

2022 JUN 13 AM 10:03

CLERK OF COURT

BY: NA

IN THE SUPERIOR COURT OF GUAM

PEOPLE OF GUAM,

Plaintiff,

Case No. CF0131-22

vs.

**DECISION AND ORDER
(Finding Defendant Competent to Stand
Trial)**

CHRIS JUNIOR ANDERSON
TEDTAOTAO,

aka Chris Jr. Anderson Tedtaotao; *aka* Chris
J.R. Anderson Tedtaotao

Defendant.

INTRODUCTION

This matter came before the Honorable Alberto E. Tolentino on June 6, 2022, for a Competency Hearing. Attorney Samuel Teker appeared for Chris Junior Anderson Tedtaotao ("Defendant"). Assistant Attorney General Katherine Nepton appeared for the People of Guam ("People"). Having considered the Defendant's Forensic Evaluation, the parties' oral arguments, and the applicable law, the Court now issues the following Decision and Order and **finds Defendant competent to stand trial.**

BACKGROUND

On March 11, 2022, the Grand Jury indicted Defendant on the following charges: (1) Possession of a Schedule II Controlled Substance (As a Third Degree Felony); (2) Possession of a Firearm Without a Firearm Identification Card (As a Third Degree Felony); and (3)

1 Resisting Arrest (As a Misdemeanor). Indictment, Mar. 11, 2022. Police records indicate
2 Defendant attempted to flee during a traffic stop. Mag. Complaint, Mar. 4, 2022. On March
3 23, 2022, Defendant pled Not Guilty by Reason of Mental Illness, Disease, or Defect. Minute
4 Entry, Mar. 23, 2022. Pursuant to 9 GCA § 7.25, the Client Services and Family Counseling
5 Division of the Superior Court of Guam (“CSFC”) arranged for Defendant to undergo a
6 forensic evaluation with a qualified psychologist. Order for Forensic Evaluation, Mar. 24,
7 2022. On April 14, 2022, Defendant underwent his forensic evaluation with Dr. Juan Rapadas,
8 an expert clinical psychologist at CSFC. Forensic Evaluation at 2, Apr. 19, 2022. The Court
9 held a hearing on June 6, 2022, to determine Defendant’s competency to stand trial. After
10 hearing the arguments of the parties, the Court found Defendant competent to stand trial.
11

12 DISCUSSION

13 “A defendant is incompetent to be proceeded against in a criminal action if, as a result
14 of mental illness . . . he is unable (1) to understand the nature of the proceedings, (2) to assist
15 and cooperate with counsel, (3) to follow the evidence, or (4) to participate in his defense.” 9
16 GCA § 7.37(a)(1)–(4).
17

18 Dr. Rapadas stated in his forensic evaluation “[t]aken all past and current data in total,
19 Mr. Tedtaotao is currently competent to be proceeded against and to be sentenced based on his
20 past IQ testing results, the clinical interview, observations of Mr. Tedtaotao, history, and
21 current mental status which could be characterized as generally stable.” Forensic Evaluation at
22 7. Dr. Rapadas also stated “[s]o, in my opinion, Mr. Tedtaotao did not lack substantial
23 capacity to know or understand what he was doing, to know or understand that his conduct was
24 wrongful or to control his actions especially, as it pertains to his current criminal charges.” *Id.*
25 at 7. Defendant agrees with Dr. Rapadas’s statement and does not contest his findings. Digital
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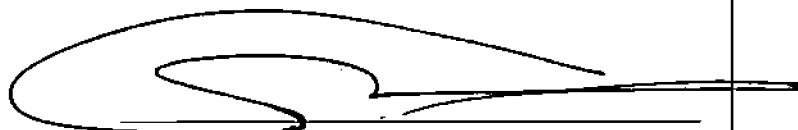
1 Recording at 4:05:09 (Mot. H'rg. Jun. 6, 2022). Accordingly, the Court finds Defendant
2 competent to stand trial.

3 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**
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5 For the above reasons, the Court makes the following findings of fact and conclusions
6 of law:

- 7
- 8 • Defendant does possess the mental competency “(1) to understand the nature of the
9 proceedings, (2) to assist and cooperate with counsel, (3) to follow the evidence, or (4)
10 to participate in his defense.” 9 GCA § 7.37(a)(1)–(4).
 - 11 • Defendant is currently competent to stand trial.
 - 12 • Defendant can make any diminished capacity defense he may have at trial.
- 13

14
15 SO ORDERED, this 13 day of Jun? 2022.

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19 HONORABLE ALBERTO E. TOLENTINO
20 Judge, Superior Court of Guam