

FILED
SUPERIOR COURT
OF GUAM

2019 MAR 28 PM 4:11

CLERK OF COURT

By: _____


IN THE SUPERIOR COURT OF GUAM

PEOPLE OF GUAM,

Plaintiff,

v.

SHEN'S CORPORATION, SHEN'S
COROPORATION dba PRESTIGE
AUTOMOBILES, JOHN C.J. SHEN,
JOHNATHAN SHIEH-HAO SHEN, ANA
KRISTINE LARA ABSALON, ORLANDO P.
DOMINGO,

Defendants.

Case No. CF0725-16

DECISION & ORDER

This matter came before the Honorable Alberto C. Lamorena, III on March 01, 2019 of a submission by Defendants John C.J. Shen, Johnathan Shieh-Hao Shen, and Orland Domingo of a motion for orders of expungement.¹ Defendant John C.J. Shen is represented by Attorney F. Randall Cunliffe, Defendant Johnathan Shieh-Hao Shen is represented by Attorney Mark Kondas, and Defendant Orlando Domingo is represented by Attorney Louie Yanza. The People of Guam are represented by Assistant Attorney General Sean Brown.

On March 01, 2019 the Court entered a Judgment against Defendant Shen's Corporation dba Prestige Automobiles pursuant to a plea agreement and issued an order dismissing the

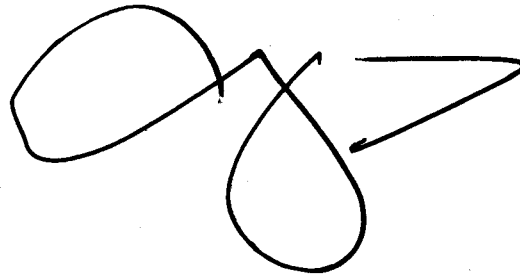
¹ At the hearing, the Defendants submitted a proposed Order for Expungement of Records, which the Court will consider an oral motion for orders of expungement.

1 matter with prejudice as to the Defendants John C.J. Shen, Johnathan Sheih-Hao Shen, and
2 Orlando Domingo. (Order of Dismissal with Prejudice, Mar. 01, 2019); (No Contest Plea
3 Agreement, Mar. 01, 2019).

4 Pursuant to the Supreme Court of Guam's Opinion in *People v. Ho*, 2009 Guam 18, the
5 Court does not possess the authority to grant the Defendants' motion. Expungement orders
6 cannot be issued in a criminal case after the rendition of final judgement except in cases where:
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8 1) there is a deferred plea agreement; 2) the defendant has been acquitted; or 3) under certain
9 offense-specific statutes that expressly provide for expungement. *People v. Ho*, 2009 Guam 18
10 ¶ 32 n.8; *People v. Lau*, 2007 Guam 4 ¶ 15. This case does not fall within one of these
11 exceptions.

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13 Accordingly, the Court **HEREBY DENIES** the Defendants' motion for orders of
14 expungement.

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16 **IT IS SO ORDERED** MAR. 28, 2019.

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23 **HONORABLE ALBERTO C. LAMORENA III**
24 **Presiding Judge, Superior Court of Guam**

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27 I acknowledge that a copy of the
original hereto was placed in the
court box of:

28 Atty. Londa Yanga
Cuenti PRC
Date: 3/26/19 Time: 4:15 PM
