

SUPERIOR COURT MATTERS UNDER ADVISEMENT

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

PRESIDING JUDGE ALBERTO C. LAMORENA III

Motions (90-day target)

1. **CV932-12** **UA 149 days as of 5-1-13; 59 days beyond target date**
Chang vs. Guam Construction Company
Motion to dismiss
2. **CV1785-09** **UA 149 days as of 5-1-13; 59 days beyond target date**
Hugh Sule vs. Guam Board of Examiners for Dentistry
Motion to compel discovery
3. **CV1848-01** **UA 142 days as of 5-1-13; 52 days beyond target date**
Bautista, Guthrie, Perez, etc.
Motion for attorney fees
4. **CV1211-11** **UA 135 days as of 5-1-13; 45 days beyond target date**
FHB vs. Jessie Lujan
Motion to dismiss
5. **CV758-12** **UA 135 days as of 5-1-13; 45 days beyond target date**
Hemlani-Melwani-Radhi’s Foundation-Radhi Puran Trust
Motion
6. **CV710-12** **UA 114 days as of 5-1-13; 45 days beyond target date**
Donald Davis vs. IHIAC, Inc.
Motion to disqualify law firm
7. DM856-08 UA 58 days as of 5-1-13
Mindy Borja vs. Ben Borja
Motion
8. SP185-12 UA 51 days as of 5-1-13
Joshua Perez
Motion for appointment of counsel re writ of habeas corpus
9. CV1848-01 UA 44 days as of 5-1-13
Bautista, Guthrie, et al. vs.
Motion
10. CF680-11 UA 40 days as of 5-1-13
People vs. Thasku Joseph
Motion to dismiss

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11. CV1200-11 UA 37 days as of 5-1-13
Mitchell, Wilkinson
Motion
12. DM113-12 UA 37 days as of 5-1-13
Ramon De Plata vs. Bernita De Plata
Motion to strike
13. CF250-09 UA 29 days as of 5-1-13
People vs. Shaun Martinez & Tomas Bernardo
Motion

Non-Motions (120-day target)

1. DM709-11 UA 116 days as of 5-1-13
Malabanan
Disqualification of Judge JJLCII re 6107

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports

Motions (90-day time standard)

Non-Motions (120-day time standard)

JUDGE MICHAEL J. BORDALLO

Motions (90-day target)

1. **CV223-10** UA 106 days as of 5-1-13; 16 days beyond target date
Jon McDonald; Alma McDonald; Estate of Domingo Bae Guerrero; etc.
- Motion
2. **CF292-12** UA 104 days as of 5-1-13; 14 days beyond target date
People vs. Zachary Gagan
Motion for a new trial
3. **CV781-12** UA 98 days as of 5-1-13; 8 days beyond target date
Tricia Candoleta vs. Tamio Clark, et al
- Motion
4. CV1651-10 UA 78 days as of 5-1-13
May Hannah; Leon Guerrero; etc..
- Motion
5. JP709-01 UA 76 days as of 5-1-13
[Juvenile matter]
- Motion
6. CF222-12 UA 69 days as of 5-1-13
People vs. Cecilio Rodriguez
- Motion
7. SP100-12 UA 69 days as of 5-1-13
Joel Joseph; Guam Board of Allied Health Examiners.
- Motion

8. CM730-12 UA 68 days as of 5-1-13
People vs. Ulysis Kapwich
- Motion
9. CV1651-10 UA 57 days as of 5-1-13
May Hannah-Lucille Leon Guerrero-et al.
Motion
10. CF673-12 UA 56 days as of 5-1-13
People vs. Mike Kokore
Motion
11. CF17-12 UA 56 days as of 5-1-13
People vs. Michele Ungacta
Motion for reconsideration
12. CV442-88 UA 55 days as of 5-1-13
Siegel; Gill; Coral Pit; etc.
Motion
13. CF466-12 UA 29 days as of 5-1-13
People vs. Astero Usefich
Motion
14. CV738-12 UA 21 days as of 5-1-13
Peter Opena-Kumiko Abe-Watabe Guam, Inc., et al.
Motion
15. CM321-12 UA 15 days as of 5-1-13
People vs. Paul P. Francisco, Jr.
Motion
16. CM119-13 UA 14 days as of 5-1-13
People vs. James Apana
Motion
17. CF109-12 UA 14 days as of 5-1-13
People vs. Sean Leon Guererro
Motion
18. CM645-12 UA 12 days as of 5-1-13
People vs. Trent James Mendiola
Motion
19. CF008-13 UA 12 days as of 5-1-13
People vs. Joshua Haesung Do
Motion
20. CM614-12 UA 1 days as of 5-1-13
People vs. Joshua Herrero
Motion

21. CF169-12 UA 1 days as of 5-1-13
People vs. Troy San Nicolas Ogo
Motion

Non-Motions (120-day target)

1. CF175-12 UA 72 days as of 5-1-13
People vs. Ronald Castro Crisostomo
Bench trial

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports
Motions (90-day time standard)
Non-Motions (120-day time standard)

JUDGE ANITA A. SUKOLA

Motions (90-day target)

1. DM857-12 UA 64 days as of 5-1-13
Frankie Dumanal vs. Yoko Dumanal
Motion
2. CV1466-06 UA 44 days as of 5-1-13
Yanfag; Cyfred; etc.
Motion
3. CV1235-12 UA 27 days as of 5-1-13
Gov Guam-Estate of Jose Torres
Motion
4. CV340-12 UA 22 days as of 5-1-13
Gov Guam –DRC Inc.
Motion
5. SP168--05 UA 22 days as of 5-1-13
Priscilla Hartwick-Kenneth Thompson-et al.
Motion
6. CM972-12 UA 14 days as of 5-1-13
People vs. Jason Quinata
Motion
7. CM845-12 UA 6 days as of 5-1-13
People vs. Weipo Doone
Motion

Non-Motions (120-day target)

1. JD296-12 UA 70 days as of 5-1-13
In Re [minor]
Fact finding

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports
Motions (90-day time standard)

1. CM767-12; D&O issued on April 16, 2013; taken UA on January 16, 2013 (UA 90 days)
People v. Joseph Rojas Cruz; Mot. to Dismiss for Insufficient PC
2. CF211-12; D&O issued on April 16, 2013; taken UA on January 16, 2013 (UA 90 days)
People v. Luke P. Taitano; Mot. for Judgment of Acquittal/Mot. for New Trial
3. CM540-09; D&O issued on April 23, 2013; taken UA on January 23, 2013 (UA 90 days)
People v. Daniel Fejerang; Mot. to Dismiss Pursuant to Rasauo
4. CF34-13; D&O issued on April 23, 2013; taken UA on April 8, 2013 (UA 15 days)
People v. J. Cruz, R. Cruz, G. Pangelinan; 404(b) Motion & Speedy Trial
5. CF97-12; D&O issued on April 26, 2013; taken UA on February 18, 2013 (UA 67 days)
People v. Camaddu; Motion for a Bill of Particulars or to Dismiss
6. CV402-12; D&O issued on May 3, 2013; taken UA on February 5, 2013 (UA 87 days)
Quiel v. Young Bong Wu & Yudu Trading Corp; Mot. to Set Aside Entry of Default & Default Judgment & Leave to Permit Filing of Verified Answer & Counterclaim

JUDGE ARTHUR R. BARCINAS

Motions (90-day target)

1. **CV1124-09** UA 152 days as of 5-1-13; 53 days beyond target date
Government of Guam et al.
- Motion for summary judgment
2. **CV1980-10** UA 134 days as of 5-1-13; 44 days beyond target date
Rekha Hemlani vs. Kishore Hemlani
- Motion
3. **CV973-09** UA 133 days as of 5-1-13; 43 days beyond target date
Marianas Drilling, et al.
- Motion
4. CV1461-10 UA 75 days as of 5-1-13
Gagne; Charfauros; Chargualaf; etc.
- Motion to intervene & for partial summary judgment
5. DM842-10 UA 40 days as of 5-1-13
Stahl vs. Stahl
- Motion
6. CV2038-10 UA 40 days as of 5-1-13
Carbullido, Flickinger; Camacho; etc.
- Motion
7. CM1102-12 UA 28 days as of 5-1-13
People vs. Agusteen Lee
- Motion

Non-Motions (120-day target)

1. **SP145-12** UA 163 days as of 5-1-13; 43 days beyond target date
Xerox vs. OPA
Writ
2. **CV1201-11** UA 161 days as of 5-1-13; 41 days beyond target date
Estate of Emilia Perez Mesa, et al vs. Dept of Rev & Tax
Bench Trial
3. **DM263-11** UA 110 days as of 5-1-13; 20 days beyond target date
Quito vs. Quito
Bench trial
4. **DM207-10** UA 93 days as of 5-1-13
Ptack vs. Ptack
Bench trial
5. **CV293-12** UA 63 days as of 5-1-13
John Young; GMHA
Bench trial
6. **SP51-12** UA 49 days as of 5-1-13
GMHA; Evangeline Chaco; etc.
Petition
7. **CV1394-11** UA 49 days as of 5-1-13
Dorothy Manley; Albert Manley; etc.
Bench trial

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports
Motions (90-day time standard)
Non-Motions (120-day time standard)

JUDGE VERNON P. PEREZ

Motions (90-day target)

1. **CF415-09** UA 29 days as of 5-1-13
People vs Shaun Martinez & Tomas Bernardo.
Motion
2. **CF305-10** UA 28 days as of 5-1-13
People vs. Justin Cruz
Motion
3. **CF33-10** UA 22 days as of 5-1-13
People vs. Charles Scharff- Rose Evangelista – Joaquin Pangelinan
Motion

Non-Motions (120-day target)

N/A

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports

Motions (90-day time standard)

Non-Motions (120-day time standard)

JUDGE JAMES L. CANTO II

Motions (90-day time standard)

1. CF121-12 UA 79 days as of 5-1-13
People vs. James Espinosa
Motion to dismiss
2. CM500-11 UA 79 days as of 5-1-13
People vs. Alexis Hernandez
Motion to dismiss
3. CM489-12 UA 72 days as of 5-1-13
People vs. Jeffrey San Agustin
Motion to suppress
4. CM395-11 UA 65 days as of 5-1-13
People vs. Joycelyn Leon Guerrero
Motion to dismiss
5. CF132-12 UA 65 days as of 5-1-13
People vs. Muki Callahan
Motion
6. CF689-12 UA 58 days as of 5-1-13
People vs. Yasuhiro Maeda
7. DM83-12 UA 44 days as of 5-1-13
Payumo vs. Payumo
Motion to vacate entry of default
8. CM534-12 UA 37 days as of 5-1-13
People vs. Raphael Unpingco
Motion
9. CM280-12 UA 30 days as of 5-1-13
People vs. Norman Camacho James, Jr.
Motion
10. CM157-12 UA 26 days as of 5-1-13
People vs. Hee Choon Park
Motion
11. CF132-12 UA 26 days as of 5-1-13
People vs. Muki Callahan
Motion

12. CM307-12 UA 23 days as of 5-1-13
People vs. Zhao Qiang Yu
Motion
13. CF427-12 UA 19 days as of 5-1-13
People vs. Verna Koto, et al.
Motion
14. CM729-12 UA 9 days as of 5-1-13
People vs. Charmaine Herradura
Motion

Non-Motions (120-day time standard)

1. CV1486-11 UA 75 days as of 5-1-13
Enriquez; Smith
Oral argument on Supreme Court remand
2. CF440-12 UA 72 days as of 5-1-13
People vs. Quintanilla; Avena; White; etc.
Evidentiary hearing

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports

Motions (90-day time standard)

Non-Motions (120-day time standard)

JUDGE MARIA T. CENZON

Motions (90-day time standard)

1. CF151-10 UA 72 days as of 5-1-13
People vs. Rikat Roten
Motion for new trial
2. CV327-03 UA 65 days as of 5-1-13
Hawaiian Rock, Inc.; Ocean Housing; etc.
Motions to dismiss & quash
3. CF81-08 UA 37 days as of 5-1-13
People vs. Andon and Felder
Motion to reduce sentence
4. CF208-09 UA 23 days as of 5-1-13
People vs. Arthur Ojeda
Motion
5. CF538-11 UA 16 days as of 5-1-13
People vs. Kimbe Wiley
Motion

Non-Motions (120-day target)

1. SP0136-12 UA 96 days as of 5-1-13
In the Matter of the Application of Anthony T. De Venencia
Writ of habeas corpus
2. DM605-02 UA 58 days as of 5-1-13
Lujan vs. Lujan
Remand hearing
3. PR119-07 UA 26 days as of 5-1-13
Chargualak, et al.
Petition

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports
Motions (90-day time standard)

1. CV 149-08; D&O issued on 4-26-13; taken UA on 2-12-13 (UA 73 days); *O'Connor, Babaran, etc.*; Motion to Reconsider Order of Dismissal

SENIOR JUDGE PRO TEMPORE ELIZABETH BARRETT-ANDERSON

Non-Motions (120-day target)

1. CM652-11 UA 44 days as of 5-1-13
People vs. Willy Mackwelung
Evidentiary hearing

REFEREE LINDA L. INGLES

Motions (90-day target)

1. **DM680-10** UA 152 days as of 5-1-13; 62 day past target date
Egenias vs. Balauro
- Motion for medical reimbursement
2. CS346-10 UA 35 days as of 5-1-13
Felisan vs. Padios
- Motion for child support arrears

Non-Motions (120-day target)

N/A

Under Advisement Matters Disposed of Between Publication of 4-1-13 and 5-1-13 UA Reports
Motions (90-day time standard)

Non-Motions (120-day time standard)

REFEREE BENJAMIN SISON

Non-Motions (120-day target)

1. **1C00776353** UA 169 days as of 5-1-13; 49 days past target date
Saori Shimakura
Bench trial
2. **1C00781662** UA 141 days as of 5-1-13; 21 days past target date
Emiliana Concepcion
Bench trial
3. **SD1282-05** UA 27 days as of 5-1-13
Balansay vs. Somera
Bench trial
4. **SD15-13** UA 5 days as of 5-1-13
Kenneth Quenga-Autozone, Inc.
Bench trial

JUDGE PRO TEMPORE RICHARD BENSON

Motions (90-day target)

1. **CV831-10** UA 63 days as of 5-1-13
Galen Lujan vs. Brant McCreadie, et al
Motion

Non-Motions (120-day target)

1. **CV21-12** UA 55 days as of 5-1-13
Noella Carter; Naholowaa; American Home Assurance Co.; Worker's Comp Commissioner; etc.
Preliminary Injunction