



FILED  
SUPERIOR COURT  
OF GUAM

2020 JAN 27 PM 2:15

CLERK OF COURT

By:

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

Attorneys for the People of Guam

IN THE SUPERIOR COURT OF GUAM  
HAGÁTÑA, GUAM

CF 0062-20

PEOPLE OF GUAM,	)	S.C. Criminal Case No.: CF _____
	)	GPD Police Report No.: 2020-02602
	)	
vs.	)	Charges:
	)	
<b>KATNER HERRY,</b>	)	1) <b>MURDER</b>
DOB: 02/24/1994	)	(As a First Degree Felony)
	)	2) <b>AGGRAVATED ASSAULT</b>
Defendant.	)	(As a Second Degree Felony)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **KATNER HERRY** of certain crimes committed as follows:

FIRST CHARGE

On or about the 26<sup>th</sup> day of January, 2020, in Guam, **KATNER HERRY**, did commit the offense of *Murder (As a First Degree Felony)*, in that he recklessly caused the death of another human being, that is *Lucianna Polly*, under circumstances manifesting extreme indifference to the value of human life, in violation of 9 GCA §§16.40(a)(2) and(b).


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SECOND CHARGE**

On or about the 26<sup>th</sup> day of January, 2020, in Guam, **KATNER HERRY**, did commit the offense of *Aggravated Assault (As a Second Degree Felony)*, in that he did recklessly cause or attempt to cause serious bodily injury to another, that is, *Lucianna Polly*, in violation of 9 GCA §§ 19.20(a)(2).

Dated this day, Monday, January 27, 2020.

**OFFICE OF THE ATTORNEY GENERAL**  
**LEEVIN TAITANO CAMACHO**, Attorney General

  
\_\_\_\_\_  
**SEAN E. BROWN**  
Assistant Attorney General, Prosecution Division

**IN THE SUPERIOR COURT OF GUAM**

**DECLARATION**

COMES NOW, SEAN BROWN, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the following is true.

I have reviewed a synopsis of Guam Police Report No. 20-2602 submitted by GPD Officer E.M.Q. Mondia which sets forth that the following events occurred on Guam.

On or about January 25, 2020, police responded to an injured person complaint in Toto. Police investigated the complaint and learned that an unidentified female was found on the grassy portion along the side of a roadway. Police noted that the female did not have pants or shorts on and her shirt and bra were pulled up around her neck. Police further noted that the female had severe bruising and massive swelling to her facial area and she was lifeless. Police noted that the female's eyes were completely swollen shut. Police later utilized surveillance footage from a nearby establishment to obtain the female's identity. Police identified the female as Lucianna Polly. Police indicated that the body was transported to the medical examiner's office where an autopsy will be scheduled.

Police further utilized the footage to identify a male that accompanied Polly as observed in the footage. Police identified the male in the footage as KATNER HERRY (Defendant) via a witness who recognized him. Police went to Defendant's residence and noticed that there was blood on the outer doorknob to his residence. Police located and interviewed the Defendant who had visible abrasions and swelling to his knuckles and a scratch underneath his eye.

Defendant admitted to being with Polly and that they had sexual intercourse during the early morning hours of January 25, 2020. Defendant said that while proceeding to the gas station he was told by Polly to wait for her and that he fell asleep waiting for her. Defendant told police that Polly woke him up by pouring beer on him and he became angry and punched Polly several times in the facial area. Defendant stated that he blacked out while chasing Polly and could not remember the details. Defendant admitted to knowing that he "killed Polly."

Based on the forgoing, there is probable cause to charge KATNER HERRY with one count of MURDER (as a First Degree Felony) in violation of Title 9 G.C.A. §§ 16.40(a)(2); with one count of AGGRAVATED ASSAULT (as a Second Degree Felony) in violation of Title 9 G.C.A. §§ 19.20(a)(2).

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

Executed this 27th day of January, 2020.

  
SEAN BROWN