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SUPERIOR COURT
OF GUAM

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IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

CM 0314-21

13	PEOPLE OF GUAM,)	S.C. Criminal Case No.: CM
14)	GPD Report No.: 21-19632
15	vs.)	Charges:
16	JUSTIN ANDREW ZAVALA,) 1.)	DRIVING WHILE IMPAIRED
17	DOB: 09/17/1996)	(As a Misdemeanor)
18	Defendant.) 2.)	DRIVING WHILE IMPAIRED (B.A.C.)
19)	(As a Misdemeanor)
20)	

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **JUSTIN ANDREW ZAVALA** of certain crimes committed as follows:

FIRST CHARGE

On or about the 15th day of August, 2021, in Guam, **JUSTIN ANDREW ZAVALA**, did commit the offense of *Driving While Impaired (As a Misdemeanor)*, in that he did operate or was

ORIGINAL

1 in physical control of a motor vehicle while impaired with alcohol, in violation of 9 GCA
2 § 92102(a), 92104 (as amended on June 5, 2018, P.L. 34-107).

3 **SECOND CHARGE**

4 On or about the 15th day of August, 2021, in Guam, **JUSTIN ANDREW ZAVALA**, did
5 commit the offense of *Driving While Impaired (B.A.C.) (As a Misdemeanor)*, in that he did operate
6 or was in physical control of a motor vehicle while he had 0.08% or more, by weight, of alcohol in
7 his blood, in violation of 9 GCA §§ 92102(b), 92104 (as amended on June 5, 2018, P.L. 34-107).

8 Dated this 16th day of August, 2021.

9
10 **OFFICE OF THE ATTORNEY GENERAL**
11 **LEEWIN TAITANO CAMACHO**, Attorney General

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14 **JEREMIAH B. LUTHER**
15 Assistant Attorney General, Prosecution Division

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NO PRIORS

IN THE SUPERIOR COURT OF GUAM
DECLARATION

COMES NOW, Jeremiah B. Luther, a duly appointed Assistant Attorney General, and aver upon information and belief, that the following is true and correct to the best of my knowledge:

I have reviewed Guam Police Report No. 21-19632 submitted by officers of the Guam Police Department ("GPD"), which sets forth the following events occurred on Guam:

On or about August 15, 2021, at approximately 12:40 am, a GPD officer observed a black Hyundai Accent, operated by **JUSTIN ANDREW ZAVALA** (dob:9/17/1996) (Defendant), speeding and operating without the vehicle's headlights turned on in Tumon near the Galleria area. After the Hyundai almost collided with a concrete median, the officer performed a traffic stop.

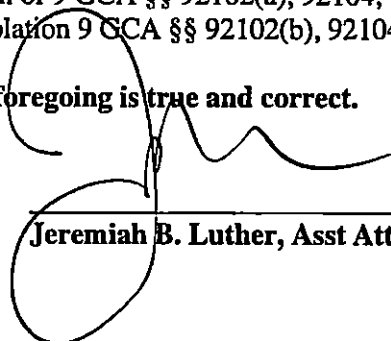
ZAVALA rolled down the operator's window at the officer's request. The officer smelled a strong odor of an intoxicating beverage emitting from within the vehicle. ZAVALA exhibited the following signs of intoxication: bloodshot, watery eyes, droopy eyelids, slurred speech, and an odor of an intoxicating beverage emitted from his person. ZAVALA admitted to consuming alcohol that night and told the officer that he was dropping a friend home. His intention was to return to the bar. Defendant further admitted to having drunk 4-5 drinks at Shamrocks.

ZAVALA failed a standardized field sobriety test. A breathalyzer test concluded that his BAC was 0.169%. ZAVALA

Based on the foregoing, there is probable cause to charge **JUSTIN ANDREW ZAVALA** (dob:9/17/1996) (Defendant) with:

- ***Driving While Impaired** (Misdemeanor), in violation of 9 GCA §§ 92102(a), 92104; and
- ***DUI, BAC 0.08% or Greater** (Misdemeanor), in violation 9 GCA §§ 92102(b), 92104.

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



Jeremiah B. Luther, Asst Attorney General