



Office of the Attorney General  
**Leevin Taitano Camacho**  
 Attorney General of Guam  
**Prosecution Division**  
 590 S. Marine Corps Drive  
 Ste. 901 (mailing) / 801 (physical)  
 Tamuning, Guam 96913 • USA  
 (671) 475-3406 • (671) 477-3390 (Fax)  
[www.guamag.org](http://www.guamag.org)

Attorneys for the People

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

PEOPLE OF GUAM,

vs.

**JOEBERT BOISER CARLOS,**  
 DOB: 01/22/1978

Defendant.

S.C. Criminal Case No.: **CF 0654-19**  
 GPD Case No: 19-35267

**Charges:**

1. **CRIMINAL MISCHIEF**  
 (As a 3<sup>rd</sup> Degree Felony)
2. **ASSAULT**  
 (As a Misdemeanor)
3. **DISORDERLY CONDUCT**  
 (As a Petty Misdemeanor)

**MAGISTRATE'S COMPLAINT**

The Attorney General of Guam hereby accuses **JOEBERT BOISER CARLOS** of certain crimes committed as follows:

**CHARGE ONE**

On or about December 3, 2019, in Guam, **JOEBERT BOISER CARLOS** did commit the offense of *Criminal Mischief (As a 3rd Degree Felony)*, in that he did intentionally damage the motor vehicle of another, to wit: *Guam Police Department*, in violation of 9 GCA §§ 34.50(d) and 34.60(a).

**CHARGE TWO**

On or about December 3, 2019, in Guam, **JOEBERT BOISER CARLOS** did commit the offense of *Assault (As a Misdemeanor)*, in that he did recklessly cause or attempt to cause bodily

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 SUPERIOR COURT  
 OF GUAM

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1 injury to another, that is, *Eric M. Cruz*, in violation of 9 GCA §§ 19.30(a)(1) and (e).

2  
3 **CHARGE THREE**

4 On or about December 3, 2019, in Guam, **JOEBERT BOISER CARLOS** did commit the  
5 offense of *Disorderly Conduct (As a Petty Misdemeanor)*, when he recklessly created a risk of  
6 public inconvenience, annoyance and alarm by engaging in fighting, threatening, or violent and  
7 tumultuous behavior and the defendant intended to cause substantial harm or serious inconvenience  
8 and he persisted in the conduct after a reasonable warning and request to desist, in violation of 9  
9 GCA §§ 61.15(a)(1), (b) and (c), as amended.

10 December 4, 2019

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

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15 **PETER J. SANTOS**  
16 Assistant Attorney General, Prosecution Division

**IN THE SUPERIOR COURT OF GUAM**  
**DECLARATION**

COMES NOW, Peter J. Santos, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the following is true. I have reviewed GPD Case Nos. 19-35267 which sets forth the following events occurred on Guam.

On December 03, 2019 at about 12:05 p.m. a Guam Police Department Officer conducting routine patrol and checks at Ypao Beach in Tumon was flagged down by a Department of Parks and Recreation lifeguard. The lifeguard was holding onto the arm of **JOEBERT BOISER CARLOS** whose hands were restrained behind him with plastic zip ties. **JOEBERT BOISER CARLOS**'s clothes were soiled and he had sand on his head and facial area and there were fresh abrasions on his arms and knees, indicating **JOEBERT BOISER CARLOS** had been involved in a physical altercation or struggle.

The lifeguard began to explain what transpired when **JOEBERT BOISER CARLOS** kicked the front passenger side fog light assembly of a Guam Police Department patrol car and became disorderly, belligerent and combative. The Guam Police Officer executed a leg sweep on **JOEBERT BOISER CARLOS** and knocked him to the ground and later placed him under arrest and then placed him in the back seat of his patrol car. **JOEBERT BOISER CARLOS** continued to be combative and was kicking and using his shoulder to attempt to damage the interior of the patrol car.

The lifeguard then explained that a male individual had alerted him that **JOEBERT BOISER CARLOS** attempted to punch him and was calling to other people at the park to fight and was swinging punches at random people. As the lifeguard confronted **JOEBERT BOISER CARLOS**, he took a bladed fighting stance and grabbed the lifeguard's sunglasses off his face and attempted to punch the lifeguard. The lifeguard then ran back to his lifeguard tower and grabbed his radio and zip ties and again confronted **JOEBERT BOISER CARLOS**. **JOEBERT BOISER CARLOS** again tried to punch the lifeguard but again missed. The lifeguard then executed a takedown of **JOEBERT BOISER CARLOS** and then turned him over so his stomach faced the ground and the lifeguard was able to secure **JOEBERT BOISER CARLOS**'s hands behind his back.

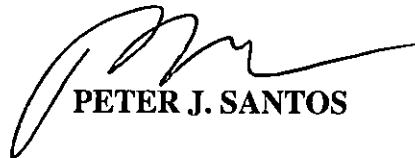
The Officer contacted another Officer nearby who was taking a report of theft of property and requested the victims of the theft to be brought over to see if they could identify **JOEBERT BOISER CARLOS** as the suspect in the theft since **JOEBERT BOISER CARLOS** matched the physical description of suspect in the theft. While waiting for the theft victims to arrive, **JOEBERT BOISER CARLOS** told the Officer that his last name was "Immaculate Conception" and that his home address is "earth." **JOEBERT BOISER CARLOS** then began speaking Tagalog which the Officer recognized but could not understand. **JOEBERT BOISER CARLOS** was taken from the patrol vehicle and shown to the theft victims which confirmed that he was not the suspect in the theft. On the way back to the patrol car, **JOEBERT BOISER CARLOS** started walking away toward the beach and had to be physically directed back to the patrol car and as they approached the patrol car **JOEBERT BOISER CARLOS** thrust himself backwards towards the officer and kicked the rear bumper of the patrol car. The officer then conducted an open palm

strike to the abdomen of **JOEBERT BOISER CARLOS** to gain compliance, after which **JOEBERT BOISER CARLOS** was placed back into the patrol car. During transport to Tumon Tamuning Precinct, **JOEBERT BOISER CARLOS** continuously kicked the metal cage in the patrol car and was instructed to cease, however he continued doing so throughout the entire ride from Ypao beach to the precinct. **JOEBERT BOISER CARLOS** was noted to also have what appeared to be older injuries to his knuckles to which he replied he was fighting a beach in Guam and that he is the bodyguard of "Santo Papa" (the Pope) and that he defends the church from evil spirits. **JOEBERT BOISER CARLOS** was treated for injuries by GFD Medics.

Based on the foregoing, there is probable cause to charge **JOEBERT BOISER CARLOS** with:

- **Criminal Mischief (3rd Degree Felony)** in violation of Title 9 GCA §34.50(d),
- **Assault (Misdemeanor)** in violation of Title 9 GCA §19.30 (a) (1),
- **Disorderly Conduct (Petty Misdemeanor)** in violation of Title 9 GCA §61.15(a)

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 4th day of December, 2019.



**PETER J. SANTOS**

Note: **JOEBERT BOISER CARLOS** was recently arrested on December 1, 2019 and charged with Family Violence. **CM0520-19**. In that case it was noted that **JOEBERT BOISER CARLOS** had lacerations to his right hand in his knuckles and abrasions on his head and knees.