

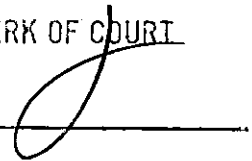


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 SUPERIOR COURT  
 OF GUAM

2021 OCT -5 AM 11:23

CLERK OF COURT

By: 

Attorneys for the People

**IN THE SUPERIOR COURT OF GUAM  
 HAGÁTÑA, GUAM**

**CM 0386-21**

PEOPLE OF GUAM,

S.C. Criminal Case No.: CM  
 GPD Case No.: 21-24273

vs.


Charge:

**ASAKY ASAUO NIOSY**  
*(aka Niosy Asaky; aka Asaky Liosy),*  
 DOB: 08/04/1984 or 08/04/1982 or  
 08/04/1985 or 08/04/1986 or 08/05/1983  
 Defendant.

**FAMILY VIOLENCE**  
 (As a Misdemeanor)


**MAGISTRATE'S COMPLAINT**

The Attorney General of Guam hereby accuses **ASAKY ASAUO NIOSY** (*aka Niosy Asaky; aka Asaky Liosy*) of a certain crime committed as follows:

On or about October 4, 2021, in Guam, **ASAKY ASAUO NIOSY** (*aka Niosy Asaky; aka Asaky Liosy*) did commit the offense of *Family Violence (As a Misdemeanor)*, in that, he did recklessly cause or attempt to cause bodily injury to another family member or household member, that is,  in violation of 9 GCA §§ 30.10(a)(1), (b) and 30.20(a).

Dated: October 5, 2021

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

  
 ROLLAND B. WIMBERLEY  
 Assistant Attorney General, Prosecution Division

**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 following is true and correct to the best of my knowledge:

I have reviewed Guam Police Report No. 21-24273 submitted by Guam Police Department Officers J.C. Conner and J. Quenga which sets forth the following events occurred on Guam:

On or about October 4, 2021 at approximately 11:30 P.M., Officers responded to a complaint at Tenal Care Center in Harmon. Upon arriving, Officers were informed by [REDACTED] (victim) that she was assaulted by her boyfriend, who she later identified as **Asaky Asauo Niosy** (Defendant). Officers noted that she appeared distraught.

[REDACTED] stated to officers that the defendant was driving her to work at about 11 PM. She asked him to turn the volume of the stereo down as to not bother her patients. As she exited the vehicle and walked towards the Renal Care Center, the Defendant also exited and followed her. The Defendant then sprayed the victim with pepper spay on her back and neck area. The victim then told her two kids to exit the vehicle and follow her inside the Renal Care Center and away from the Defendant. They locked the door, while the Defendant attempted to open the door.

The officer conducted an injury check and noted the victim had redness to her upper back. The Victim stated that she did need medical attention for her injury and that she was feeling dizzy. She was transported to GRMC by medics.

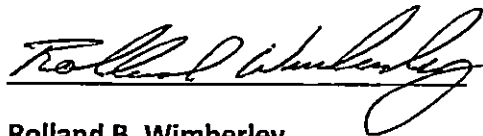
Officers met with the Defendant and read him the Miranda rights, which he signed and waived. The Defendant stated that he drove the victim to her work. She asked him to turn the volume down and instead he made it louder. He stated that the victim called him some "bad names", so he got out of the vehicle and sprayed her with pepper spray. He then changed his statement to say he threatened to spray her with AXE spray. He stated that what he had done was irrational.

Based on the foregoing, there is probable cause to charge **Asaky Asauo Niosy** (Defendant):

1. **FAMILY VIOLENCE** (As a Misdemeanor), in violation of 9 GCA §§ 30.10 (a)(1), (b) and 30.20(a).

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

Executed on this 5<sup>th</sup> day of October, 2021.



**Rolland B. Wimberley**

**Assistant Attorney General, *Prosecution Division***