

2026 AUG 20 PM 2: 32

IN THE SUPERIOR COURT OF GUAM

SUPERIOR COURT
OF GUAM

PEOPLE OF GUAM,

Criminal Case No. CF0614-24
GPD Report No. 24-05378

v.

JEFFREY FEJERAN VILLACORTA,
DOB: 01/31/1968

MARK JAMES SABLAN QUINTANILLA,
DOB: 07/19/1975

ANGIE SABLAN QUINTANILLA,
DOB: 02/22/1979

Defendants.

DECISION AND ORDER
DENYING DEFENDANTS' MOTIONS
TO SUPPRESS

INTRODUCTION

This matter came before the Honorable Alberto C. Lamorena, III on February 13, 2026 & May 29, 2026 for hearing on Motions to Suppress filed by Jeffrey Fejeran Villacorta ("Defendant J. Villacorta") and Mark James Sablan Quintanilla ("Defendant M. Quintanilla"). Assistant Attorney General Lyle Stamps represents the People of Guam, Attorney Mark Smith represents Defendant J. Villacorta, Assistant Public Defender Jocelyn Roden represents Defendant M. Quintanilla, and Attorney Terry Timblin represents Angie Sablan Quintanilla ("Defendant A. Quintanilla"). Having duly considered the parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order and **DENIES** both Motions to Suppress.

BACKGROUND

A search warrant covering 150B Gogue Drive, Ordot-Chalan Pago ("the Residence") was issued by Magistrate Judge Benjamin Sison on March 5, 2024. See Exhibit A at Search Warrant. An affidavit prepared by Guam Police Department ("GPD") Detective E. Pewtress supported the warrant. See Exhibit A at Affidavit for Search Warrant. The seven-page long affidavit suggests that the Residence is actively used for the sale and distribution of methamphetamine. Id. Several

1 pieces of evidence supporting this conclusion are presented in the affidavit, including: (i) visual
2 observations from GPD Detective E. Pewtress during his many surveillance missions of the
3 Residence, (ii) statements made by several named individuals to various GPD officers/detectives,
4 and (iii) statements made by four (4) unnamed confidential informants to various GPD detectives.
5 Id.

6 GPD officers executed the search warrant at the Residence on March 7, 2024. See Court
7 Recording (“CR”) at 2:12:00pm (Feb. 13, 2026). Evidence obtained from that search was used to
8 arrest and charge Defendants J. Villacorta and M. Quintanilla each with Possession of a Schedule II
9 Controlled Substance with Intent to Deliver (as a 1st Degree Felony) and Possession of a Schedule
10 II Controlled Substance (as a 3rd Degree Felony), with each charge accompanied by a Notice:
11 Commission of a Felony While on Felony Release. See Indictment (Aug. 30, 2024). Defendant A.
12 Quintanilla was also arrested and charged with two counts of Possession of a Schedule II
13 Controlled Substance with Intent to Deliver (as a 1st Degree Felony). Id.

14 On November 18, 2024, Defendant J. Villacorta filed his Motion to Suppress. Defendant A.
15 Quintanilla subsequently joined in the motion. See Defendant A. Quintanilla’s Joinder (Nov. 21,
16 2025). Defendant J. Villacorta’s Motion to Suppress challenges both the sufficiency of the search
17 warrant and the voluntariness of any claimed *Miranda* waiver.

18 First, Defendant J. Villacorta argued that the search warrant was defective because it was not
19 supported by probable cause. See Defendant J. Villacorta’s Motion to Suppress at 4-5 (Nov. 18,
20 2024). Specifically, Defendant J. Villacorta claims the evidence supporting the search warrant is
21 insufficient by failing to establish trustworthiness of the confidential informants. Id. at 4-5.
22 Therefore, Defendant J. Villacorta calls for suppression of all evidence (both physical and verbal)
23 obtained from the search warrant’s execution. Id. at 5.

24 Second, Defendant J. Villacorta calls for suppression of all statements obtained during his
25 police interrogation on March 7, 2024, arguing they were not preceded by a valid *Miranda* waiver.
26 Id. at 7. Defendant J. Villacorta claims any *Miranda* waiver made was involuntary because he was
27 intoxicated at the time and overwhelmed with emotion by the search and his subsequent arrest. Id.
28 at 7.

1 On December 31, 2024, Defendant M. Quintanilla filed his Motion to Suppress. Defendant
2 A. Quintanilla subsequently joined in the motion. See Defendant A. Quintanilla's Joinder (Jan. 15,
3 2025).

4 Defendant M. Quintanilla's Motion to Suppress presents the same argument contained in
5 Defendant J. Villacorta's Motion to Suppress. That is, evidence (both verbal and physical) obtained
6 from the search warrant's execution should be suppressed because the search warrant was not
7 supported by probable cause due to its failure to establish trustworthiness of the confidential
8 informants. See Defendant M. Quintanilla's Motion to Suppress at 3-6 (Dec. 31, 2024). Defendant
9 M. Quintanilla also seeks to suppress all statements obtained during his police interrogation on
10 March 7, 2024, arguing they were not preceded by a valid *Miranda* waiver. Id. at 3, 7. Defendant
11 M. Quintanilla claims he was too tired at the time to make any knowing and voluntary *Miranda*
12 waiver. Id. at 3, 7.

13 The People oppose both Motions to Suppress. The People argued the search warrant does
14 not need to further establish reliability of the confidential informants because probable cause
15 already existed under the totality of the circumstances. See Opposition to Defendant J. Villacorta's
16 Motion to Suppress at 2-3 (Dec. 2, 2024); Opposition to Defendant M. Quintanilla's Motion to
17 Suppress at 3-5 (May 2, 2025). The People also argued that Defendants J. Villacorta and M.
18 Quintanilla both voluntarily waived their *Miranda* rights, with nothing suggesting these waivers
19 were involuntary. See Opposition to Defendant J. Villacorta's Motion to Suppress at 4-8 (Dec. 2,
20 2024); Opposition to Defendant M. Quintanilla's Motion to Suppress at 6 (May 2, 2025).

21 Defendants J. Villacorta and M. Quintanilla both filed reply briefs to the oppositions.
22 Defendant J. Villacorta argued the search warrant lacked probable cause because it never
23 established trustworthiness of the confidential informants used. See Defendant J. Villacorta's
24 Reply at 1-2 (Jul. 7, 2025). Defendant M. Quintanilla argued his sleepiness rendered his *Miranda*
25 waiver involuntary. See Defendant M. Quintanilla's Reply at 2-3 (May 8, 2025).

26 The Court held hearings on February 13, 2026 and May 29, 2026. After hearing the
27 arguments of the parties, the Court took the matter under advisement.

DISCUSSION

I. Preliminary Law Re: Fourth Amendment Searches and Seizures

The Fourth Amendment to the U.S. Constitution guarantees “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures”. See U.S. Const. amend. IV. Searches are reasonable if conducted pursuant to a valid warrant or under an exception to the warrant requirement. See *People v. Chargualaf*, 2001 Guam at ¶ 14.

Any evidence obtained from a Fourth Amendment violation is inadmissible. See *Terry v. Ohio*, 392 U.S. 1, 12 (1968). This includes “not only primary evidence obtained as a direct result of an illegal search or seizure, but also evidence later discovered and found to be derivative of an illegality or ‘fruit of the poisonous tree.’” See *Segura v. U.S.*, 468 U.S. 796, 796-797 (1984) (internal citations omitted).

A valid warrant must establish that there is “probable cause” to believe that “contraband or evidence of a crime will be found in a particular place.” See *Illinois v. Gates*, 462 U.S. 213, 238 (1983). Probable cause is a fluid concept that is determined by a “totality-of-the-circumstances approach” *Id.* at 238.

When probable cause is based upon an informant’s tip, the magistrate judge will consider several relevant factors and make a “balanced assessment of the relative weights of all the various indica of reliability (and unreliability)”. *Id.* at 234. Relevant factors for consideration include the informant’s “veracity”, “reliability”, and “basis of knowledge” – that is, how the informant came upon the information given. *Id.* at 233. However, none of these factors are specifically required to establish probable cause, and “a deficiency in one may be compensated ... by a strong showing as to the other, or by some other indicia of reliability.” *Id.* at 233.

Identifying confidential informants is not a prerequisite to a probable cause finding. *Id.* at 228 (recognizing that affidavits are “capable of supplementing” anonymous letters “with information sufficient to permit a determination of probable cause”). What matters is, under the “totality of the circumstances”, whether there was “probable cause” to believe that “contraband or evidence of a crime would be found in a particular place”. *Id.* at 238.

1 A magistrate judge's "determination of probable cause should be paid great deference by
2 reviewing courts." See *Spinelli v. U.S.*, 393 U.S. 410, 419 (1969). So long as the magistrate judge
3 had a "substantial basis for ... concluding that a search would uncover evidence of wrongdoing" his
4 issuance of a warrant is valid under the Fourth Amendment. See *Illinois v. Gates*, 462 U.S. at 236.
5 This "substantial basis standard" is so deferential that a court reviewing a probable cause
6 determination "may not suppress evidence based upon a lack of probable cause unless the issuing
7 court's probable cause determination was *clearly erroneous*." See *People v. Gallo*, 2017 Guam 24
8 at ¶ 24-25 (emphasis added).

9 The Defendants, as the challenging party, bear the burden of proving by a preponderance of
10 the evidence that the search warrant substantially lacks probable cause. See *Franks v. Delaware*,
11 438 U.S. 154, 155-156 (1978) (holding that a search warrant will be voided and its fruits excluded,
12 if "established by the defendant by a preponderance of the evidence ... the affidavit's ... content is
13 insufficient to establish probable cause").

14 **II. The search warrant is supported by probable cause without need to further establish**
15 **reliability of the informants.**

16 When reviewing the probable cause determination, this Court must look at the totality of the
17 circumstances and give proper deference to Magistrate Judge Sison's initial finding.

18 The circumstances here show the search warrant was supported by probable cause to believe
19 that contraband or evidence of a crime would be found at the Residence. This support comes in the
20 form of GPD Detective E. Pewtress's affidavit. See Exhibit A at Affidavit for Search Warrant. The
21 affidavit contains several pieces of evidence that GPD Detective E. Pewtress gained during an
22 exhaustive and detailed investigation of the Residence which spanned over half a year. See CR at
23 1:34:00pm (Feb 13, 2026).

24 One such piece of evidence is the visual observations GPD Detective E. Pewtress made
25 during his many surveillance missions of the Residence. GPD Detective E. Pewtress regularly
26 conducted patrol checks of the Residence, during which he saw an unusually high amount of foot
27 and vehicle traffic entering the Residence. Id. at 1:35:00pm. Much of this traffic revolved around a
28 canopy set up in the Residence's backyard which raised further suspicions of criminal activity. Id.

1 at 1:35:30pm. This evidence was all presented in the affidavit supporting the search warrant. See
2 Exhibit A at Affidavit for Search Warrant.

3 Other evidence supporting a probable cause determination include statements from several
4 named declarants to various GPD officers and detectives. For example, Freddy Elichmwai informed
5 GPD Detective E. Pewtress that Defendant M. Quintanilla distributed methamphetamine. See CR at
6 1:38:15pm (Feb. 13, 2026). This took place after the execution of a separate search warrant at the
7 Residence in September 2023. Id. at 1:37:30pm. Methamphetamine was found at the Residence
8 during that search. Id. at 2:16:00pm. Other examples include Shaun Sablan informing GPD
9 Officers M. Oliva and J. Mansapit that he regularly purchased methamphetamine from Defendant J.
10 Villacorta at the Residence, and Johnny Atalig informing GPD Detective J. Manglona that drug
11 sales transpired at the Residence. Id. at 1:45:00pm & 1:51:00pm. This evidence, along with similar
12 statements made by other named declarants, was presented in the affidavit supporting the search
13 warrant. See Exhibit A at Affidavit for Search Warrant.

14 Statements made by four (4) unnamed confidential informants to various GPD detectives
15 also support the probable cause determination. For example, Guam Police Informant 24-011 told
16 GPD Detective P. Paulino that he/she purchased methamphetamine from Defendant J. Villacorta at
17 the Residence for many years. See CR at 1:54:00pm (Feb. 13, 2026). Guam Police Informant 24-
18 004 told Detective E. Pewtress that Defendants M. Quintanilla and J. Villacorta sold meth from the
19 Residence's backyard canopy. Id. at 2:20:00pm. This evidence, along with similar statements made
20 by other unidentified confidential informants, was presented in the affidavit supporting the search
21 warrant. See Exhibit A at Affidavit for Search Warrant.

22 Under the totality of these circumstances, the search warrant is supported by probable cause
23 to believe that contraband or evidence of a crime would be found at the Residence. The affidavit
24 presents a wide range of evidence suggesting the Residence's involvement in the sale and
25 distribution of methamphetamine. This includes GPD Detective E. Pewtress's personal
26 observations, observations from other GPD Detectives surveilling the Residence, and statements
27 obtained from several individuals sharing long-lasting relationships with Defendants J. Villacorta
28

1 and M. Quintanilla. Id. The declarants all made their statements from a personal basis of
2 knowledge, suggesting increased reliability. See Illinois v. Gates, 462 U.S. at 233.

3 In fact, probable cause would exist even if information from the four (4) unnamed
4 confidential informants was omitted entirely. The affidavit supporting the search warrant was
5 meticulously prepared, presenting several reliable forms of evidence suggesting criminal activity at
6 the Residence. Inclusion of the four (4) unnamed confidential informants further strengthened the
7 probable cause determination, but was not necessary to reach it. Therefore, the search warrant does
8 not need to further establish these confidential informants as particularly reliable or trustworthy.

9 In conclusion, the Defendants failed to show by a preponderance of the evidence that the
10 search warrant lacks probable cause. The evidence put forward substantially supports the initial
11 probable cause finding made by Magistrate Judge Sison. Because this probable cause finding was
12 not erroneous, the search warrant remains valid and the fruits of the search (both physical and
13 verbal) remain admissible.

14 **III. Preliminary Law Re: Fifth Amendment Self-Incrimination**

15 The Fifth Amendment provides for the right against self-incrimination in criminal cases. See
16 U.S. Const. amend. V. One's Fifth Amendment right applies both inside and "outside of criminal
17 court proceedings and serves to protect persons in all settings in which their freedom of action is
18 curtailed in any significant way from being compelled to incriminate themselves." See Miranda v.
19 Arizona, 384 U.S. 436, 467 (1966).

20 In order to combat pressures to speak and potentially incriminate oneself during custodial
21 interrogations, individuals "must be adequately and effectively apprised" of their right against self-
22 incrimination. Id. at 467. This is done via the issuing of *Miranda* rights, where an individual is
23 informed of their "right to remain silent", that "anything said can and will be used against the
24 individual in court", of their "right to consult with a lawyer and to have the lawyer with him during
25 interrogation", and "that if he is indigent a lawyer will be appointed to represent him." Id. at 467-
26 473.

27 *Miranda* waivers are required to admit statements obtained during custodial interrogations.
28 See People v. Farata, 2007 Guam 8 ¶ 22. An individual is in custody when he or she "is taken into

1 custody or otherwise deprived of his freedom by the authorities in any significant way”. See
2 *Miranda v. Arizona*, 384 U.S. at 478. The test is “would a reasonable person have felt he or she was
3 not at liability to terminate the interrogation and leave.” See *Thompson v. Keohane*, 516 U.S. 99,
4 100 (1995). An individual is subject to interrogation when asked questions “that the police should
5 know are reasonably likely to elicit an incriminating response from the suspect.” See *Rhode Island*
6 *v. Innis*, 446 U.S. 291, 292 (1980).

7 Statements obtained during custodial interrogations are inadmissible at trial unless
8 preceded by a valid *Miranda* waiver. See *Stansbury v. California*, 511 U.S. 318, 322 (1994).
9 Only “voluntary” *Miranda* waivers are valid, which requires a “requisite level of comprehension”
10 and an “uncoerced choice”. See *People v. Farata*, 2007 Guam 8 ¶ 46. The voluntary nature of a
11 *Miranda* waiver is judged “from the totality of the circumstances, which includes the background,
12 experience, and conduct of the defendant.” Id. at ¶ 46.

14 “There is a presumption against waiver” of *Miranda* rights, and “the prosecution bears the
15 burden of proving by a preponderance of the evidence that a defendant knowingly and intelligently
16 waived his *Miranda* rights.” See *U.S. v. Garibay*, 143 F.3d 534, 536 (9th Cir. 1998).

18 **IV. Defendant J. Villacorta’s statements made during his March 7, 2024 interrogation are**
19 **admissible because they were preceded by a valid *Miranda* waiver.**

20 Defendant J. Villacorta’s statements at issue were made during a custodial interrogation for
21 *Miranda* purposes. Defendant J. Villacorta was in custody because uniformed GPD detectives
22 arrested him and transferred him to a police station in handcuffs. See CR at 3:34:00pm – 3:40:00pm
23 (Feb. 13, 2026). Any reasonable person would feel restrictions on their freedom of movement in
24 that scenario. Defendant J. Villacorta was also subject to interrogation because GPD Detective E.
25 Pewtress asked him questions about methamphetamine use and distribution. Id. at 3:46:00pm.
26 These questions were likely to elicit incriminating responses given that large amounts of
27 methamphetamine were discovered near Defendant J. Villacorta at the time of his arrest. Id. at
28 3:43:0pm. Because these statements were obtained during a custodial interrogation, they are

1 inadmissible unless preceded by a valid *Miranda* waiver. See *Stansbury v. California*, 511 U.S.
2 318, 322 (1994).

3 Defendant J. Villacorta waived his *Miranda* rights through the use of a signed Custodial
4 Interrogation Form. See CR at 3:40:00pm (Feb. 13, 2026). This form explained *Miranda* rights to
5 Defendant J. Villacorta and he indicated an understanding and waiver of each right by initialing
6 alongside each one. Id. at 3:41:00pm. Only after Defendant J. Villacorta waived his *Miranda* rights
7 did the custodial interrogation begin.

8 Defendant J. Villacorta claims this waiver was involuntary because he was intoxicated at the
9 time and overwhelmed with emotion by the search and his subsequent arrest. See Defendant J.
10 Villacorta's Motion to Suppress at 7 (Nov. 18, 2024). However, GPD Detective E. Pewtress
11 testified that Defendant J. Villacorta appeared to have a full understanding of his *Miranda* rights
12 before waiving them. See CR at 3:38:00pm (Feb. 13, 2026). This level of understanding continued
13 throughout the interrogation with Defendant J. Villacorta fully comprehending all questions asked of
14 him. Id. at 3:52:00pm. This continued understanding suggests that any intoxicating substances
15 Defendant J. Villacorta may have been on did not affect the voluntariness of his waiver.
16 Furthermore, Defendant J. Villacorta fails to establish how his emotional state rendered the waiver
17 involuntary. Merely seeing uninformed SWAT team members and GPD officers does not rise to the
18 point of undue coercion rendering a waiver involuntary.

19 In conclusion, the People have proven by a preponderance of the evidence that Defendant J.
20 Villacorta knowingly and intelligently waived his *Miranda* rights before the March 7, 2024
21 custodial interrogation began. Therefore, statements of Defendant J. Villacorta obtained during that
22 interrogation are admissible at trial.

23 **V. Defendant M. Quintanilla's statements made during his March 7, 2024 interrogation**
24 **are admissible because they were preceded by a valid *Miranda* waiver.**

25 The parties did not present any witnesses regarding Defendant M. Quintanilla's claimed
26 *Miranda* violation, opting to rely on the briefs submitted. See CR at 10:42:45am (May 29, 2026).

27 Defendant M. Quintanilla's statements at issue were made during a custodial interrogation
28 for *Miranda* purposes. Defendant M. Quintanilla was in custody because uniformed GPD officers

1 arrested him and transferred him to a police station after finding him alongside suspected drug
2 paraphernalia while executing the search warrant. See Defendant M. Quintanilla's Motion to
3 Suppress at 2-3 (Dec. 31, 2025); See also GPD Report No. 24-05378. Any reasonable person would
4 feel restrictions on their freedom of movement in that scenario. Defendant M. Quintanilla was also
5 subject to interrogation because GPD Detective J. Nucum asked him questions about
6 methamphetamine use and distribution. See GPD Report No. 24-05378. These questions were
7 likely to elicit incriminating responses given that Defendant M. Quintanilla was found with drug
8 paraphernalia at the time of his arrest. Because these statements were obtained during a custodial
9 interrogation, they are inadmissible unless preceded by a valid *Miranda* waiver. See *Stansbury v.*
10 *California*, 511 U.S. 318, 322 (1994).

11 Defendant M. Quintanilla waived his *Miranda* rights through the use of a signed Custodial
12 Interrogation Form. See Opposition to Defendant M. Quintanilla's Motion to Suppress at 6 (May 2,
13 2025). This standardized form explained each *Miranda* right to Defendant M. Quintanilla, and he
14 indicated an understanding and waiver of each right by initialing alongside each one. Id. at 6. Only
15 after Defendant M. Quintanilla waived his *Miranda* rights did the custodial interrogation begin.

16 Defendant M. Quintanilla claims this waiver was involuntary because he was too tired at the
17 time to know / understand his rights. See Defendant M. Quintanilla's Motion to Suppress at 3, 7
18 (Dec. 31, 2024). However, Defendant M. Quintanilla appeared cognizant during the waiver and
19 throughout his interrogation. See GPD Report 24-05378. He was able to fully answer questions and
20 converse with GPD Detective P. Nucum throughout the interrogation. Id. This suggests
21 Defendant M. Quintanilla's mental state did not affect the voluntariness of his waiver.

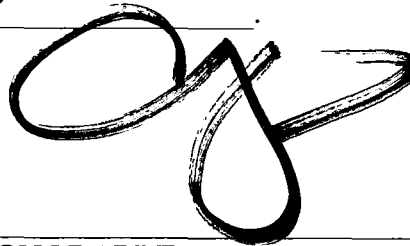
22 In conclusion, the People have proven by a preponderance of the evidence that Defendant M.
23 Quintanilla knowingly and intelligently waived his *Miranda* rights before the March 7, 2024
24 custodial interrogation began. Therefore, statements of Defendant M. Quintanilla obtained during
25 that interrogation are admissible at trial.

1 **CONCLUSION**

2 For the reasons stated above, the Court **DENIES** both Motions to Suppress.

- 3
- 4 • The search warrant was supported by probable cause without need to further bolster
 - 5 reliability or trustworthiness of the confidential informants. Therefore, fruits of the
 - 6 search (both physical and verbal) remain admissible in trial.
 - 7 • Defendant J. Villacorta's statements made during his March 7, 2024 interrogation
 - 8 are admissible because they were preceded by a valid *Miranda* waiver.
 - 9 • Defendant M. Quintanilla's statements made during his March 7, 2024
 - 10 interrogation are admissible because they were preceded by a valid *Miranda*
 - 11 waiver.

12 **IT IS SO ORDERED** this May 20, 2026

13 

14
15
16 **HONORABLE ALBERTO C. LAMORENA, III**
17 **Presiding Judge, Superior Court of Guam**

18
19
20
21
22
23 **SERVICE VIA EMAIL**

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

25 DAG; M. Smith
26 & PDCC

27 Date: 8/20/26 Time: 3:03

28 Reineta M. Lindlau
Deputy Clerk, Superior Court of Guam