

1 cause bodily injury to [REDACTED] with a deadly weapon, *that is: brass knuckles*, in violation
2 of 9 GCA § 19.20(a)(3) and (b).

3
4 ***SPECIAL ALLEGATION:***
Deadly Weapon Used in Commission of a Felony

5 On or about the 24th day of October, 2021, in Guam, BJ IFRAIM did
6 knowingly and unlawfully possess or use a deadly weapon, *that is: brass knuckles*,
7 in the commission of a felony, *that is: Aggravated Assault (As a Third Degree*
8 *Felony)*, in violation of 9 GCA § 80.37.

9
10 **SECOND CHARGE**

11 On or about the 24th day of October, 2021, in Guam, BJ IFRAIM did commit the offense
12 of *Family Violence (As a Third Degree Felony)*, in that he did recklessly cause or attempt to cause
13 bodily injury to another family member or household member, *that is: [REDACTED]*, in violation
14 of 9 GCA §§ 30.10(a)(1) and 30.20(a).

15
16 ***SPECIAL ALLEGATION:***
Deadly Weapon Used in Commission of a Felony

17
18 On or about the 24th day of October, 2021, in Guam, BJ IFRAIM did
19 knowingly and unlawfully possess or use a deadly weapon, *that is: brass knuckles*,
20 in the commission of a felony, *that is: Family Violence (As a Third Degree Felony)*,
21 in violation of 9 GCA § 80.37.

22
23 Dated this day, Monday, October 25, 2021.

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

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28 **RENAIDA Z. SAN NICOLAS**
Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM

DECLARATION

I, RENAIDA Z. SAN NICOLAS, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Report 21-26185 submitted by Guam Police Officers which revealed the following occurred in Guam:

On or about October 24, 2021, at approximately 1:55 a.m., Guam Police officers responded to a disturbance complaint at a residence in Tamuning. Narnie Polly Arthur ("Narnie") reported that BJ IFRAIM ("Defendant") had assaulted the Defendant's brother [REDACTED] ("Victim") earlier that night.

The Defendant had arrived home around 12:30 a.m. that morning. The Defendant appeared to be intoxicated. The Victim was sleeping on the couch at the time. The Defendant began to yell at the Victim for him to call Wackson Ifraim ("Wackson") to come over to the residence because the Defendant wanted to beat Wackson up. The Victim did not say anything to the Defendant and tried to go up the stairs to tell their father Tonny Arthur Sr. ("Tonny Sr.") The Defendant told the Victim to stop and the Victim still did not say anything to the Defendant. While the Defendant was wearing brass knuckles, the Defendant then punched the Victim on the head. The Victim was able to go up the stairs and told Tonny Sr. that the Defendant was drunk and acting aggressively. Tonny Sr. and his wife went down stairs and were trying to detain the Defendant.

Wackson later arrived and was able to subdue the Defendant until the police arrived.

Officers conducted an injury check on the Victim and noted an abrasion on the right side of his head and swelling above one of his ears. The officers also located the brass knuckles and confiscated them.

When the officers asked if the Defendant had consumed any alcohol, the Defendant replied "a lot, but I only drank after work. I just got off work." The Defendant stated that he got off work at 9pm. The officers observed that the Defendant's eyes were bloodshot and that he had a strong odor of a possible intoxicating beverage emanating from his person. When asked what had happened, the Defendant replied "I don't remember things when I drink. I become a monster!" The Defendant then laid down on a bench and went to sleep.

Based on the foregoing, there is probable cause to charge BJ IFRAIM with:

1. **AGGRAVATED ASSAULT** (as a Third Degree Felony), in violation of 9 GCA § 19.20(a)(3), (b) with a **Special Allegation: Deadly Weapon Used in Commission of a Felony** pursuant to 9 GCA §. 80.37; and
2. **FAMILY VIOLENCE** (as a Third-Degree Felony), in violation of 9 G.C.A. § 30.10(a)(1) and 9 G.C.A. § 30.20(a) with a **Special Allegation: Deadly Weapon Used in Commission of a Felony** pursuant to 9 GCA §. 80.37.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 25th day of October, 2021.


RENAIDA Z. SAN NICOLAS