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SUPERIOR COURT
OF GUAM

IN THE SUPERIOR COURT OF GUAM

THE PEOPLE OF GUAM, vs. RIEKO MIKHAIL SARMIENTO aka Ricko Sarmiento aka Sarmiento aka Ricko, DOB: 06/10/1985 Defendant.	CRIMINAL CASE NO. CF0514-19 GPD REPORT NO. 19-26972 CRIMINAL CASE NO. CF0563-20 GPD REPORT NOS. 20-08536/20-13036/20-27025/20-27026 CRIMINAL CASE NO. CM0278-21 GPD REPORT NO. 21-08351 **DECISION AND ORDER, JUDGMENT OF REVOCATION AND ORDER CLOSING CASE (Consent to Revocation of Probation)**

This matter came before the Honorable Judge Maria T. Cenzon on October 30, 2026, for a hearing on the People of Guam's Motion to Revoke Defendant's Probation and Impose Jail Sentence (the "Motion"), which the Court has held in abeyance since its filing on August 28, 2024, in order to permit Defendant Rieko Mikhail Sarmiento (the "Defendant") an opportunity to complete his conditions of probation and to cure Defendant's several violations. Defendant was present with counsel Assistant Alternate Public Defender Shinju Flynn and the People were represented by Assistant Attorney General Matthew Farago.

Defendant was sentenced to a term of THREE (3) years of incarceration with all but NINETY (90) days suspended and a term of probation of THREE (3) years, during which he was ordered to, *inter alia,* complete the following:

1. Report to Probation Services Division once a month or as ordered by the Court or his Probation Officer;
2. Complete an Intake and Assessment at Client Services and Family Counseling and follow any and all treatment recommendations;
3. Enroll in and complete the Petty Theft Diversion Program
4. Pay a $500.00 FINE and $80.00 COURT COSTS;

5. Complete 300 hours of court-ordered community service.
6. Obey all local and federal laws.[1]

(referred to herein as The Conditions).

Two Violation Reports have been filed in this case alleging that Defendant has violated The Conditions. The First Violation, filed on February 20, 2023, alleged that Defendant failed to perform The Conditions, and more specifically, that he failed to report once a month in person since last reporting on December 29, 2022. Additionally, the First Violation noted that he was detained in a new case, Criminal Case No. CF0116-23.[2] This Court had to issue bench warrants to bring the Defendant back into compliance. The People filed the instant Motion, basing revocation on his failure to comply with probation conditions, thereby placing the community in danger. On September 12, 2024, while the People's Motion was pending, the Second Violation Report was filed alleging that Defendant failed to report to Probation once a month as ordered and had not reported since his release in Criminal Case No. CF0371-19 on February 19, 2024. *Second Violation Report* (Sep. 12, 2024). In response to this, the Court issued a Bench Warrant on September 12, 2024. That Bench Warrant was not returned until July 30, 2025. *Return of Warrant* (Jul. 30, 2025). However, it was noted that Defendant had been in the custody of the Department of Corrections since September 17, 2024. *Return of Warrant* (Jul. 30, 2025). The Court is unaware of why a Return of Warrant had not been filed with the Court prior to July 30, 2025. The Court then committed the Defendant, pending a hearing on the revocation.

On December 13, 2025, the Court issued the Briefing Scheduling Order in these cases, setting the Revocation Hearing for January 16, 2026, at 9:30 AM, and issued a Penal Summons for his appearance and to provide him Notice of the Revocation and the grounds therefor. Ultimately, on October 30, 2026, the Court held a hearing on the Motion. Defendant was present with counsel and did not dispute that he had not completed The Conditions. *Minutes of Hrg. on Motion to Revoke on 10/30/2026* at 10:23:59 AM to 10:30:39 AM (Oct. 30, 2026). Additionally, Defendant is currently serving a sentence in Criminal Case No. CF0371-19 of THREE (3) YEARS of incarceration.

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[1] *Judgment* (Mar. 15, 2022); Amended Second Violation Report (Aug. 1, 2025).

[2] This case was ultimately dismissed without prejudice. *Order Dismissing Case Without Prejudice* (Aug. 11, 2023).

Defendant's sentence in this case is **THREE (3) YEARS OF INCARCERATION, WITH ALL BUT NINETY (90) DAYS MONTHS SUSPENDED.** *Judgment* at p. 3. Based upon the Court's calculation of Defendant's pre-trial credit in this case, if the Court imposes Sentence in this case, it would be fully satisfied around the same time as Defendant's sentence in CF0371-19. As such, on the advice of counsel and with his consent, Defendant admitted to failing to complete his conditions of probation within his probationary period, consented to the revocation of his probation, and agreed that the Court would impose a sentence of Three (3) years of incarceration, with credit for time served, as set forth in the Judgment, with an automatic release date of **June 2, 2027**. With Defendant's agreement, the Court **GRANTED** the People's Motion to Revoke Probation and Impose Sentence.

IT IS THEREFORE ORDERED as follows:

I. SENTENCE OF IMPRISONMENT

Defendant is sentenced to **THREE (3) YEARS** of incarceration at the Department of Corrections, Mangilao, with credit for time served. Defendant's term of imprisonment shall be satisfied on June 2, 2027, and shall run concurrently with any term of imprisonment for which he is incarcerated, including his sentence in CF0371-19. Defendant shall be released from incarceration on June 2, 2027. *See* Commitment Order (Oct. 30, 2026).

II. NO FEES, FINES OR PAROLE

No fees, fines or parole shall be imposed upon the Defendant following satisfaction of his term of imprisonment.

III. CASE CLOSURE

This case is hereby **CLOSED**.

SO ORDERED this 4th day of November, 2026, *nunc pro tunc,* October 30, 2026.

HONORABLE MARIA T. CENZON
Judge, Superior Court of Guam