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FILED  
 SUPERIOR COURT  
 OF GUAM

2021 AUG 16 PM 1:11

CLERK OF COURT

By:

IN THE SUPERIOR COURT OF GUAM  
 HAGÁTÑA, GUAM

CF 0404-21

|    |                         |      |                                    |
|----|-------------------------|------|------------------------------------|
| 12 | PEOPLE OF GUAM,         | )    | S.C. Criminal Case No.: CF _____   |
|    |                         | )    | GPD Police Report No.: 21-19719    |
| 13 |                         | )    |                                    |
| 14 | vs.                     | )    | Charges:                           |
|    |                         | )    |                                    |
| 15 | FRANCIS FILERUW,        | ) 1) | TERRORIZING                        |
|    | aka Francis P. Fileruw, | )    | (As a Third Degree Felony)         |
| 16 | DOB: 05/20/1985,        | )    | NOTICE:                            |
|    |                         | )    | Felony Committed on Felony Release |
| 17 |                         | )    |                                    |
|    | Defendant.              | ) 2) | FAMILY VIOLENCE                    |
| 18 |                         | )    | (As a Misdemeanor)                 |
| 19 |                         | )    |                                    |
|    |                         | ) 3) | CHILD ABUSE                        |
| 20 |                         | )    | (As a Misdemeanor)                 |
| 21 |                         | )    |                                    |
|    |                         | ) 4) | VIOLATION OF A COURT ORDER         |
| 22 |                         | )    | (As a Misdemeanor) 2 Counts        |
| 23 |                         | )    |                                    |

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **FRANCIS P. FILERUW**, aka Francis P. Fileruw of certain crimes committed as follows:

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ORIGINAL

1 **FIRST CHARGE**

2 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **FRANCIS FILERUW, aka Francis P.**  
3 **Fileruw** did commit the offense of *Terrorizing (As a Third Degree Felony)*, in that he did  
4 knowingly communicate a threat to another person, *Terry Gathranz*, to commit a crime of violence  
5 dangerous to human life against *Terry Gathranz*, the natural and probable consequence of such  
6 threat being to place *Terry Gathranz* in reasonable fear that the crime would be committed, in  
7 violation of 9 GCA § 19.60(a) and (b).  
8

9 **NOTICE:**

10 *Felony Committed on Felony Release*

11 *In the commission of the above offense, the Defendant, FRANCIS FILERUW,*  
12 *aka Francis P. Fileruw, committed the above felony offense while he was*  
13 *on release pursuant to Chapter 40, Title 8, Guam Code Annotated, on pending*  
14 *felony charges, to wit: Third Degree Criminal Sexual Conduct (As a Second*  
15 *Degree Felony), in violation of 9 GCA §§ 25.25(a)(2)and (b), and Assault With*  
16 *Intent to Commit Criminal Sexual Conduct (As a Third Degree Felony), in*  
17 *violation of 9 GCA § 25.35 and 9 GCA § 19.30(a)(1) filed under Superior Court*  
18 *Criminal Case No. CF0416-19, within the meaning of 9 GCA § 80.37.1.*

19 **SECOND CHARGE**

20 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **FRANCIS FILERUW, aka Francis P.**  
21 **Fileruw** did commit the offense of *Family Violence (As a Misdemeanor)* in that he did recklessly  
22 place a family member or household member, to wit: *Terry Gathranz*, in reasonable fear of  
23 imminent bodily injury, in violation of 9 GCA §§ 30.10(a)(2) and (b) and 30.20(a).  
24

25 **THIRD CHARGE**

26 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **FRANCIS FILERUW, aka Francis P.**  
27 **Fileruw** did commit the offense of *Child Abuse (As a Misdemeanor)*, in that while having a child,  
28 namely *male infant (2 years old)*, in his care or custody or under his control, he unreasonably caused

1 or permitted the physical or emotional health of said child to be endangered, in violation of 9 GCA  
2 § 31.30(a)(2),(C) and (b).

3 **FOURTH CHARGE**

4 **Count One**

5 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **FRANCIS FILERUW, aka Francis P.**  
6 **Fileruw** did commit the offense of *Violation of Court Order (As a Misdemeanor)*, in that he  
7 knowingly violated a court order filed on July 21, 2019, in the Superior Court of Guam Case No.  
8 **CF0416-19**, enjoining a person from threatening to commit or committing acts of family violence  
9 against, or from harassing, annoying, or molesting, a family or household member, that is, *Terry*  
10 *Gathranz*, or any person named in the order, in violation of 9 GCA § 30.40(a)(1).

11 **Count Two**

12 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **FRANCIS FILERUW, aka Francis P.**  
13 **Fileruw** did commit the offense of *Violation of Court Order (As a Misdemeanor)*, in that he  
14 knowingly violated a court order filed on July 21, 2019, in the Superior Court of Guam Case No.  
15 **CF0416-19**, enjoining a person from threatening to commit or committing acts of family violence  
16 against, or from harassing, annoying, or molesting, a family or household member, that is, *male*  
17 *infant (2 years old)*, or any person named in the order, in violation of 9 GCA § 30.40(a)(1).

18 Dated this day, Monday, August 16, 2021.

19 **OFFICE OF THE ATTORNEY GENERAL**  
20 **LEVIN TAITANO CAMACHO, Attorney General**

21   
22 **RICHELLE Y. CANTO**  
23 Assistant Attorney General, Prosecution Division

24 **PRIOR**

**IN THE SUPERIOR COURT OF GUAM**  
**DECLARATION**

I, RICHELLE Y. CANTO, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Department (GPD) Reports # 21-19719 submitted by Officer J. Aguon (#4113), which revealed the following occurred in Guam:

On or about August 15, 2021, at approximately 11:08 p.m., GPD officers responded to a person in need of assistance at a 76 gas station in Tamuning, Guam. Officers met with Terry Gathranz (victim), who was hiding inside the gas station bathroom. Terry reported she ran to the gas station to call the police because her boyfriend **FRANCIS FILERUW** (defendant) had threatened to kill her and her family earlier that night.

Gathranz indicated that earlier that night she and **FILERUW** were arguing about changing the names of their children. She stated her two-year-old infant son was crying, and **FILERUW** slapped the infant on the face, placed him outside their residence, and told Gathranz not to touch him or he would kill her. Gathranz reported **FILERUW** stated he would "shoot me to death soon" and he was "going to kill any of her family." Gathranz told officers she was so afraid of **FILERUW** that she ran to the gas station, called the police, and hid out in the bathroom.

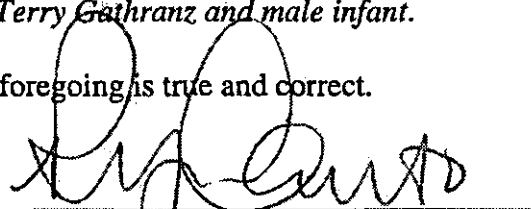
Gathranz reported she has been in a relationship with **FILERUW** for approximately six (6) years and they have two (2) children together, but she "only sometimes" resides with **FILERUW** because of "how aggressive **FILERUW** can be." Officers noted no visible injuries or marks on the infant. **FILERUW** denied striking the infant or making threats to Gathranz.

**FILERUW** is on pretrial release in CF0416-19, where he was ordered by the Magistrate Judge on July 21, 2019 not to commit any acts of family violence against, and not to harass, annoy, or molest any family or household members.

Based on the foregoing, there is probable cause to charge **FRANCIS FILERUW** with the following:

1. One (1) count of **TERRORIZING** (as a Third Degree Felony), in violation of Title 9 G.C.A. §19.60(a) and (b) - *Terry Gathranz*, with special allegation *Felony Committed on Felony Release* in violation of 9 Title 9 G.C.A. §80.37.1;
2. One (1) count of **FAMILY VIOLENCE** (as a Misdemeanor), in violation of Title 9 G.C.A. §§30.10(a)(2) and (b) and 30.20(a) - *Terry Gathranz*;
3. One (1) count of **CHILD ABUSE** (as a Misdemeanor), in violation of Title 9 G.C.A. §31.30(a)(2)(C) and (b) - *male infant Gathranz (2 years old)*; and
4. Two (2) count of **VIOLATION OF A COURT ORDER** (as a Misdemeanor), in violation of Title 9 G.C.A. §30.40(a)(1) - *Terry Gathranz and male infant*.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 16th day of August, 2021.

  
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**RICHELLE Y. CANTO**  
Assistant Attorney General