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SUPERIOR COURT
OF GUAM *PMAT*

IN THE SUPERIOR COURT OF GUAM

PEOPLE OF GUAM,

CRIMINAL CASE NO. CM0082-25

vs.

DECISION AND ORDER

JYQWAN JYKREE ROOKS,

Defendant.

INTRODUCTION

This matter came before the Honorable Vernon P. Perez on October 24, 2025, for hearing on Defendant **JYQWAN JYKREE ROOKS** (“Defendant”) Motion to Suppress Evidence. Present were Assistant Attorney General Dante CH Harootunian on behalf of the People of Guam (“the Government”) and Defendant with counsel, Le Roi T. Enriquez. Having reviewed the pleadings, the arguments presented, and the record, the Court now issues the following Decision and Order.

BACKGROUND

Defendant is charged with one count of Driving While Impaired (BAC) (As a Misdemeanor) and one count of Reckless Driving While Impaired (As a Misdemeanor). (Magistrate’s Compl., Mar. 2, 2025). On August 29, 2025, Defendant filed the instant Motion, moving to suppress all evidence because GPD did not have reasonable suspicion to initiate a traffic stop. On September 10, 2025, the Government filed its Opposition. On September 19, 2025, Defendant filed his Reply.

1 On October 24, 2025, the Court heard sworn testimony from Guam Police Department
2 (“GPD”) Officer Martin Oliva, Officer Rebecca Valencia, Ivan Shaquan Lewis, and Defendant.
3 The Court ascertained the following facts:

- 4 1. On the night of March 1, 2025, early morning of March 2, 2025, GPD responded to a
5 stalled vehicle along Route 14, Pale San Vitores Road, by DFS in Tumon.
- 6 2. Officer Oliva and Officer Diaz were in one vehicle and Officer Valencia was in
7 another vehicle driving behind Officer Oliva.
- 8 3. While driving on Route 14 towards DFS from Tumon Precinct, Officer Oliva noticed
9 another vehicle going the opposite direction almost encroach on his lane of travel.
- 10 4. Officer Oliva testified that the vehicle made corrective/evasive actions and did not hit
11 his vehicle.
- 12 5. Officer Valencia testified that the vehicle was motoring down the same lane she and
13 Officer Oliva were in (the inner north bound lane) and that the vehicle almost collided
14 with Officer Oliva’s patrol car in front of her.
- 15 6. Officer Valencia testified that Officer Oliva turned on his lights and sirens and honked
16 at the vehicle.
- 17 7. Officer Oliva proceeded to respond to the stalled vehicle near DFS and Officer
18 Valencia remained in the area to conduct a traffic stop.
- 19 8. Officer Valencia turned on her lights and sirens.
- 20 9. The vehicle continued motoring until it got to the driveway to enter the parking lot of
21 in between Green Lizard and the Gift Shop.
- 22 10. The operator of the vehicle was identified as Defendant.
- 23 11. Defendant and Mr. Lewis were at Club Zoh that night for a throwback event and left
24 around 2:00 a.m.
- 25 12. Mr. Lewis and Defendant work together in the same unit in the military.
- 26 13. Mr. Lewis testified that Defendant was the designated driver.
- 27 14. Because it was raining, Defendant offered a ride to two individuals who had parked
28 their car near Green Lizard. After Defendant exited the Dusit parking structure, he

1 turned right. Mr. Lewis and Defendant both testified that Defendant then made a U-
2 turn at the traffic light to be able to get to the Green Lizard parking area.

3 15. Mr. Lewis testified they saw the lights come on after Defendant made the U-turn and
4 that they assumed they were being pulled over for the U-turn.

5 16. Mr. Lewis testified that Defendant's driving was fine that night and that he didn't see
6 anything weird with his driving.

7 17. Mr. Lewis did not drink that night at Club Zoh.

8 18. Defendant denied driving on the wrong side of the road.

9 19. Defendant admitted he was drinking that night.

10 20. Defendant was administered a breathalyzer test, which indicated Defendant's BAC
11 was 0.133.

12 DISCUSSION

13 The issue before the Court is whether Office Valencia had reasonable suspicion to
14 effectuate a traffic stop. The Fourth Amendment to the U.S. Constitution "protects against
15 unreasonable searches and seizures and is made applicable to Guam via section 1421(b)(c) of the
16 Organic Act of Guam." *People v. Chargualaf*, 2001 Guam 1 ¶ 14 (internal citations omitted).
17 Brief investigative detentions are permitted under the Fourth Amendment "when a police officer
18 has reasonable suspicion that an individual was engaged in or is about to be engaged in illegal
19 conduct." *People v. Johnson*, 1997 Guam 9 ¶ 4 (citing *Terry v. Ohio*, 392 U.S. 1 (1968)). "As a
20 general matter, the decision to stop an automobile without a warrant is reasonable where the police
21 have probable cause to believe that a traffic violation has occurred. Further, it is reasonable to
22 stop a car where the police merely have a reasonable suspicion to believe the driver has committed
23 a traffic violation." *Chargualaf*, 2001 Guam 1 ¶ 17 (citations omitted). "In order to determine
24 whether an officer had reasonable suspicion sufficient to warrant a traffic stop, the court must
25 look at the totality of the circumstances, taking into account the facts known to the officers from
26 personal observation." *Johnson*, 1997 Guam 9 ¶ 6 (citation and quotation marks omitted).
27 Furthermore, the reasonable suspicion must exist at the time the stop was initiated. *Id.* (citation
28 omitted).

Here, both officers testified that the vehicle operated by Defendant nearly collided with Officer Oliva's patrol car, while traveling on Route 14. Officer Oliva testified that the vehicle "almost encroached" into his lane, requiring corrective or evasive action. Officer Valencia corroborated this observation, stating that the vehicle was motoring down the same inner northbound lane and nearly struck Officer Oliva's patrol car. The Court finds that this provided the officers with reasonable suspicion to believe that a traffic violation occurred. *See* 16 GCA § 3309. Defendant argues that the stop was prompted by a U-turn maneuver rather than lane encroachment. Although Defendant and Mr. Lewis both testified that Defendant's driving was "fine," Defendant admitted to drinking that night and for whatever reason, ended up being the "designated driver" despite Mr. Lewis testifying that he did not drink anything himself. The Court finds it plausible, as the Government sets forth in its Opposition, that Defendant may have been attempting a legal U-turn, but due to his intoxicated state drifted too far over such that he was facing south in the northbound lane thereby facing oncoming traffic, as observed by the officers. The Court also notes that this occurred in the late night/early morning hours and it was raining. Accordingly, the Court DENIES Defendant's Motion to Suppress.

CONCLUSION

For the foregoing reasons, the Court hereby DENIES Defendant's Motion to Suppress Evidence.

IT IS SO ORDERED this 22nd day of January, 2026.

HONORABLE VERNON P. PEREZ
Judge, Superior Court of Guam