

IN THE SUPERIOR COURT OF GUAM
DECLARATION

COMES NOW, Rolland B. Wimberley, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the foregoing is true. I have reviewed Guam Police Report No. 21-14351 submitted by Guam Police Department Officer Flores, and others that sets forth the following events occurred on Guam:

On or about June 14, 2021, GPD Officers responded to a family violence complaint by Violeta Waki (Victim). Ms. Waki reported that she had gotten into an argument with her son Warren Waki, and his girlfriend, Victoria San Nicolas (Defendant). During the argument, the Defendant and Mr. Waki pushed the victim. The Victim fell to the floor and had difficulty breathing. Waki and the Defendant then dragged the Victim by her arms to the bedroom. The Victim cried out to her neighbors for help. The Victim was able to leave the house and get help.

Officers observed the Victim's clothes to be soiled on her backside and that she had trouble walking. The Victim indicated that she had pain to her lower back and side, as a result of falling to the floor. The officer noted that the victim appeared visibly shaken.

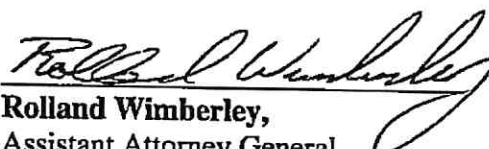
On or about September 6, 2021, Officers conducted a traffic pullover where the Defendant was the front passenger of the vehicle and she had an active warrant of arrest. Officers located two syringes filled with a dark liquid, suspected to be methamphetamine, on the passenger side floorboard.

A field test was conducted and resulted in a presumptive positive for amphetamines.

Based on the foregoing, there is probable cause to charge Victoria Rose San Nicolas with:

1. **Possession of a Schedule II Controlled Substance (As a Third Degree Felony)**, in violation of 9 GCA §§ 67.401.2(a) and (b)(1),
2. **Assault (As a Misdemeanor)**, in violation of Title 9 G.C.A. § 19.30 (a)(1) and (e);

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 7th day of September, 2021.


Rolland Wimberley,
Assistant Attorney General