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SUPERIOR COURT
OF GUAM

IN THE SUPERIOR COURT OF GUAM

PEOPLE OF GUAM,

CRIMINAL CASE NO. CF0316-25

vs.

DECISION AND ORDER

CHRIS JUNIOR ANDERSON
TEDTAOTAO,

Defendant.

INTRODUCTION

This matter came before the Honorable Vernon P. Perez on April 29, 2026, for hearing on Defendant **CHRIS JUNIOR ANDERSON TEDTAOTAO's** ("Defendant") Motion to Dismiss. Present were Assistant Attorney General Nicholas Ennis on behalf of the People of Guam ("the Government") and Defendant with counsel, George N. Valdes. Having reviewed the pleadings, the arguments presented, and the record, the Court now issues the following Decision and Order.

BACKGROUND

On May 16, 2025, Defendant was indicted with the following charges: (1) Possession of a Concealed Firearm (As a Third Degree Felony); (2) Possession of a Firearm without a Firearms Identification Card (As a Third Degree Felony); (3) Possession of a Schedule II Controlled Substance (As a Third Degree Felony); (4) Theft by Receiving Stolen Firearm (As a Third Degree Felony); (5) Impersonating a Police Officer (As a Misdemeanor); (6) Eluding a Police Officer (As a Misdemeanor); and (7) Display of Blue Lights (As a Violation). (Indictment, May 16, 2025). On September 9, 2025, a grand jury returned a Superseding Indictment, adding the charge

1 of Theft by Receiving Stolen Firearm (As a Third Degree Felony). (Superseding Indictment,
2 Sept. 9, 2025).

3 On April 6, 2026, Defendant filed the instant Motion. On April 20, 2026, the Government
4 filed its Opposition. On April 27, 2026, Defendant filed his Reply.

5 On April 29, 2026, the Court heard arguments on the Motion and subsequently placed the
6 matter under advisement.

7 **DISCUSSION**

8 Defendant moves the Court to dismiss the Third Charge of Possession of an Unregistered
9 Firearm (As a Third Degree Felony) and the Fifth Charge of Theft by Receiving a Stolen Firearm
10 (As a Third Degree Felony), as contained in the Superseding Indictment because the Government
11 cannot prove either charge beyond a reasonable doubt.¹ *See generally*, Mot. Dismiss, Apr. 6,
12 2026. The Government opposes, arguing that Defendant applies the wrong legal standard and is
13 disputing factual matters reserved for trial. *See generally*, Opp'n, Apr. 20, 2026. In Reply,
14 Defendant also argues that there was insufficient evidence presented to the grand jury to support
15 a finding of probable cause for the Fifth Charge. (Reply at 2, Apr. 27, 2026).

16 As an initial matter, Defendant relies on 8 G.C.A. § 90.21(a), which describes the burden
17 of proof at trial.² As the Government correctly sets forth, section 90.21 does not govern grand
18

19 ¹ Charges Three and Five of the Superseding Indictment read as follows:

20 **CHARGE THREE**

21 On or about May 8, 2025, in Guam, **CHRIS JUNIOR ANDERSON TEDTAOTAO**, did commit
22 the offense of *Possession of an Unregistered Firearm (As a 3rd Degree Felony)*, in that he
23 knowingly own or possesses an unregistered firearm, in violation of 10 GCA §§ 60110 and
24 60121(a).

25 **CHARGE FIVE**

26 On or between April 19, 2025 through May 8, 2025, inclusive, in Guam, **CHRIS JUNIOR
27 ANDERSON TEDTAOTAO**, did commit the offense of *Theft by Receiving Stolen Firearm (As
28 a 3rd Degree Felony)*, in that he did intentionally receive, retain and dispose of the movable property
of *Kristopher Ryan Canciller Ilagan*, that is, a firearm, knowing that it had been stolen or believing
that it had probably been stolen, in violation of 9 GCA §§ 43.50(a), 43.20(b), and 43.15.

(Superseding Indictment, Sept. 9, 2025).

² Section 90.21(a) provides that “[n]o person may be convicted of an offense unless each element of the offense is proved beyond a reasonable doubt.” 8 GCA § 90.21(a).

1 jury proceedings. At this stage, the question is whether the grand jury had probable cause to
2 return the charges set forth in the indictment. *See* 8 G.C.A. § 50.54(b) (emphasis added) (the
3 grand jury “shall find an indictment when from the evidence presented there is *reasonable cause*
4 to believe that an indictable offense has been committed and that the defendant committed it.”);
5 *People v. San Nicolas*, 2013 Guam 21 ¶ 10 (“An indictment will not be set aside or a prosecution
6 thereon prohibited if there is some rational ground for assuming the possibility that an offense has
7 been committed and the accused is guilty of it.”); *Costello v. United States*, 350 U.S. 359, 363
8 (1956) (“An indictment returned by a legally constituted and unbiased grand jury, like an
9 information drawn by the prosecutor, if valid on its face, is enough to call for trial of the charge
10 on the merits.”). “The key to ensuring that the grand jury system works as it should is to ensure
11 that the grand jury has indicted based on a finding of probable cause for the ‘offense
12 charged.’” *Id.* at ¶ 21 (citation omitted). “For purposes of this statute . . . ‘reasonable cause’ and
13 ‘probable cause’ are equivalent in meaning.” *Id.* at ¶ 12, fn. 5 (citations omitted).

14 **A. Charge Three – Possession of an Unregistered Firearm**

15 The Third Charge of the Superseding Indictment alleges Defendant violated 10 GCA §§
16 60110 and 60121(a). (Superseding Indictment, Sept. 9, 2025). Under Guam law, it is a criminal
17 offense to knowingly own or possess an unregistered firearm. 10 G.C.A. § 60121(a). “Any
18 person purchasing, receiving by gift, device or otherwise, acquiring or otherwise coming into
19 permanent possession of a firearm, the possession of which is permitted by [Guam law], shall
20 register the same with the Department within three (3) working days after acquiring said firearm.”
21 10 G.C.A. § 60110. Although Defendant argues that it would be “legally impossible” to convict
22 him of the Third Charge beyond a reasonable doubt, the standard at this stage is whether or not
23 probable cause exists to support the charge. Officer Eugene Pewtress and OAG Investigator Hugh
24 Williams testified before the grand jury regarding the recovery of the firearm under the front
25 passenger seat of Defendant’s vehicle; the attempted obliteration of the serial number;
26 investigative steps linking the firearm to a burglary; and how the firearm passed through several
27 individuals before coming into Defendant’s possession, none of whom were the registered owner.
28 Although the firearm was registered to Michael Thomason, Jr. – a fact presented to the grand jury

1 – it was not registered to Defendant. In light of the evidence presented to the grand jury, the
2 Court finds that probable cause exists to support Charge Three and therefore declines to dismiss
3 it at this stage.

4 **B. Charge Five – Theft by Receiving Stolen Firearm**

5 The Fifth Charge of the Superseding Indictment alleges that Defendant violated 9 GCA
6 §§ 43.50(a); 43.20(b); and 43.15. Under Guam law, a person commits an offense if he
7 “intentionally receives, retains or disposes of movable property of another knowing that it has
8 been stolen or believing that it has probably been stolen.” 9 G.C.A. § 43.50(a). Here, Defendant
9 argues that neither Thomason, the registered owner of the firearm, nor Kristopher Illagan, were
10 ever shown the firearm recovered from the Tahoe to confirm that it was the same firearm reported
11 stolen. (Mot. at 4). Defendant further contends that because the firearm reported stolen by Ilagan
12 actually belonged to Thomason, Charge Five would be “impossible to prove beyond a reasonable
13 doubt.” *Id.* at 5. As previously noted, however, the standard at this stage is not proof beyond a
14 reasonable doubt, but whether probable cause exists to support the charge. The grand jury heard
15 testimony that the firearm had been in Ilagan’s possession before he reported it stolen, and that
16 another individual admitted to selling the firearm to another person who ultimately transferred it
17 to Defendant. Under Guam law, “property of another includes property in which any person
18 other than the defendant has an interest that the defendant is not privileged to infringe, regardless
19 of the fact that the defendant also has an interest in the property and regardless of the fact that the
20 other person might be precluded from civil recovery because the property was used in an unlawful
21 transaction or was subject to forfeiture as contraband.” 9 G.C.A. § 43.10(e). The statutory
22 definition is broad and does not require the stolen firearm to belong exclusively to Ilagan.

23 Defendant also argues that the grand jury lacked sufficient evidence to find probable cause
24 because “there is no indication that [it] ever received information that the purported serial number
25 of the firearm ‘was difficult to discern’” nor was the firearm presented for its view. (Reply at 2).
26 Officer Pewtress testified before the grand jury that the serial number plate had been scraped – an
27 attempted obliteration – and that the serial number was therefore difficult to read. The evidence
28 before the grand jury—including the chain of transfers, the attempted obliteration of the serial

1 number, and the firearm's recovery from the vehicle Defendant was driving—likewise supports
2 a reasonable inference that Defendant knowingly received stolen property. Defendant's
3 challenges to the quality of the identification, the ownership chain, or the credibility of witness
4 statements go to evidentiary weight and are issues for the trier of fact. Accordingly, the Court
5 declines to dismiss Charge Five at this time.

6 **CONCLUSION**

7 For the foregoing reasons, the Court hereby DENIES Defendant's Motion to Dismiss.

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9 **IT IS SO ORDERED** this 17th day of July, 2026.

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12 HONORABLE VERNON P. PEREZ
13 Judge, Superior Court of Guam
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24 **SERVICE VIA E-MAIL**

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

G. Valdes, AG

27 Date: 7/17/26 Time: 10:04am

28 Antonio J. Carr
Deputy Clerk, Superior Court of Guam