

IN THE SUPERIOR COURT OF GUAM

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PEOPLE OF GUAM,

v.

JORDAN YAITCH MARTINEZ,
DOB: 01/15/1994

Defendant.

SUPERIOR COURT
Criminal Case No. CM0356-20
GPD Report Nos. 20-20170

DECISION AND ORDER
REVOKING
DEFENDANT'S PROBATION

INTRODUCTION

This matter came before the Honorable Alberto C. Lamorena, III on February 27, 2026 for a Revocation Hearing in the above-captioned matter related to Jordan Yaitch Martinez's ("Defendant's") failure to abide by his probationary terms. Defendant was represented by Alternate Public Defender Peter Santos. The People of Guam were represented by Assistant Attorney General Larry Paul Sirmans. Having duly considered the Parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order Revoking Defendant's Probation.

BACKGROUND

On March 31, 2021, Defendant entered a plea of guilty to Driving While Impaired (Second Offender) (as a Misdemeanor). See Amended DWI Court Judgment & Commitment Order (May 3, 2021). A judgment was entered imposing the following relevant conditions of probation:

- **FINE:** Defendant shall pay a fine of two thousand dollars (\$2,000.00) plus court costs of eighty dollars (\$80.00). All or part of the fine imposed may be converted to community service at the current prevailing minimum wage.
- **COUNSELING/TREATMENT:** Defendant shall report to the Guam Behavioral Health & Wellness Center (GBHWC) for an intake and a drug and alcohol assessment. Defendant shall follow all treatment plans as may be recommended by the drug and alcohol assessment counselor.

- **MANDATORY REPORTING:** Defendant shall report to the Adult Probation Office once a month in person, or as ordered by the Court or the Probation Office.
- **COURT ORDERS:** Defendant shall comply with any court orders entered against Defendant, including orders of family court or any other local or federal court of competent jurisdiction.

Id.

On October 19, 2022, a summons was issued for Defendant's appearance at a Further Proceedings hearing scheduled for this matter on January 26, 2023. See Summons (Oct. 19, 2022). However, Defendant disobeyed the Court's orders and failed to appear at that hearing. See Minute Entry (Jan. 26, 2023). A bench warrant was subsequently issued for Defendant's arrest, and Defendant spent the next several years on the run from law enforcement until his eventual arrest in October 2025. See Bench Warrant (Jan. 31, 2023); Return of Warrant Service (Oct. 22, 2025).

On January 25, 2023, a Violation Report was filed indicating that Defendant failed to appear at GBHWC for his treatment sessions, hadn't reported to the Adult Probation Office for several months, and had made little progress on paying off his fine & court costs. See Violation Report (Jan. 25, 2023).

On February 16, 2026, the People filed their Motion to Revoke Defendant's Probation ("Motion"). The People base their request on Defendant's non-compliance with numerous probation conditions. See Motion (Feb. 16, 2026).

On February 27, 2026, the Court held a Revocation Hearing and subsequently took the matter under advisement. See Minute Entry (Feb. 27, 2026).

DISCUSSION

Guam law specifies the procedures that the Court must follow for revocation of probation.

The relevant statute, in its entirety, states as follows:

[T]he court, if satisfied that the offender has inexcusably failed to comply with a substantial requirement imposed as a condition of the order may revoke the suspension or probation and sentence or re-sentence the offender. Violation of a condition shall not result in revocation, however, unless the court determines that

1 revocation under all the circumstances then existing will best satisfy the ends of
2 justice and the best interests of the public.

3 See 9 G.C.A. § 80.66(a)(2) (1980).

4 The process for revoking an offender's probation has been further explained by the Guam
5 Supreme Court as follows:

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

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

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

21 It remains undisputed that Defendant violated his probation conditions and that there is
22 probable cause to support the violations. Defendant disobeyed this Court's orders by failing to
23 appear at required court proceedings. See Minute Entry (Jan. 26, 2023). Defendant also failed to
24 complete his required treatment/counseling sessions at GBHWC, failed to report monthly to the
25 Adult Probation Office, and made little progress on paying off his fines and court costs. See
26 Violation Report (Jan. 25, 2023).

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

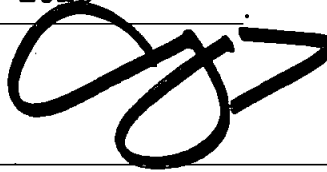
4 Based on a review of the record, Defendant has exhausted the trust of the Court by violating
5 numerous probationary conditions. Defendant failed to obey this Court's orders when he disobeyed
6 the summons and spent several years on the run from law enforcement. This suggests Defendant
7 won't comply with future orders of this Court or the Adult Probation Office.

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

14 **CONCLUSION**

15 For the reasons stated above, the Court hereby **REVOKES** the Defendant's probation in the
16 above-captioned matter. The Defendant is hereby **SENTENCED** to **one (1) year incarceration** at
17 the Department of Corrections, Mangilao with credit for time served. After the completion of the
18 Defendant's sentence the Court shall close the above-captioned case.

20 **IT IS SO ORDERED** this March 9, 2026

21 

23 **HONORABLE ALBERTO C. LAMORENA III**
24 **Presiding Judge, Superior Court of Guam**