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SUPERIOR COURT
OF GUAM

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5 IN THE SUPERIOR COURT OF GUAM
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7 PEOPLE OF GUAM,

) CRIMINAL CASE NO. **CF0478-24**
) GPD Report Nos. 24-15755/24-15766/24-15778/
) 24-15878

8 vs.

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)
)

10 **DAVID QUICHOCHO UNCANGCO JR.,**
11 *aka David Quichocho Jr. Uncangco*
12 *aka Dave*
13 *aka Juboy*
14 DOB: 07/26/1970

) DECISION & ORDER
RE. MOTION TO DISQUALIFY
CURTIS C. VAN DE VELD AS SPECIAL
ASSISTANT ATTORNEY GENERAL

Defendant.

)
)

15 This matter came before the Honorable Alberto E. Tolentino on November 13, 2025, for
16 a Motion Hearing. Defendant David Quichocho Uncangco Jr. ("Defendant") was present with
17 counsel Alternate Public Defender Tyler Scott. Assistant Attorney General Curtis Van de Veld
18 was present for the People of Guam ("People"). Following the hearing, the court took the matter
19 under advisement pursuant to Supreme Court of Guam Administrative Rule 06-001, CVR
20 7.1(e)(6)(A) and CR1.1 of the Local Rules of the Superior Court of Guam. Having duly considered
21 the parties' briefings, oral arguments, and the applicable law, the court now issues this Decision
22 and Order **DENYING** the Motion to Disqualify Curtis C. Van de Veld as Special Assistant
23 Attorney General.
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BACKGROUND

2 Based on events that occurred on or about July 6, 2024, the Defendant was charged with
3 the following offenses:

- 4 1. AGGRAVATED MURDER (As a 1st Degree Felony) *SPECIAL*
5 *ALLEGATION: Possession or Use of a Deadly Weapon in the Commission of*
6 *a Felony;*
- 7 2. FIRST-DEGREE ROBBERY (As a 1st Degree Felony) *SPECIAL*
8 *ALLEGATION: Possession or Use of a Deadly Weapon in the Commission of*
9 *a Felony;*
- 10 3. SECOND-DEGREE ROBBERY (As a 2nd Degree Felony) *SPECIAL*
11 *ALLEGATION: Possession or Use of a Deadly Weapon in the Commission of*
12 *a Felony;*
- 13 4. THEFT OF PROPERTY (As a 2nd Degree Felony)
5. POSSESSION OF A SCHEDULE II CONTROLLED SUBSTANCE (As a 3rd
Degree Felony);
6. POSSESSION OF A FIREARM WITHOUT VALID IDENTIFICATION (As
a 3rd Degree Felony); and
7. THEFT (As a Misdemeanor).

14 Indictment (July 18, 2024). In anticipation of jury selection and trial, the court granted the
15 Defendant's Motion to Sever from co-Defendant Frances Janet Sahagon Cruz. *See* Order (Sep 10,
16 2024). The Defendant later filed a Motion for Leave of Court to file and Motion to Disqualify
17 Curtis C. Van de Veld as Special Assistant Attorney General ("Motion to Disqualify"). *See*
18 generally Mot. Disqualify (July 23, 2025). Although Attorney Curtis C. Van de Veld filed his
19 Opposition to the Motion to Disqualify ("Opposition") on behalf of the Office of the Attorney
20 General of Guam ("OAG"), he formally entered his appearance as Special Prosecutor on
21 September 11, 2025. *See* Ppl.'s Opp'n (Aug. 5, 2025); *see also* Entry of Appearance (Sep. 11,
22 2025).

23 On November 13, 2025, the parties were before the court to address oral arguments on the
24 Defendant's Motion to Disqualify. After hearing all arguments, the court took the matter under
25 advisement.

DISCUSSION

In Guam, “[t]he current standard for attorney disqualification is whether an attorney’s continued representation of a party or participation in an action violates or significantly risks violating the Guam Rules of Professional Conduct.” *Barrett-Anderson v. Camacho*, 2018 Guam 20 ¶ 20. “[D]isqualification is a drastic course of action that should not be taken simply out of hypersensitivity to ethical nuances or the appearance of impropriety. *Id.* ¶ 14. (quoting *Roush v. Seagate Tech., LLC*, 58 Cal. Rptr. 3d 275, 281 (Ct. App. 2007)). However, disqualification is appropriate for “inevitable and material conflicts.” *Id.* ¶ 17.

The moving party has the burden to establish the “necessary factual prerequisite” for disqualification. *Bottoms v. Stapleton*, 706 N.W.2d at 418; accord *Haraguchi v. Superior Court*, 182 P.3d 579, 582 (Cal. 2008) (“defendants bear the burden of demonstrating a genuine conflict; in the absence of any such conflict, a trial court should not interfere with the People's prerogative to select who is to represent them.”); *In re Texas Windstorm Ins. Ass'n*, 417 S.W.3d 119, 129 (Tex. Ct. App. 2013) (“When a movant seeks disqualification based on an alleged violation of a disciplinary rule, he must carry the burden to establish the violation with specificity.”).

The Defendant argued that Attorney Van de Veld's representation in this case as a Special Assistant Attorney General violates Guam Rules of Professional Conduct ("GRPC") 1.7(a) as well as his right to a fair trial under the Organic Act of Guam. *See* Def.'s Mot. Disqualify at 2-4. GRPC Rule 1.7(a) provides, as follows:

Rule 1.7: Conflict of Interest: Current Clients.

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(1) the representation of one client will be directly adverse to another client; or

(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

Guam Rules Prof'l Conduct 1.7(a). During the Motion Hearing, Attorney Van de Veld confirmed on the record that he is no longer contracted as a Special Assistant Attorney General with the Office of the Attorney General. *See* Mot. Hr'g Mins. at 11:37:04 – 41:40AM (Nov. 13, 2025). Rather, he is a full-time employee with the office as an Assistant Attorney General. *Id.* Notably, Attorney Van de Veld has subsequently appeared as an Assistant Attorney General in other matters before this court. Therefore, the court finds that the issue of Attorney Van de Veld's conflict of interest as a Special Assistant General is rendered moot by his full-time employment with the Office of the Attorney General. At this time, Attorney Van de Veld's continued representation of the People in this case does not violate or significantly risks violating the Guam Rules of Professional Conduct, because his change in employment status with the OAG will not result in an inevitable or material conflict.

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CONCLUSION

2 For reasons stated above, the court hereby **DENIES** the Motion to Disqualify Curtis C.
3 Van de Veld as Special Assistant Attorney General.
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6 **SO ORDERED** this FEB 19 2026.
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11 **HONORABLE ALBERTO E. TOLENTINO**
12 Judge, Superior Court of Guam
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Deputy Clerk, Superior Court of Guam