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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 DEFENDANT'S MOTION
FOR DISCLOSURE
OF INFORMANT IDENTITY

INTRODUCTION

This matter came before the Honorable Alberto C. Lamorena, III on May 29, 2026 for hearing on Jeffrey Fejeran Villacorta's ("Defendant J. Villacorta's") Motion for Disclosure of Informant Identity ("Motion"). Assistant Attorney General Lucas Wood represents the People of Guam, Attorney Mark Smith represents Defendant J. Villacorta, Assistant Public Defender Jocelyn Roden represents Mark James Sablan Quintanilla ("Defendant M. Quintanilla"), and Attorney Terry Timblin represents Angie Sablan Quintanilla ("Defendant A. Quintanilla"). Having duly considered the parties' briefs and the applicable law, the Court now issues the following Decision and Order and **DENIES** Defendant J. Villacorta's Motion.

BACKGROUND

A search warrant covering 150B Gogue Drive, Ordod-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 (collectively “the
5 Informants”) to various GPD detectives. Id.

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

15 On November 18, 2024, Defendant J. Villacorta filed his Motion for Disclosure of Informant
16 Identity. Defendant J. Villacorta seeks several pieces of information concerning the Informants,
17 including their names, addresses, phone numbers, criminal histories, and incentives received (if
18 any) for their cooperation with GPD. See Motion at 1-2 (Nov. 18, 2024). Defendant J. Villacorta
19 claims the requested info is necessary for the preparation of his defense and for a fair trial because
20 the Informants’ statements connect him to the Residence where the drugs were found and allegedly
21 being sold. See Motion at 4 (Nov. 18, 2024). Defendant J. Villacorta also claims this info must be
22 disclosed under *Brady v. Maryland* to the extent it is exculpatory. Id. at 4-5.

23 On December 2, 2024, the People filed their Opposition to Defendant J. Villacorta’s Motion
24 (“Opposition”). The People claim Defendant J. Villacorta failed to demonstrate any need for the
25 Informants’ identities, rendering this information exempt from disclosure. See Opposition at 2-4
26 (Dec. 2, 2024).

1 The Court held a hearing on May 29, 2026. The parties opted to forgo oral arguments and
2 instead rely on the briefs submitted. See Court Recording at 10:42:45am (May 29, 2026). The
3 Court subsequently took the matter under advisement.

4 DISCUSSION

5 I. Preliminary Law:

6 The Government is obligated to provide certain exculpatory information to defendants
7 pursuant to *Brady v. Maryland* and Guam's discovery rules. This includes evidence that is
8 "favorable to an accused upon request ... where the evidence is material either to guilt or to
9 punishment". See *Brady v. Maryland*, 373 U.S. 83, 87 (1963). Suppression of such evidence
10 violates due process. Id. at 87. A similar obligation to disclose "any material or information which
11 tends to negate the guilt of the defendant as to the offense charged or would tend to reduce his
12 punishment therefor" is also imposed on the Government through Guam's discovery rules. See 8
13 G.C.A. § 70.10(a)(7).

14 However, "the prosecuting attorney shall not be required to disclose an informant's identity
15 where his identity is a prosecution secret and a failure to disclose will not infringe the constitutional
16 rights of the defendant." See 8 G.C.A. § 70.20(b). This reflects the Government's "privilege to
17 withhold from disclosure the identity of persons who furnish information of violations of law to
18 officers charged with enforcement of that law." See *Roviaro v. U.S.*, 353 U.S. 53, 59 (1957). The
19 purpose of this privilege is to encourage communication of knowledge of crimes to law-enforcement
20 by preserving the informant's anonymity.

21 This privilege is limited by the fundamental requirements of fairness. Determining whether
22 to reveal an informant's identity requires "balancing the public interest in protecting the flow of
23 information against the individual's right to prepare his defense." Id. at 62. This balance requires
24 analyzing "the particular circumstances of each case, taking into consideration the crime charged,
25 the possible defenses, the possible significance of the informer's testimony, and other relevant
26 factors." Id. at 62.

27 "The defendant has the burden of showing that the need for disclosure outweighs the
28 Government's privilege to withhold the identity of its confidential informants. The defendant can

1 satisfy his burden by showing that disclosure is ‘relevant and helpful’ to his defense, or ‘essential to
2 a fair trial’”. See *U.S. v. Lapsley*, 263 F.3d 839, 841 (8th Cir. 2001) (internal citations omitted). In
3 those situations, “the trial court may require disclosure and, if the Government withholds the
4 information, dismiss the action.” See *Roviano* at 353 U.S. at 61.

5 **II. The circumstances of this case do not demonstrate that the Informants’ identities are**
6 **relevant/helpful to the defense or essential to a fair trial.**

7 Defendant J. Villacorta claims the requested info is necessary for the preparation of his
8 defense and for a fair trial because the Informants’ statements connect him to the Residence where
9 the drugs were found and allegedly being sold. See Motion at 4 (Nov. 18, 2024). Defendant J.
10 Villacorta also claims this info must be disclosed under *Brady v. Maryland* to the extent it is
11 exculpatory. Id. at 4-5.

12 The materiality of the Informants’ possible testimony is determined by reference to the
13 offenses charged and the evidence relating to those charges. Defendant J. Villacorta is charged
14 with: (i) Possession of a Schedule II Controlled Substance with Intent to Deliver (as a 1st Degree
15 Felony), and (ii) Possession of a Schedule II Controlled Substance (as a 3rd Degree Felony). See
16 Indictment (Aug. 30, 2024). The language in the Indictment accuses Defendant J. Villacorta of: (i)
17 knowingly or intentionally manufacturing, delivering, or possessing with intent to manufacture,
18 deliver, or dispense a controlled substance, and (ii) knowingly or intentionally possessing a
19 Schedule II controlled substance. Id.

20 Neither of these charges are so closely related to the Informants as to make their identities
21 and testimony highly material. The charge of Possession of a Schedule II Controlled Substance with
22 Intent to Deliver (as a 1st Degree Felony) concerns future sales rather than any past sales made to the
23 Informants. See *U.S. v. Ortiz*, 804 F.2d 1161, 1166 (“Disclosure is not required when the informer
24 is not a participant in, or witness to, the crime charged.”). The charge of Possession of a Schedule II
25 Controlled Substance (as a 3rd Degree Felony) concerns Defendant J. Villacorta being found in
26 proximity to methamphetamine rather than any interactions with the Informants. The Government’s
27 intent to not call any of the Informants as witnesses when proving these charges at trial further
28 suggests their testimony would not be material in any way. See Opposition at 4 (Dec. 2, 2024).

1 Rather, the People intend on presenting a significant amount of other evidence to prove these
2 charges. This includes visual observations from GPD detectives/officers during their surveillance
3 missions of the Residence and their execution of the search warrant, statements made by several
4 named individuals concerning ongoing drug purchases, and Defendant J. Villacorta's own
5 statements. There will still be an opportunity for Defendant J. Villacorta to cross-examine any of
6 these witnesses when preparing his defense.

7 Defendant J. Villacorta also failed to indicate with specificity how these requested
8 disclosures would aid his defense. Defendant J. Villacorta claims the Informants' identities might
9 raise doubts about GPD's investigation as a whole. See Motion at 4 (Nov. 18, 2024). However,
10 "mere suspicion that information will prove helpful is insufficient to require disclosure." See U.S. v.
11 Johnson, 886 F.2d 1120, 1122 (9th Cir. 1989). As indicated, the People do not intend on calling the
12 Informants as witnesses and instead plan on proving these charges through visual observations and
13 statements of named individuals. It's entirely speculative that the Informants' testimonies would
14 contradict such evidence or otherwise aid Defendant J. Villacorta's defense.

15 CONCLUSION

16 For the reasons stated above, the Court **DENIES** Defendant J. Villacorta's Motion. Neither
17 the Informants' identities nor any other requested information concerning them is relevant or
18 helpful to the defense. Therefore, the information remains confidential/privileged and does not
19 need to be disclosed by the Government.

20
21 IT IS SO ORDERED this August 20, 2026.

22 **SERVICE VIA EMAIL**

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

25 OAG & M. Smith

26 Date: 8/20/24 Time: 3:03

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


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