

FILED  
CLERK OF COURT

2026 AUG 14 AM 9:28

SUPERIOR COURT

Criminal Case No. CF0124-26  
GPD Report No. 25-14794

IN THE SUPERIOR COURT OF GUAM

PEOPLE OF GUAM,

v.

PETER JOHN CHARGUALAF,  
DOB: 11/18/1989

Defendant.

DECISION AND ORDER  
DENYING DEFENDANT'S MOTION  
FOR BILL OF PARTICULARS

**INTRODUCTION**

This matter came before the Honorable Alberto C. Lamorena, III on May 15, 2026 for hearing on Peter John Chargualaf's ("Defendant's") Motion for Bill of Particulars ("Motion"). Assistant Attorney General Lucas Wood represents the People, and Attorney Heather Quitugua represents Defendant. Having duly considered the parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order and **DENIES** Defendant's Motion.

**BACKGROUND**

Defendant is indicted on Simple Stalking (as a 3<sup>rd</sup> Degree Felony) with Notice: Commission of a Felony While on Felony Release, and Harassment (as a Petty Misdemeanor). See Indictment (Feb. 19, 2026). The charges stem from allegations that on June 11, 2025, Defendant followed Dana Marie Libby ("Victim") while Victim was driving her car. See Magistrate's Complaint (Feb. 11, 2026). During this time, Defendant reportedly sent anonymous phone calls and text messages to Victim announcing her live location. Id.

On April 21, 2026, Defendant moved for a Bill of Particulars, arguing that the Indictment is too vague to properly prepare a defense against. See Brief in Support of Motion at 2-4. (Apr. 21, 2026). Defendant claims vagueness in form of the Indictment: (i) alleging only a single event rather than a repeated pattern of harassment necessary for Simple Stalking, and (ii) failing to explain how his conduct was threatening or alarming to Victim. Id. at 3-4.

On May 5, 2026, the People filed their Opposition to Defendant's Motion ("Opposition"). The People argue against a Bill of Particulars, claiming Defendant already received sufficient

1 information through the Indictment and provided discovery to prepare a defense against the  
2 charges. See Opposition at 1-6 (May 5, 2026).

3 The Court held a hearing on May 15, 2026. After hearing the arguments of the parties, the  
4 Court took the matter under advisement.

## 5 DISCUSSION

### 6 **I. Applicable Law:**

7 The process for obtaining a Bill of Particulars is set forth in 8 G.C.A. § 55.30, which reads as  
8 follows:

9 Whether or not an indictment or information complies with § 55.10, if it fails  
10 to specify the particulars of the offense sufficiently to enable the defendant to  
11 prepare his defense, the court may, on motion of the defendant, require the  
12 prosecuting attorney to furnish the defendant with a clarification of the  
pleading containing such particulars as may be necessary for the preparation  
of the defense.

13 See 8 G.C.A. § 55.30

14 A bill of particular serves several functions, including: (i) informing the Defendant about the  
15 nature of the charges against him to enable him to prepare for trial; (ii) minimizing the danger of  
16 surprise at trial; & (iii) protecting against double jeopardy. See *U.S. v. Long*, 706 F.2d 1044, 1054  
17 (9<sup>th</sup> Cir. 1983).  
18

19 The issuance of a bill of particulars is up to the trial court's discretion. See *U.S. v.*  
20 *Hartlerode*, 467 F.2d 1280, 1282 (9<sup>th</sup> Cir. 1972). "In determining if a bill of particulars should be  
21 ordered in a specific case, a court should consider whether the defendant has been advised  
22 adequately of the charges through the indictment and all other disclosures made by the government.  
23 Full discovery will obviate the need for a bill of particulars." See *Long* at 1054.  
24

### 25 **II. Application:**

#### 26 **a. The Indictment and discovery materials specify the particulars of Simple** 27 **Stalking (as a 3<sup>rd</sup> Degree Felony).**

28 The charge of Simple Stalking (as a 3<sup>rd</sup> Degree Felony) alleges the following:

1 On or about June 11, 2025, in Guam, Defendant did commit the offense of  
2 Simple Stalking (as a 3<sup>rd</sup> Degree Felony), in that he did intentionally,  
3 willfully, maliciously, and repeatedly follow and harass another person, that  
4 is, Victim, or made a credible threat with intent to place that person or a  
5 member of her immediate family in fear of death or bodily injury.

6 See Indictment (Feb. 19, 2026).

7 Defendant claims the Indictment doesn't detail the factual basis of this charge because it  
8 alleges only a single instance of Defendant following Victim. See Brief in Support of Motion at 3-4  
9 (Apr. 21, 2026).

10 However, the face of the Indictment and provided discovery (namely GPD Report No. 25-  
11 14794) specify the factual basis behind this charge and enable Defendant to prepare a defense. The  
12 discovery highlights a series of harassing conduct attributable to Defendant, including allegations  
13 that he repeatedly sent Victim friend requests through social media, placed phone calls and text  
14 messages to Victim announcing her live location, and followed Victim in her car on the morning of  
15 June 11, 2025. See Magistrate's Complaint (Feb. 11, 2026). This is not one single act, but a series  
16 of actions which can be seen as harassing.

17 Defendant was informed what series of repeated harassing conduct towards Victim is the  
18 basis behind the Simple Stalking (as a 3<sup>rd</sup> Degree Felony) charge. A Bill of Particulars is not  
19 necessary because Defendant can adequately prepare for trial on this charge.

20 **b. The Indictment and discovery materials specify the particulars of Harassment**  
21 **(as a Petty Misdemeanor).**

22 The charge of Harassment (as a Petty Misdemeanor), alleges the following:

23 On or about June 11, 2025, in Guam, Defendant did commit the offense of  
24 harassment (as a Petty Misdemeanor), in that, with intent to harass another,  
25 namely, Victim, he did make or cause to be made, a communication  
26 anonymously or at extremely inconvenient hours, or in offensively coarse  
27 language, or any other manner likely to cause annoyance or alarm; or engage  
28 in any other course of alarming conduct or of repeatedly committed acts  
which alarmed or seriously annoyed such other person serving no legitimate  
purpose of the Defendant.

See Indictment (Feb. 19, 2026).

1 Defendant claims the Indictment doesn't detail the factual basis of this charge because it fails  
2 to explain how his alleged June 11<sup>th</sup> actions alarmed or seriously annoyed Victim. See Brief in  
3 Support of Motion at 4 (Apr. 21, 2026).

4 However, the face of the Indictment and provided discovery (namely GPD Report No. 25-  
5 14794) specify the factual basis behind this charge and enable Defendant to prepare a defense. The  
6 discovery paints a story of Defendant: (i) sending anonymous phone calls and text messages to  
7 Victim announcing her live location, and (ii) following Victim in her car. See Magistrate's  
8 Complaint (Feb. 11, 2026). The discovery shows these communications and actions alarmed Victim  
9 and caused her to become fearful for her safety. Id.

10 Defendant was informed what communications and conduct form the basis of the  
11 Harassment (as a Petty Misdemeanor) charge. A Bill of Particulars is not necessary because  
12 Defendant can adequately prepare for trial on this charge.

13 **CONCLUSION**

14 For the reasons stated above, the Court **DENIES** Defendant's Motion. A Bill of Particulars  
15 is not necessary because the Indictment and provided discovery inform Defendant of the nature of  
16 the charges against him and enable him to prepare for trial.

17  
18 **IT IS SO ORDERED** this August 14, 2026.



22 **HONORABLE ALBERTO C. LAMORENA, III**  
23 **Presiding Judge, Superior Court of Guam**

24 **SERVICE VIA EMAIL**

I acknowledge that an electronic  
copy of the original was e-mailed to:

25 OAG & H. Quitugua

26 Date: 8/14/26 Time: 10:32

27 Reinita M. Lindlau  
28 Deputy Clerk, Superior Court of Guam