

1 the offense of *First Degree Criminal Sexual Conduct (As a First Degree Felony)*, in that he
2 intentionally engaged in sexual penetration with another, to wit: cunnilingus with *K.R.B. (DOB:*
3 *01/31/2009)*, a minor under fourteen (14) years of age, in violation of 9 GCA § 25.15 (a)(1) and (b).
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5 **Count Two**

6 On or about the period between January 1, 2019 to December 31, 2019, *but at a time different*
7 *from above count, inclusive*, in Guam, **JOSEPH MARC THOMAS DUENAS CASTRO JR., aka**
8 **Joseph Marc Castro, Jr.** did commit the offense of *First Degree Criminal Sexual Conduct (As*
9 *a First Degree Felony)*, in that he intentionally engaged in sexual penetration with another, to wit:
10 cunnilingus with *K.R.B. (DOB: 01/31/2009)*, a minor under fourteen (14) years of age, in violation
11 of 9 GCA § 25.15 (a)(1) and (b).
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13 **SECOND CHARGE**

14 **Count One**

15 On or about the period between January 1, 2019 to December 31, 2019, *inclusive*, in Guam,
16 **JOSEPH MARC THOMAS DUENAS CASTRO JR., aka Joseph Marc Castro, Jr.** did commit
17 the offense of *Second Degree Criminal Sexual Conduct (As a First Degree Felony)*, in that he did
18 intentionally engage in sexual contact with another, to wit: by causing his mouth to touch the primary
19 genital area of *K.R.B. (DOB: 01/31/2009)*, a minor under fourteen (14) years of age, in violation of
20 9 GCA § 25.20(a)(1) and (b).
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22 **Count Two**

23 On or about the period between January 1, 2019 to December 31, 2019, *inclusive*, in Guam,
24 **JOSEPH MARC THOMAS DUENAS CASTRO JR., aka Joseph Marc Castro, Jr.** did commit
25 the offense of *Second Degree Criminal Sexual Conduct (As a First Degree Felony)*, in that he did
26 intentionally engage in sexual contact with another, to wit: by causing his hand to touch the primary
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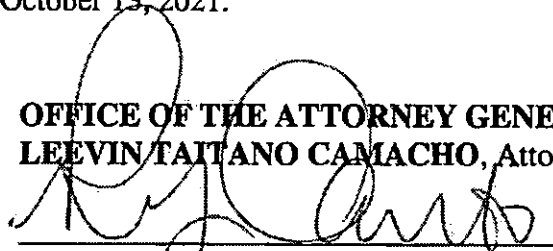
1 genital area of *K.R.B. (DOB: 01/31/2009)*, a minor under fourteen (14) years of age, in violation of
2 9 GCA § 25.20(a)(1) and (b).

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4 **Count Three**

5 On or about the period between January 1, 2019 to December 31, 2019, *inclusive*, in Guam,
6 **JOSEPH MARC THOMAS DUENAS CASTRO JR., aka Joseph Marc Castro, Jr.** did commit
7 the offense of *Second Degree Criminal Sexual Conduct (As a First Degree Felony)*, in that he did
8 intentionally engage in sexual contact with another, to wit: by causing *K.R.B. (DOB: 01/31/2009)*
9 hand to touch his primary genital area, a minor under fourteen (14) years of age, in violation of
10 9 GCA § 25.20(a)(1) and (b).

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12 Dated this day, Wednesday, October 13, 2021.

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14 **OFFICE OF THE ATTORNEY GENERAL**
LEEVIN TAITANO CAMACHO, Attorney General



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16 **RICHELLE Y. CANTO**
17 Assistant Attorney General, Prosecution Division
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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) Report # 21-24929 submitted by Officer J.G. Nucum (#4064), which revealed the following occurred in Guam:

On or about October 11, 2021, at approximately 1:40 p.m., GPD officers received a complaint of a criminal sexual conduct on a minor. Officers discovered **JOSEPH MARC THOMAS DUENAS CASTRO JR.** (defendant) had sexually assaulted a female minor K.R.B. (01/31/2009, 12 years old).

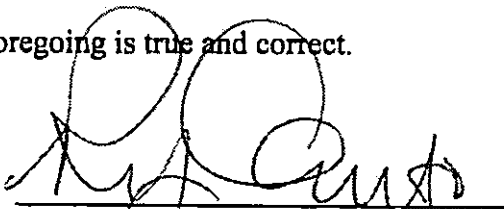
Information was received that **CASTRO** had taken K.R.B. with him in a vehicle sometime during the period of 1/1/2019 to 12/31/2019, under the guise of purchasing water for her *nana*. **CASTRO** took her to a beach instead, and while they were still within the vehicle, **CASTRO** touched K.R.B.'s vagina with his hands, performed cunnilingus on K.R.B., and used K.R.B.'s hands to move upwards and downwards on his penis. **CASTRO** told K.R.B. that "what they are going to do is okay and not to tell anyone cause if he goes to jail its (sic) her fault." K.R.B. indicated she was too afraid of **CASTRO** to stop him, because she had seen him assault her brothers and her mother.

A second incident occurred in the same year, approximately a week after the first. During that incident, **CASTRO** had ordered K.R.B.'s two (2) sisters to exit the bedroom, and closed and locked the bedroom door. **CASTRO** told K.R.B. to take her pants off and licked her vagina. He stopped when the other minors started to knock on the door.

Based on the foregoing, there is probable cause to charge **JOSEPH MARC THOMAS DUENAS CASTRO JR.** with the following:

1. Two (2) counts of **FIRST DEGREE CRIMINAL SEXUAL CONDUCT** (as a First Degree Felony), in violation of Title 9 G.C.A. §25.15(a)(1) and (b)
 - a. *Count one - period between January 1 to December 31, 2019, cunnilingus with K.R.B.;*
 - b. *Count two - period between January 1 to December 31, 2019, but at a time different from the above count, cunnilingus with K.R.B.;*
2. Three (3) counts of **SECOND DEGREE CRIMINAL SEXUAL CONDUCT** (as a First Degree Felony), in violation of Title 9 G.C.A. §25.20(a)(1) and (b), as follows:
 - a. *Count one - period between January 1 to December 31, 2019, causing his mouth to touch the primary genital area of K.R.B.;*
 - b. *Count two - period between January 1 to December 31, 2019, causing his hand to touch the primary genital area of K.R.B.;*
 - c. *Count three - period between January 1 to December 31, 2019, causing K.R.B.'s hand to touch his primary genital area.*

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 13th day of October, 2021.



RICHELLE Y. CANTO
Assistant Attorney General