



FILED  
SUPERIOR COURT  
OF GUAM

2020 FEB 12 PM 2:08

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By: [Signature]

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

CM 0074-20

PEOPLE OF GUAM,	)	S.C. Criminal Case No.: CM _____
	)	GPD Police Report No.: 20-2513, 20-2389
	)	
vs.	)	Charges:
	)	
<b>VICTORIA ROSE SAN NICOLAS,</b>	) 1)	<b>CHILD ABUSE</b>
DOB: 02/17/1992	)	(As a Misdemeanor)
_____	)	
	)	
<b>MANUEL GUERRERO AFLAGUE,</b>	) 2)	<b>CHILD ABUSE</b>
DOB: 11/28/1970	)	(As a Misdemeanor)
	)	
Defendant.	) 3)	<b>FAMILY VIOLENCE</b>
	)	(As a Misdemeanor)
_____	)	

**MAGISTRATE'S COMPLAINT**

The Attorney General of Guam hereby accuses **VICTORIA ROSE SAN NICOLAS** and **MANUEL GUERRERO AFLAGUE** of certain crimes committed as follows:

**FIRST CHARGE**

On or about the 23<sup>rd</sup> day of January, 2020, in Guam, **VICTORIA ROSE SAN NICOLAS** did commit the offense of *Child Abuse (As a Misdemeanor)*, in that while having a child, namely **D.R.S.N. (DOB:02/20/2014)**, in her care or custody or under her control, intentionally or knowingly

**ORIGINAL**

1 she unreasonably caused or permitted the physical or emotional health of said child to be endangered,  
2 in violation of 9 GCA § 31.30(a)(2),(C) and (b).

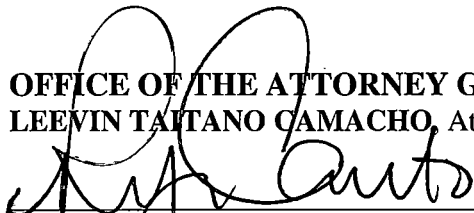
3  
4 **SECOND CHARGE**

5 On or about the 23<sup>rd</sup> day of January, 2020, in Guam, **MANUEL GUERRERO AFLAGUE**  
6 did commit the offense of *Child Abuse (As a Misdemeanor)*, in that while having a child, namely  
7 **D.R.S.N. (DOB:02/20/2014)**, in his care or custody or under his control, intentionally or knowingly  
8 he unreasonably caused or permitted the physical or emotional health of said child to be endangered,  
9 in violation of 9 GCA § 31.30(a)(2),(C) and (b).

10  
11 **THIRD CHARGE**

12 On or about the 23<sup>rd</sup> day of January, 2020, in Guam, **MANUEL GUERRERO AFLAGUE**  
13 did commit the offense of *Family Violence (As a Misdemeanor)*, in that he did recklessly cause or  
14 attempt to cause bodily injury to another family member or household member, that is, **Vicky Cing**,  
15 in violation of 9 GCA §§ 30.10(a)(1), (b) and 30.20(a).

16 Dated this day, Wednesday, February 12, 2020.

17  
18 **OFFICE OF THE ATTORNEY GENERAL**  
19 **LEEVIN TAITANO CAMACHO**, Attorney General  
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21 **RICHELLE Y. CANTO**  
22 Assistant Attorney General, Prosecution Division  
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**IN THE SUPERIOR COURT OF GUAM**  
**DECLARATION**

I, RICHELLE Y. CANTO, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Department (GPD) Reports # 20-2513 submitted by Officer A. Pangelinan (#4061) and # 20-2389 submitted by Officer T. Parinasan (#754), which revealed the following occurred in Guam:

On or about January 23, 2020, at approximately 8:00 p.m., GPD officers responded to a child abuse complaint from a caller in Talofofo, Guam. Officers spoke with Vicky San Nicolas Cing (witness), who stated her daughter **VICTORIA ROSE SAN NICOLAS** (defendant) and her daughter's boyfriend **MANUEL GUERRERO AFLAGUE** (defendant) had abused their minor daughter D.R.S.N. (DOB: 02/20/2014, 5 years old).

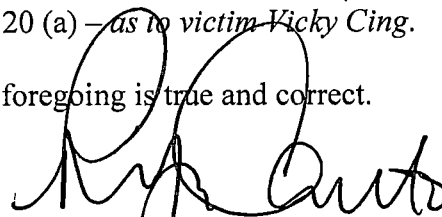
Cing reported that earlier that evening **SAN NICOLAS** and **AFLAGUE** were at her residence with their six (6) minor children. Cing indicated she heard a sound from one of the bedrooms that resembled "someone being spanked," followed by a child screaming in pain and crying. Cing reported she entered the bedroom, but was stopped by **SAN NICOLAS** who informed her that **AFLAGUE** had spanked D.R.S.N. because she "used all the shampoo while taking a shower." At this time, Cing observed D.R.S.N. run from the bedroom naked, with her body still wet, and crying. Cing told officers D.R.S.N. had been diagnosed with leukemia, received treatment off-island, and has been in remission since 2018.

Additionally, Cing stated **SAN NICOLAS'** and **AFLAGUE'**s two older minor sons also confided in her that **AFLAGUE** disciplines the six (6) of them in an abusive manner but they were "too (sic) scared to tell anyone." After the incident with D.R.S.N. Cing stated she decided to call the police to report **SAN NICOLAS** and **AFLAGUE** for child abuse. However, **AFLAGUE** grabbed her cell phone from her when she called the police and told her he would kill her if she did not leave the residence within 30 minutes. Cing told officers she became afraid and left with her husband.

The next day, on January 24, 2020, officers located the six (6) children sleeping and unattended inside a dilapidated and uninhabitable shack in Mangilao. Officers noted the house did not have a door, there was trash strewn on the floors, large cockroaches, inoperable toilets, and no running water. Three (3) children were observed sleeping on a dirty mattress on the floor, one was on a car seat, one on a dirty and worn out foldable "kid's chair," and the last one on the bare floor. Officers secured the premises and discovered no adults in the vicinity. After thirty (30) minutes, officers met with Wayne Kevin Bryan (witness), who stated he was the children's grandfather and that **SAN NICOLAS** and **AFLAGUE** had left the residence at 5:00 p.m. and had not returned.

Based on the foregoing, there is probable cause to charge **VICTORIA ROSE SAN NICOLAS** with one (1) count of **CHILD ABUSE** (as a Misdemeanor), in violation of 9 GCA §§ 31.30 (a)(2)(C) and (b), and **MANUEL GUERRERO AFLAGUE** with one (1) count of **CHILD ABUSE** (as a Misdemeanor), in violation of 9 GCA §§ 31.30 (a)(2)(C) and (b) – *as to victim D.R.S.N. (DOB: 02/20/2014)*, and one (1) count of **FAMILY VIOLENCE** (as a Misdemeanor), in violation of 9 GCA §§ 30.10 (a)(2), (b) and 30.20 (a) – *as to victim Vicky Cing*.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 12<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
**RICHELLE Y. CANTO**  
Assistant Attorney General