



FILED  
SUPERIOR COURT  
OF GUAM

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CLERK OF COURT

By: \_\_\_\_\_

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Attorneys for the People of Guam

**IN THE SUPERIOR COURT OF GUAM**  
**HAGÁTÑA, GUAM**

14	PEOPLE OF GUAM,	)	Criminal Case No. CM <del>01</del> 0312 - 21
15		)	GPD Report No. 21-19707
16	vs.	)	Charges:
17	<b>ROY ITEPES, aka Roy Ytepes,</b>	) 1)	<b>DRIVING WHILE IMPAIRED</b>
18	DOB: 11/25/1987	)	(As a Misdemeanor)
19	Defendant.	) 2)	<b>DRIVING WHILE IMPAIRED (BAC)</b>
20		)	(As a Misdemeanor)
21		) 3)	<b>OPENED CONTAINER OF ALCOHOL</b>
		)	(As a Misdemeanor)

**MAGISTRATE'S COMPLAINT**

The Attorney General of Guam hereby accuses **ROY ITEPES (aka Roy Ytepes)** of certain crimes committed as follows:

**FIRST CHARGE**

On or about the 15<sup>th</sup> day of August, 2021, in Guam, **ROY ITEPES (aka Roy Ytepes)** did commit the offense of *Driving While Impaired (As a Misdemeanor)*, in that he did drive, operate

ORIGINAL

1 or was in physical control of any motor vehicle while impaired with alcohol, in violation of 9 GCA  
2 § 92102(a) (as amended on June 5, 2018, Public Law 34-107).

3  
4 **SECOND CHARGE**

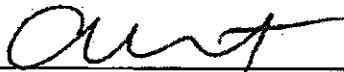
5 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **ROY ITEPES** (*aka Roy Ytepes*) did  
6 commit the offense of *Driving While Impaired (BAC) (As a Misdemeanor)*, in that he did drive,  
7 operate or was in physical control of any motor vehicle while having an alcohol concentrate of 0.08  
8 percent, or more, by weight, of alcohol in his blood, in violation of 9 GCA §§ 92102(b) and 92104  
9 (as amended on June 5, 2018, Public Law 34-107).

10  
11 **THIRD CHARGE**

12 On or about the 15<sup>th</sup> day of August, 2021, in Guam, **ROY ITEPES** (*aka Roy Ytepes*) did  
13 commit the offense *Opened Container of Alcohol (As a Misdemeanor)*, in that he did unlawfully  
14 transport or possess alcohol in a container in which the original cap or seal of the container had been  
15 opened, broken, or the contents of which had been partially removed when the vehicle was upon a  
16 public highway, in violation of 9 GCA § 92114(a) (as amended on June 5, 2018, Public Law 34-  
17 107).

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

20  
21 **OFFICE OF THE ATTORNEY GENERAL**  
LEEVIN TAITANO CAMACHO, Attorney General of Guam

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24 **CHRISTINE SANTOS TENORIO**  
Assistant Attorney General/Supervising Attorney,  
Prosecution Division

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27 **JESSICA A. LEE**  
Assistant Attorney General, Prosecution Division

**IN THE SUPERIOR COURT OF GUAM**

**DECLARATION**

COMES NOW, JESSICA A. LEE, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the following is true.

I have reviewed Guam Police Report No. 21-19707 submitted by GPD Officer D. F. Joseph which sets forth that the following events occurred on Guam.

On or about August 15, <sup>2021</sup> at approximately 9:19 p.m., police responded to a suspicious vehicle described as a blue Honda Civic (GLP#: ASA6579), driving back and forth by a residence in Mangilao. Upon arrival at 9:28 p.m., police observed 4-6 people standing by the vehicle, which had its headlights off on the middle of the road. One of the male bystanders informed police officers that they noticed the operator appeared intoxicated and concealing bottles of alcohol within the vehicle.

Police approached and met with the operator, who verbally identified himself as **ROY ITEPES** (“DEFENDANT”), who appeared to have bloodshot, watery eyes, a light odor of an intoxicating beverage emitting from his person, and slurred speech. Police requested Defendant to exit the vehicle. Police inquired if Defendant had anything to drink whereas he stated one (1) corona beer and gestured one finger up. Defendant later stated he began drinking at 8:00 p.m. and consumed five (5) Heineken.

Defendant consented to a search of his vehicle whereas police confiscated two (2) opened bottles of Heineken beer from the passenger seat and marked lines indicating the level of liquid inside, one of the bottles was cold to the touch and wet on the outside. Police also confiscated two (2) unopened bottles of Heineken under the driver’s seat.

Defendant agreed to submit to a Standardized Field Sobriety Test, which according to Police, Defendant failed. Defendant was then transported to Central Precinct where at 12:06 a.m. on August 16, 2021, Defendant agreed to submit to a breath test which resulted in a BAC of 0.149. Over two and a half hours after the incident, Defendant had a BAC of 0.149.

Based on the forgoing, there is probable cause to charge **ROY ITEPES** with:

1. **DRIVING WHILE IMPAIRED** (As a Misdemeanor), in violation of Title 9 GCA § 92102 (a);
2. **DRIVING WHILE IMPAIRED (BAC)** (as a Misdemeanor) in violation of Title 9 G.C.A. §§ 92102(b) and 92104;
3. **OPENED CONTAINER OF ALCOHOL** (As a Misdemeanor) in violation of Title 9 GCA § 92114(a).

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

  
**JESSICA A. LEE**

  
**CHRISTINE S. TENORIO**  
Supervising Attorney