 days as of 3-1-13; 31 days beyond target date**
Liwayway Isaac vs. Brian Isaac
- Bench trial
2. PO111-02 UA 78 days as of 3-1-13
Danica B. Balabagno vs. Narianito C. Bautista, Jr.
TRO

3. CF175-12 UA 11 days as of 3-1-13
People vs. Ronald Castro Crisostomo
Bench trial

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Motions (90-day time standard)
Non-Motions (120-day time standard)

JUDGE ANITA A. SUKOLA

Motions (90-day target)

1. CV1170-12 UA 79 days as of 3-1-13
Guam YTK Corp vs. Port Authority of Guam
Motion to compel arbitration
2. CF263-12 UA 53 days as of 3-1-13
People vs. Rhonda Aguero, etc.
Motion
3. CM767-12 UA 44 days as of 3-1-13
People vs. Joseph Cruz
Motion
4. CF211-12 UA 44 days as of 3-1-13
People vs. Luke Taitano
Motion
5. CF540-09 UA 37 days as of 3-1-13
People vs. Daniel Fajarang
Motion
6. CF193-11 UA 32 days as of 3-1-13
People vs. Danny Zamora
Motion
7. CF193-11 UA 32 days as of 3-1-13
People vs. Danny Zamora
Motion
8. CV402-12 UA 24 days as of 3-1-13
vs.
Motion
9. CF020-08 UA 4 days as of 3-1-13
People vs.
Motion

Non-Motions (120-day target)

1. JD296-12 UA 9 days as of 3-1-13
In Re [minor]
Fact finding

Under Advisement Matters Disposed of Between Publication of 2-1-13 and 3-1-13 UA Reports

Motions (90-day time standard)

Non-Motions (120-day time standard)

JUDGE ARTHUR R. BARCINAS

Motions (90-day target)

1. **CV123-11** **UA 77 days as of 3-1-13; 15 days beyond target date**
Carlo Branch, et al, Request for Declaratory Relief
- Motion
2. **CV1124-09** **UA 91 days as of 3-1-13; 1 day beyond target date**
Government of Guam et al.
- Motion for summary judgment
3. CV1980-10 UA 73 days as of **3-1-13**
Rekha Hemlani vs. Kishore Hemlani
- Motion
4. CV973-09 UA 72 days as of 3-1-13
Marianas Drilling, et al.
- Motion
5. DM263-11 UA 49 days as of 3-1-13
vs.
Motion
6. DM207-10 UA 32 days as of 3-1-13
vs.
Motion
7. CV1461-10 UA 14 days as of 3-1-13
?
- Motion to intervene & for partial summary judgment

Non-Motions (120-day target)

1. SP145-12 UA 102 days as of 3-1-13
Xerox vs. OPA
- Writ
2. CV1201-11 UA 100 days as of 3-1-13
Estate of Emilia Perez Mesa, et al vs. Dept of Rev & Tax
- Bench Trial

3. DM207-10 UA 32 days as of 3-1-13
 ?
 - ?
4. CV293-12 UA 2 days as of 3-1-13
 ?
 - ?

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Motions (90-day time standard)

Non-Motions (120-day time standard)

JUDGE VERNON P. PEREZ

Motions (90-day target)

1. CF281-09 UA 10 days as of 3-1-13
 People vs.
 - Motion
2. CV1419-11 UA 7 days as of 3-1-13
 People vs.
 - Motion
3. DM355-11 UA 7 days as of 3-1-13
 People vs.
 - Motion
4. CF158-05 UA 6 days as of 3-1-13
 People vs.
 - Motion
- * DM468-07
 Victor Reyes vs. Diana Reyes
 - Motion to amend findings of fact and conclusions of law
 [AWAITING SUBMISSION OF PROPOSED FOF & COL]

Non-Motions (120-day target)

1. CF452-10 UA 65 days as of 3-1-13
 People vs. Abraham, et al.
 - Objection to restitution summary
2. DM608-10 UA 10 days as of 3-1-13
 Profita R.S. Roberto-Santos vs. Kenneth Santos
 - Bench trial

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Under Advisement Matters Disposed of Between Publication of 2-1-13 and 3-1-13 UA Reports

Motions (90-day time standard)

1. CV1527-11 D&O issued on 2-25-13, taken UA on 2-22-13 (UA 3 days)
Western Sales v. 7D Mango
Motion for Default Judgment
2. CV1483-11 D&O issued on 2-27-13, taken UA on 7-31-13 (UA 211 days)
CT Chien & Associates v. Von K. Watson
Motion to Dismiss; Motion for Default Judgment
3. CM0270-12 D&O issued on 3-1-13, taken UA on 1-29-12 (UA 31 days)
People v. Reyes
Motion to Dismiss
4. CM0102-12 D&O issued on 3-1-13, taken UA on 1-30-12 (UA 32 days)
People v. Pangelinan
Motion to Dismiss
5. CM0278-12 D&O issued on 3-1-13, taken UA on 2-18-12 (UA 11 days)
People v. Aromin
Motion to Dismiss
6. CM0269-12 D&O issued on 3-1-13, taken UA on 2-25-12 (UA 4 days)
People v. Paraliza
Motion to Dismiss
7. CF0093-12 D&O issued on 3-1-13, taken UA on 1-15-12 (UA 45 days)
People v. Tedtaoao
Motion to Reconsideration
8. CM0352-12 D&O issued on 3-1-13, taken UA on 1-09-12 (UA 51 days)
People v. Calhoun
Motion to Suppress

Non-Motions (120-day time standard)

1. DM488-10 D&O issued on 3-1-13, taken UA on 1-09-12 (UA 51 days)
Kelley v. Kelley
Bench Trial; FOFCOL

JUDGE JAMES L. CANTO II

Motions (90-day time standard)

1. DM0673-11 UA 81 days as of 3-1-13
Madeline T. Horinouchi v. Keith M. Horinouchi
- Motion to Enforce Judgment

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2. CF0104-12 UA 74 days as of 3-1-13
People v. Joey San Nicolas Taijeron
- Motion to Dismiss
3. CM0446-12 UA 74 days as of 3-1-13
People v. Joey San Nicolas Cruz
- Motion to Suppress
4. CM1084-11 UA 56days as of 3-1-13
People vs. Jeffins Kebekol
- Motion
5. CM868-11 UA 53 days as of 3-1-13
People vs.
- Motion
6. CM1076-12 UA 35days as of 3-1-13
People vs. Ricky Santos, etc.
- Motion
7. CM1022-11 UA 33 days as of 3-1-13
People vs.
- Motion
8. CF121-12 UA 18 days as of 3-1-13
People vs.
- Motion
9. CM500-11 UA 18 days as of 3-1-13
People vs.
- Motion
10. CM556-11 UA 18 days as of 3-1-13
People vs.
- Motion
11. CM489-12 UA 11 days as of 3-1-13
People vs.
- Motion
12. CM395-11 UA 4 days as of 3-1-13
People vs.
- Motion
13. CF132-12 UA 4 days as of 3-1-13
People vs.
- Motion

Non-Motions (120-day time standard)

1. PR126-09 US 93 days as of 3-1-13
?
?

2. CV1486-11 UA 14 days as of 3-1-13
 ?
 ?

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Non-Motions (120-day time standard)

JUDGE MARIA T. CENZON

Motions (90-day time standard)

1. CV149-08 UA 18 days as of 3-1-13
 ?
 Motion
2. CF151-10 UA 11 days as of 3-1-13
 ?
 Motion
3. CV327-03 UA 4 days as of 3-1-13
 ?
 Motion

Non-Motions (120-day target)

1. SP0136-12 UA 35 days as of 3-1-13
 In the Matter of the Application of Anthony T. De Venencia
 Writ of habeas corpus
2. CV1169-12 UA 30 days as of 3-1-13
 In re Chamorro Equities, Inc. v. Pacific Rim Equipment
 Evidentiary hearing re default

Under Advisement Matters Disposed of Between Publication of 2-1-13 and 3-1-13 UA Reports
Motions (90-day time standard)
Non-Motions (120-day time standard)

REFEREE LINDA L. INGLES

Motions (90-day target)

1. **DM842-10** **UA 123 days as of 3-1-13; 33 days past target date**
 Carla Stahl vs. Christopher Stahl
 - Motion to set child support
2. **DM237-12** **UA 102 days as of 3-1-13; 12 days past target date**
 Romeo Miranda vs. Cherry Miranda
 - Motion to set child support

3. **DM680-10** **UA 91 days as of 3-1-13; 1 day past target date**
Egenias vs. Balauro
- Motion for medical reimbursement

Non-Motions (120-day target)

N/A

Under Advisement Matters Disposed of Between Publication of 2-1-13 and 3-1-13 UA Reports

Motions (90-day time standard)

Non-Motions (120-day time standard)

REFEREE BENJAMIN SISON

Non-Motions (120-day target)

1. 1C00776353 UA 108 days as of 3-1-13
Bench trial
2. 1C00781662 UA 80 days as of 3-1-13
Bench trial

JUDGE PRO TEMPORE RICHARD BENSON

Motions (90-day target)

1. CV831-10 UA 2 days as of 3-1-13
Galen Lujan vs. Brant McCreddie, et al
Motion