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IN THE SUPERIOR COURT OF GUAM

SUPERIOR COURT
OF GUAM

PEOPLE OF GUAM,

v.

SARA KATERI MONIZ,
DOB: 10/23/1998

Defendant.

Criminal Case No. CF0688-23
GPD Report Nos. 23-24506 / 23-25649 /
23-25654

**DECISION AND ORDER
DENYING THE PEOPLE'S
RESTITUTION REQUEST**

INTRODUCTION

This matter came before the Honorable Alberto C. Lamorena, III on May 15, 2026 for a Restitution Hearing. Assistant Attorney General Lucas Wood represents the People, and Attorney Jared Conolly represents Sara Kateri Moniz ("Defendant"). Having duly considered the parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order and **DENIES** the People's restitution request.

BACKGROUND

On February 27, 2024, Defendant pled guilty to Unauthorized Use of a Motor Vehicle (as a Misdemeanor), Vehicle Without Identification (as a Misdemeanor), Eluding a Police Office (as a Misdemeanor), and Criminal Trespass (as a Misdemeanor). See Judgment of Conviction (Mar. 5, 2024). In doing so, Defendant admitted that on or about October 26, 2023, she knowingly operated an automobile without the consent of its owner, Carolyn Garrido ("Victim"). See Plea Agreement (Mar. 5, 2024). Pursuant to the terms of the plea agreement, Defendant agreed to pay full restitution to Victim in an amount to be determined at a later restitution hearing. Id.

On June 11, 2025, the People submitted Victim's restitution request in the amount of three hundred sixty-six dollars (\$366.00). See Restitution Summary (Jun. 11, 2025). This amount consists entirely of physical items contained within the Victim's car when it was initially stolen as well as the cost of obtaining a police report. Id.

1 On April 9, 2026, Defendant submitted her Opposition to Restitution Summary
2 (“Opposition”). Defendant argues Victim’s restitution request should be denied because: (i)
3 Victim’s requested losses did not result from offenses she pled guilty to, and (ii) granting the
4 restitution would place an undue burden on her. See Opposition at 4-6 (Apr. 9, 2026).

5 The Court held a hearing on May 15, 2026. The Court heard the parties’ arguments and took
6 the matter under advisement.

7 DISCUSSION

8 I. Preliminary Law:

9 “The court shall require restitution in all cases where the offender has been convicted of a
10 crime involving damage to property of the victim when the offender is or, given a fair opportunity to
11 do so, will be able to pay the restitution.” See 9 G.C.A. § 80.53.

12 A person convicted of an offense may be sentenced to pay a fine or make restitution not
13 exceeding:

14 (c) One Thousand Dollars (\$1,000.00) when the conviction is of a
15 misdemeanor;

16 (e) Any higher amount equal to double the pecuniary gain to the offender or
17 loss to the victim caused by the conduct constituting the offense by the
18 offender. In such case the court shall make a finding as to the amount of the
19 gain or loss, and if the record does not contain sufficient evidence to support
20 such a finding the court may conduct a hearing upon the issue. For purposes
21 of this Section, the term “gain” means the amount of money or the value of
22 the property derived by the offender and the term “loss” means the amount of
23 value separated from the victim;

24 See 9 G.C.A. §§ 80.50(c) & (e).

25 The primary purpose of restitution is to make victims whole” by having the Defendant return
26 or pay for losses inflicted. See *U.S. v. Anthony*, 25 F.4th 792, 797 (10th Cir. 2022). “Restitution can
27 only include losses directly resulting from a defendant’s offense.” See *U.S. v. Andrews*, 600 F.3d
28 1167, 1170 (9th Cir. 2010). “Directly resulting means that the conduct underlying the offense of
conviction must have caused a loss for which a court may order restitution.” *Id.* at 1171. The
People, “by a preponderance of the evidence ... bears the burden of proving: (1) that a person or
entity is a victim for purposes of restitution; and (2) the amount of the loss.” See *U.S. v. Monk*, 2009
WL 2567831, *1 (E.D. Cal. 2009).

