



FILED
SUPERIOR COURT
OF GUAM

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CLERK OF COURT

By: _____
[Signature]

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IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

CF 0133-20

14	PEOPLE OF GUAM,)	Criminal Case No. CF _____
)	GPD Report No. 20-05601
15)	
16	vs.)	Charges:
)	
17	THOMAS EDWARD SAPP, III,) 1.	THEFT OF PROPERTY
18	DOB: 10/08/1988)	(As a Second Degree Felony)
)	
19	Defendant.) 2.	UNAUTHORIZED USE OF A
)	VEHICLE
20)	(As a Misdemeanor)
)	

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **THOMAS EDWARD SAPP, III** of certain crimes committed as follows:

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FIRST CHARGE

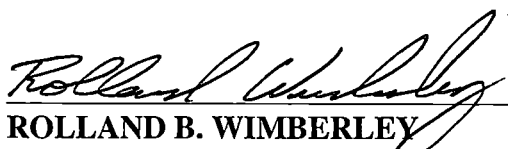
On or about the 23rd day of February 2020, in Guam, **THOMAS EDWARD SAPP, III** did commit the offense of *Theft of Property (As a Second Degree Felony)*, in that he did unlawfully take, obtain, and exercise unlawful control over the movable property of Alantis Submarine, that is motor boat, with intent to deprive Alantis Submarine thereof, in violation of 9 GCA §§ 43.20(a), and 43.30(a), as amended.

SECOND CHARGE

On or about the 23rd day of February 2020, in Guam, **THOMAS EDWARD SAPP, III** did commit the offense of *Unauthorized Use of a Motor Vehicle*, in that he knowingly operate an motorboat, or other motor-propelled vehicle or vessel, without consent of the owner or the person authorized to give consent, in violation of 9 GCA § 43.65(a), as amended.

Dated this day, Monday, February 24, 2020.

OFFICE OF THE ATTORNEY GENERAL
Leevin Taitano Camacho, Attorney General of Guam


ROLLAND B. WIMBERLEY
Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, Rolland B. Wimberley, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Report 20-05601 submitted by Officer Benavente and others, which revealed the following occurred in Guam:

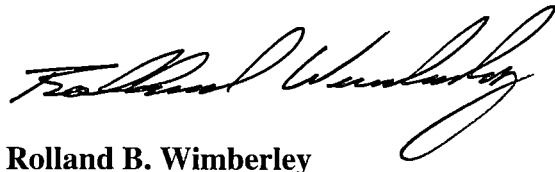
On or about February 23, 2020, at approximately 8:36 a.m., officers of the Guam Police Department responded to an unauthorized use of a motor vehicle complaint at the Hagatna Boat Basin. Police met with Eric Barcinas ("reporting person"), who indicated that one of the tour boats had been taken by, **Thomas Edward Sapp III** ("Defendant"), who was supposed to operate the boat for a charter that day. Rodney Raigumal (witness) indicated that the Defendant did not seem in the right state of mind to be operating the boat. When the boat was later discovered, employees noted that several items were missing and reported stolen. These items included an AED, adult and child life jackets, first aid kits and flares, and totaled an approximate value of \$3,620. It was also noted that a white marine box speaker (50 watts, 40 ohms) had been damaged.

Officers later met with the Defendant and advised him of his Miranda rights. The Defendant stated that he charters boats for many businesses, but that he had taken the boat out to fish a little. The Defendant stated that he had got caught in the swells and the boat had died out for a while, but that he was able to fix it and brought it back to the Hagatna boat basin to dock. The Defendant indicated that he was not able to contact the business, but was able to contact his father to pick him up.

Based on the foregoing, there is probable cause to charge **Thomas Edward Sapp III** ("Defendant") with:

1. **THEFT OF PROPERTY** (as a Second-Degree Felony), in violation of 9 G.C.A. § 43.20(a) and 43.30(a),
2. **UNAUTHORIZED USE OF A MOTOR VEHICLE** (as a Misdemeanor), in violation of 9 G.C.A. § 43.65(a),

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 24th day of February, 2020.


Rolland B. Wimberley