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IN THE SUPERIOR COURT OF GUAM

SUPERIOR COURT  
OF GUAM

PEOPLE OF GUAM,

Criminal Case No. CF0370-19

GPD Report No. 19-12070

v.

ROBSON ROBERT  
(aka ROBSON ROBERD)  
(aka JOHN DOE),  
DOB: 06/16/1974

DECISION AND ORDER  
GRANTING  
THE PEOPLE'S MOTION  
TO REVOKE PROBATION

Defendant.

**INTRODUCTION**

This matter came before the Honorable Alberto C. Lamorena, III on April 29, 2025 for a Revocation Hearing in the above-captioned matter related to Robson Robert's (aka Robson Roberd's) (aka John Doe's) ("Defendant's") failure to abide by his probationary terms. Defendant was represented by Assistant Public Defender Zachary Taimanglo. The People of Guam were represented by Assistant Attorney General Grant Olan. Having duly considered the Parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order Granting the People's Motion to Revoke Probation.

**BACKGROUND**

On March 18, 2022, Defendant entered a plea of guilty to six counts of Vehicular Negligence (as a 3<sup>rd</sup> Degree Felony). See Judgment of Conviction (Apr. 7, 2022). A judgment was entered imposing the following relevant conditions of probation:

- **NO DRUGS:** Defendant shall not possess or consume any illegal controlled substances or marijuana.
- **COUNSELING/TREATMENT:** Defendant shall report to Client Services and Family Counseling (CSFC) with the Superior Court of Guam for intake and

1 assessment. Defendant shall follow all treatment recommendations including  
2 psychological evaluation, psychiatric evaluation, drug and alcohol evaluation, and  
3 individual, group, and family counseling. CSFC may also, if determined to be  
4 appropriate, refer the Defendant to the Domestic Abuse Project Workshop  
5 administered through the Probation Office of the Superior Court of Guam, and the  
6 Guam Behavioral Health and Wellness Center (GBHWC) for intake and  
7 assessment, and any other agencies or organizations as deemed appropriate.

- 8 • **COUNSELING/TREATMENT:** Defendant shall undergo and successfully  
9 complete a Driving with Care program.
- 10 • **MANDATORY REPORTING:** Defendant shall report to the Adult Probation  
11 Office once a month in person, or as ordered by the Court or the Probation Office.
- 12 • **FINE:** Defendant shall pay a fine of three thousand dollars (\$3,000.00) plus court  
13 costs of eighty dollars (\$80.00). All or part of the fine imposed may be converted  
14 to community service at the current prevailing minimum wage.
- 15 • **COMMUNITY SERVICE:** Defendant shall complete one hundred fifty (150)  
16 hours of community service under the direction of the Adult Probation Office. All  
17 or part of the community service imposed may be converted into a fine at the  
18 current prevailing minimum wage.
- 19 • **COURT ORDERS:** Defendant shall comply with any court orders entered against  
20 Defendant, including orders of family court or any other local or federal court of  
21 competent jurisdiction.

22 Id.

23 On May 27, 2022, a Violation Report was filed indicating that Defendant had tested positive  
24 for both methamphetamine and marijuana in a recent drug test. See Violation Report (May 27, 2022).

25 On August 7, 2023, another Violation Report was filed, indicating that Defendant had not been  
26 attending his required counseling sessions at GBHWC's New Beginnings Program. See Violation  
27 Report (Aug. 7, 2023). The Report also made known that Defendant had not been reporting to the  
28 Probation Office as required. Id.

1 On August 17, 2023, another Violation Report was filed, indicating that Defendant had again  
2 tested positive for methamphetamine in a recent drug test. See Violation Report (Aug. 17, 2023).

3 On September 11, 2023, another Violation Report was filed, indicating that Defendant had  
4 again not been reporting to the Probation Office as required. See Violation Report (Sep. 11, 2023).

5 On December 13, 2023, another Violation Report was filed, indicating that Defendant recently  
6 tested positive for methamphetamine, had not been reporting to the Adult Probation Office, and had  
7 not been attending his Driving with Care classes. See Violation Report (Dec. 13, 2023).

8 On January 4, 2024, another Violation Report was filed, indicating that Defendant hadn't been  
9 reporting to the Probation Office or his treatment classes at GBHWC's New Beginnings Program.  
10 See Violation Report (Jan. 4, 2024). The Report also detailed how Defendant recently refused to take  
11 a mandatory drug test and that he's made no progress in paying off his fines/court costs or working  
12 off his community service hours. Id.

13 On January 10, 2024, another Violation Report was filed, indicating that Defendant had again  
14 refused to take a mandatory drug test for the second time in a week. See Violation Report (Jan. 10,  
15 2024).

16 On February 16, 2024, another Violation Report was filed, indicating that Defendant recently  
17 tested positive for methamphetamine. See Violation Report (Feb. 16, 2024). The Report also details  
18 Defendant's continued failures to report to the Probation Office as required. Id.

19 On June 19, 2024, another Violation Report was filed, indicating that Defendant again tested  
20 positive for methamphetamine in a recent drug test and also failed to take a different drug test. See  
21 Violation Report (Jun. 19, 2024).

22 On July 10, 2024, another Violation Report was filed, indicating that Defendant had not been  
23 reporting to the Probation Office as required. See Violation Report (Jul. 10, 2024).

24 On August 13, 2024, another Violation Report was filed, indicating that Defendant had  
25 recently tested positive for methamphetamine in a drug test. See Violation Report (Aug. 13, 2024).

26 On August 19, 2024, this matter came before the Court for Further Proceedings. See Minute  
27 Entry (Aug. 19, 2024). Defendant failed to appear and a bench warrant was issued for his arrest. See

1 Bench Warrant (Aug. 27, 2024). Defendant would spend the next eight months evading law  
2 enforcement before his eventual arrest in April 2025. See Return of Warrant (Apr. 23, 2025).

3 On January 8, 2024, the People filed their Motion to Revoke Probation and Impose Jail  
4 Sentence (“Motion”). The People base their request on Defendant’s non-compliance with numerous  
5 probation conditions. See Motion (Jan. 8, 2024). Opposing the Motion, Defendant claims he retains  
6 the ability to complete the terms of his probation if given another chance. See Opposition to Motion  
7 (Mar. 6, 2024).

8 On April 29, 2025, the Court held a Revocation Hearing and subsequently took the matter  
9 under advisement. See Minute Entry (Apr. 29, 2025).

### 10 DISCUSSION

11 Guam law specifies the procedures that the Court must follow for revocation of probation.  
12 The relevant statute, in its entirety, states as follows:

13 [T]he court, if satisfied that the offender has inexcusably failed to comply with a  
14 substantial requirement imposed as a condition of the order may revoke the  
15 suspension or probation and sentence or re-sentence the offender. Violation of a  
16 condition shall not result in revocation, however, unless the court determines that  
17 revocation under all the circumstances then existing will best satisfy the ends of  
18 justice and the best interests of the public.

19 See 9 G.C.A. § 80.66(a)(2) (1980).

20 The process for revoking an offender’s probation has been further explained by the Guam  
21 Supreme Court as follows:

22 Probation revocation is a two-step process. First, the trial court must make a factual  
23 determination that a violation of probation actually has occurred. If a violation is  
24 proven, then the Court must determine if the violation warrants revocation of the  
25 probation.

26 See *People of Guam v. Camacho*, 2009 Guam 6 ¶ 27 (internal citations omitted). To revoke a  
27 defendant’s probation, evidence and facts presented to the Court must be “reasonably necessary to  
28 satisfy the judge that the probationer’s conduct has not been as required by the conditions of  
probation.” Id. at ¶ 30 (*citing* *People v. Angoco*, 1998 Guam 10).

1 The Court also cannot order revocation unless the offender is provided with written notice  
2 of grounds for revocation of probation. See 9 G.C.A. § 80.68(a). At the hearing, the offender shall  
3 “have the right to hear and controvert the evidence against him, to offer evidence in his defense and  
4 to be represented by counsel.” Id. Should the Court revoke an offender’s probation, “it may impose  
5 on the offender any sentence that might have been imposed originally for the crime of which he  
6 was convicted.” See 9 G.C.A. § 80.66(b).

8 It remains undisputed that Defendant violated his probation conditions and that there is  
9 probable cause to support the violations. Defendant repeatedly consumed methamphetamine  
10 throughout the course of his probation, failed to report to the Probation Office as required, and  
11 skipped mandatory treatment sessions at GBHWC. Furthermore, Defendant has made no progress  
12 on paying off his fines or completing his community service hours.

14 Having found that Defendant was in violation of his probation requirements, the next  
15 question the Court must resolve is whether “revocation under all the circumstances . . . will best  
16 satisfy the ends of justice and the best interests of the public.” See 9 G.C.A. § 80.66(a)(2).

17 Based on a review of the record, Defendant has exhausted the trust of the Court by violating  
18 numerous probationary conditions. Defendant’s history of repeatedly violating the same probation  
19 conditions over and over again suggests that Defendant will not comply with future orders from the  
20 Court or the Probation Office.

22 Were probation continued, it appears unlikely that any significant progress would be made  
23 in positively altering Defendant’s behavior and ensuring compliance with the Court’s orders.  
24 Therefore, the Court finds that revocation is in the public’s best interest and satisfies the ends of  
25 justice. See 9 GCA § 80.66(a)(2).

### 27 CONCLUSION

1 For the reasons stated above, the Court hereby **REVOKES** the Defendant's probation in the  
2 above-captioned matter. The Defendant is hereby **SENTENCED** to **three (3) years incarceration**  
3 at the Department of Corrections, Mangilao with credit for time served. After the completion of  
4 the Defendant's sentence the Court shall close the above-captioned case.  
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6 **IT IS SO ORDERED** this June 24, 2025  
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8  
9 **HONORABLE ALBERTO C. LAMORENA III**  
10 **Presiding Judge, Superior Court of Guam**  
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23 **SERVICE VIA E-MAIL**

I acknowledge that an electronic  
copy of the original was e-mailed to:

24 Ag's PDSC

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Date: Time: 2:53 PM

26 Evan L. Topasna  
27 Deputy Clerk, Superior Court of Guam  
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