

IN THE SUPERIOR COURT OF GUAM
DECLARATION

COMES NOW DAVID RIVERA, a duly appointed Assistant Deputy Attorney General, who avers upon information and belief that the following is true.

I have reviewed Guam Police Report number 21-00560 submitted by Police Officer A. Virgilio and others and Guam Police Report # 21-21567 submitted by Police Officer J. Mansapit and others. Those reports have revealed the following:

On or about January 7, 2021, in Guam, Jesse Christopher Rojas reported that his two motorcycles were stolen from his residence in Barrigada, Guam. One of the stolen motorcycles was a 2019 Kawasaki Ninja. That motorcycle was located on or about May 16, 2021, in the parking garage of the Grand Plaza Hotel located in Tumon Guam. There was no license plate attached to the motorcycle at that time, there was no ignition switch and the Vehicle Identification Number on the steering frame had been tampered with by grinding that part of the frame. While police were inspecting the motorcycle, they were approached by a female individual later identified to be [REDACTED] who asked the police why they were standing by the motorcycle. She informed police that her boyfriend had been using it earlier that same date. She identified her boyfriend as "Ton" Matagolai who police knew to be ANTHONY VINCENT MATAGOLAI ("defendant"). A review of the parking garage surveillance video from that same date showed the motorcycle entering the parking garage operated by the defendant. The police were able to locate the engine number of the motorcycle which revealed that it was the 2019 Ninja Motorcycle reported stolen by Mr. Rojas. Rojas was able to identify the bike in the Grand Plaza garage as his stolen motorcycle.

On or about September 6, 2021, in Guam, police responded to a disturbance call to Umatac, Guam, where police were informed that defendant and [REDACTED] were observed to be verbally arguing outside of their residence when the defendant suddenly slapped [REDACTED] in the face. The defendant was thereafter observed running into the residence while [REDACTED] remained outside. The owner of the residence came out and gave permission for police to enter the residence. The defendant was in a darkened room hiding in a closet. Initially [REDACTED] admitted that she and the defendant were arguing but denied that the defendant had hit her. Police observed that [REDACTED] had redness and scratches below her neck area and that her right eye was discolored. [REDACTED] later admitted to police that she was assaulted by the defendant, stating that he had punched her in the eye and further stated that she loved him and that the defendant loved her. At the precinct the defendant asked "is this regarding the bikes?" The defendant was instructed to stop talking so that police could read him his rights. The defendant thereafter stated that he did not do anything.

Based on the foregoing, there is probable cause to charge ANTHONY VINCENT MATAGOLAI with THEFT BY RECEIVING OF A STOLEN MOTORCYCLE (As a Second Degree Felony) in violation of 9 GCA §§ 43.20 (a), 43.30 (a), and 43.50(a), and with FAMILY VIOLENCE (As a Misdemeanor) in violation of 9 GCA §§ 30.10 (a)(1) and 30.20.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 7th

day of September, 2021.



DAVID RIVERA
Assistant Deputy Attorney General

