

1 is, an amphetamine-based substance, in violation of 9 GCA §§ 67.401.2(a) and (b).

2 **SECOND CHARGE**

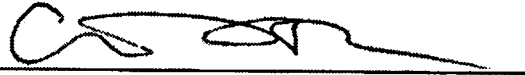
3 On or about the 13th day of October, 2021, in Guam, JOSE INDALECIO DUENAS did
4 commit the offense of *Family Violence (As a Misdemeanor)*, in that he did recklessly cause or
5 attempt to cause bodily injury to another family member or household member, that is, [REDACTED]
6 [REDACTED], in violation of 9 GCA § 30.10(a)(1) and § 30.20(a).

8 **THIRD CHARGE**

9 On or about the 13th day of October, 2021, in Guam, JOSE INDALECIO DUENAS did
10 commit the offense of *Unlawful Restraint (As a Misdemeanor)* in that he knowingly, without legal
11 authority, detain another, that is, [REDACTED] in violation of 9 GCA §§ 22.35(a) and (b).

13 Dated this day, Thursday, October 14, 2021.

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

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18 **ALYSA DRAPER-DEHART**
19 Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

COMES NOW, Alysa Draper-Dehart, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the following is true. I have reviewed the Guam Police Case No. 21-25082 and 21-25085 submitted by Officer Cruz and others, which revealed the following occurred in Guam:

On or about Wednesday, October 13, 2021 at around 7:45 am, officers responded to an assault complaint on Artemio Cruz Rd., Yona. Officers responded to the road and noted a vehicle fitting the description. Upon approaching, the officer observed two individuals in the vehicle later to be identified as [REDACTED] ("Victim") in the front passenger seat, and JOSE INDALECIO DUENAS ("Defendant") in the driver seat. The officer contacted the Defendant and apprised them of his presence when the Defendant stated "Yes officer we just had an argument." The officer noted that the Victim had a swollen left eyelid with a laceration. The officer had both individuals exit the vehicle and approached the Defendant. When the officer stated he was going to pat down the Defendant for officer safety, the Defendant stated "Sir I'm not going to lie I have an [sic] drugs in my back pocket." The officer asked the Defendant to pull it out and the Defendant produced a pouch with an open zipper. The pouch had a hard container and a pipe "with suspected methamphetamines within." The Officer then arrested the Defendant for the possession of a controlled substance.

The officer also spoke with the Victim who stated that the Defendant, her boyfriend, had heard her on the phone and had gotten angry. That he had yelled at her and started hitting her with "a closed fist and open palm all over the face and her body." She had tried to get out of the car but the Defendant closed the door on her and that she curled up as the Defendant continued to hit her. The Victim stated she and the Defendant have been in a relationship for a year.


The officer noted the Victim had a laceration to the left eye lid, swelling to the left forearm and scratch on the left bicep.

Officers located in the bag a glass pipe with brown residue, a plastic heat-sealed straw containing crystalline residue, a plastic straw with one end heat sealed, and a plastic resealable packet containing crystalline substance suspected to be methamphetamine. A field test was conducted of the resalable packet which resulted in a presumptive positive for methamphetamine.

Based on the foregoing, there is probable cause to charge JOSE INDALECIO DUENAS with:

1. **POSSESSION OF A SCHEDULE II CONTROLLED SUBSTANCE (As a Third-Degree Felony)** in violation of title 9 GCA §67.401.2(a) and (b).
2. **FAMILY VIOLENCE** (as a Misdemeanor), in violation of 9 GCA § 30.10 (a)(1) and § 30.20 (a)
3. **UNLAWFUL RESTRAINT** (as a Misdemeanor) in violation of 9 GCA § 22.35 (a) and (b)

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 14th day of October, 2021



ALYSA DRAPER-DEHART