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SUPERIOR COURT
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IN THE SUPERIOR COURT OF GUAM

ORHAN DENIZ KURTOGLU, Plaintiff, vs. YAN SUN, Defendant.	Domestic Case No. DM0218-26 **DECISION & ORDER RE: ORDER TO SHOW CAUSE**

INTRODUCTION

This matter came before the Honorable John C. Terlaje on September 3, 2026, for an Order to Show Cause. Attorney Jeffery Cook appeared on behalf of the Plaintiff, Orhan Deniz Kurtoglu. The Defendant, Yan Sun, appeared *pro se*. The Court has considered the evidence, including the testimony of witnesses and exhibits, and has further considered the written pleadings and proposed findings of fact and conclusions of law submitted by the parties. The Court has also taken into account: (1) the witnesses' intelligence; (2) the witnesses' memory; (3) the witnesses' ability and opportunity to observe; (4) the witnesses' manner while testifying; (5) any interest, bias, or prejudice of the witnesses; and (6) the reasonableness of the witnesses' testimony when considered in light of all the evidence in the case. Upon review of the evidence, oral and written arguments, and legal authorities presented, the Court hereby **GRANTS** in part and **DENIES** in part Kurtoglu's Order to Show Cause.

PROCEDURAL BACKGROUND

Kurtoglu filed the Order for Clerk of Court to File CNMI Orders Pursuant to Uniform Enforcement of Foreign Judgments Act on June 12, 2026. Kurtoglu filed his Order to Show Cause RE: Contempt on July 29, 2026. Sun filed her first Submission in Opposition to this Order to Show Cause on August 6, 2026.[1] Kurtoglu filed his Response to Sun's Submissions on August 28, 2026. The parties appeared before the Court for an evidentiary hearing on September 3, 2026.

FACTUAL BACKGROUND

Kurtoglu and Sun have one minor child together, S.K. Test. of Orhan Kurtoglu (Evid. Hr'g, Sep. 3, 2026). Kurtoglu resides in Florida. *Id.* Sun resides with S.K. in Guam. *Id.* Kurtoglu is employed as a pilot with Eastern Airlines. *Id.* He travels to Guam for free as part of the benefits of his job. *Id.*

In 2025, Kurtoglu had S.K. in his physical custody for approximately six (6) months and two (2) weeks. Sun listed S.K. as a dependent on her 2025 tax return. *Id.*

Since moving to Guam, Kurtoglu has tried to call S.K. around ten (10) times and was not allowed to speak with her. *Id.* These call times generally range between the hours of 6:00 P.M. and 8:00 P.M. Guam Time on Tuesdays and Thursdays, but not every call was made within those hours. *Id.*

Kurtoglu has come to Guam once a month for the past year to spend thirteen (13) to fourteen (14) days with S.K. *Id.* Kurtoglu flies for free on standby as a pilot. *Id.* Because Kurtoglu flies on standby, his arrival and departure dates for visitation have been unpredictable. *Id.*

[1] Sun filed four other Submissions on August 11, 18, 19, and 21, 2026.

Kurtoglu picks S.K. up from Sun at a designated location or from school. *Id.* In July of 2026, Kurtoglu gave Sun six (6) days' notice that he would pick up S.K. *Id.* When Kurtoglu arrived, Sun did not give S.K. to Kurtoglu until the day after he arrived at approximately 9:00 AM. *Id.*

Before residing in Florida and Guam, the parties lived in Saipan. *Id.* The Court in Saipan issued multiple orders regarding the custody of the parties' minor child. *Id.*

DISCUSSION

The parties have a disagreement regarding the interpretation of prior orders. Specifically, the parties disagree about what time the video calls between S.K. and Kurtoglu should occur and how shared physical custody should occur. *Id.*

Due to this disagreement, Kurtoglu requested the Court for sanctions because he believes Sun is in violation of the orders the court in Saipan issued. *Id.* First, he argues that Sun is in violation of a court order that allowed Kurtoglu to list S. K. as his dependent on his 2025 tax return. *Id.* Second, he argues that Sun has violated court orders by not allowing him to call S.K. on multiple occasions. *Id.* Third, he argues that Sun has violated court orders by not allowing him to see S.K. in July of 2026 until the day after his arrival. *Id.*

The Uniform Enforcement of Foreign Judgments Act provides "a simpler and more efficient procedure to domesticate judgments rendered in other states or territories of the United States." 7 G.C.A. § 51102. Under this act, "[a] judgment so filed has the same effect and is subject to the same procedures, defenses, and proceedings for reopening, vacating, or staying as a judgment of the Superior Court of Guam and may be enforced or satisfied in like manner." 7 G.C.A. § 51104.

Here, this case was filed as a foreign order from the Commonwealth of the Northern Mariana Islands ("CNMI"). Therefore, the previous orders from CNMI must be adopted by this Court. Considering the Superior Court of CNMI's prior orders, the Court agrees that Sun violated a court order by listing S.K. as her dependent on her 2025 tax return but disagrees with Kurtoglu's interpretation of the CNMI court orders regarding the other two allegations. The Court will first discuss the 2025 tax return, then the video calls, and finally how physical custody will be shared.

I. The 2025 Tax Return

On May 15, 2025, the Superior Court for the Commonwealth of the Northern Mariana Islands ordered, "[w]hichever party has physical custody of the minor child, S.K., for more than six (6) months shall claim the minor child on their annual tax filing." Decl. of Orhan Deniz Kurtoglu at Ex. 2 (Jul. 27, 2026).

Kurtoglu should have listed S.K. as his dependent in 2025. Kurtoglu had physical custody of S.K. for more than six (6) months during 2025. The order from Saipan states that S.K. is to be listed as a dependent for whichever party had S.K. in their physical custody for more than six months in that year. Therefore, S.K. should be listed as Kurtoglu's dependent on his 2025 tax return.

II. The Timing of Video Calls between Kurtoglu and S.K.

This Court has previously ordered that Kurtoglu is allowed video communication with S.K. on Tuesdays and Thursdays between 6:00 P.M. and 8:00 P.M. Guam Time when he is not with S.K. Temporary Order After Hr'g at 2 (Sep. 8, 2026). If Kurtoglu does not call by 6:30 P.M. Guam Time, he loses the right to call that day. *Id.*

The Court will maintain this order but will modify it to clarify that this video communication is allowed when Kurtoglu does not have physical custody of S.K regardless of whether he is on Guam. Kurtoglu has generally called S.K. at times between 6:00 P.M. and 8:00 P.M. Guam Time. The missed calls to S.K. seem to generally have happened around 7:00 P.M. or later. S.K. has only missed ten (10) calls from Kurtoglu in the last several months. This likely indicates that the unpredictability of the calls is what is preventing Kurtoglu from connecting with S.K. rather than a deliberate attempt by Sun to prevent the calls. Thus, the Court will maintain its previous order so as to prevent unpredictability.

III. The Interpretation of Orders Regarding Physical Custody

On October 14, 2025, the Superior Court for CNMI ordered that Kurtoglu give Sun "five (5) days advance notice to Respondent when he will be traveling to Guam for visitation. . . S.K. shall remain with [Kurtoglu] for the entirety of [Kurtoglu's] visit if [Kurtoglu] will be in Guam for up to fourteen (14) days." Submission at Ex. D (Aug. 18, 2026). The CNMI Superior Court went on to order "[i]f [Kurtoglu] will be in Guam for more than fourteen (14) days, visitation shall alternate on a week-to-week basis." *Id.* However, on July 16, 2025, the Superior Court of CNMI ordered, "[Kurtoglu] may have in-person visitation during extended school breaks, including summer, winter, and spring vacations." *Id.* at Ex. A. The October order did not state that it would supersede the previous July order. *Id.* at Ex. D.

Kurtoglu will be ordered to limit his visitation to extended school breaks. Since Sun and S.K. moved to Guam, Kurtoglu has tried to visit S.K. every month for fourteen (14) days at a time. Because he is a pilot, he can fly to Guam for free. However, the timing of his arrival and departure is not precise because he flies standby. Additionally, the Superior Court of CNMI never

rescinded its July 2025 order to restrict Kurtoglu's visitation to extended school holidays. Therefore, considering the CNMI Superior Court orders and the unpredictability of Kurtoglu's visitations, the Court orders that Kurtoglu visit S.K. only on her extended school holidays.

CONCLUSION

Based on the foregoing, the Court hereby orders the following:

1. Sun is ordered to file an amended tax return that removes S.K. as her dependent for the year 2025 within thirty (30) days of this order.
2. The non-custodial parent will have virtual visitation and contact via WhatsApp, Facebook, and any other available communication platform not mentioned herein. The non-custodial parent may call or video chat with S.K. between 6:00 P.M. and 8:00 P.M. on Tuesdays and Thursdays. Failure to contact S.K. by 6:30 P.M. will result in forfeiture of the right to call for that day.
3. Kurtoglu may have in-person visitation during the extended school breaks in summer and winter. S.K. shall remain with Kurtoglu for the entirety of Kurtoglu's visit if Kurtoglu will be in Guam for up to fourteen (14) days. If Kurtoglu will be in Guam for more than fourteen (14) days, visitation shall alternate on a week-to-week basis. Pick-up and drop-off shall be made at the Dededo Police Station or other agreed-upon location.
4. Kurtoglu must give Sun five (5) days advance notice when he will be traveling to Guam for visitation during S.K.'s extended school breaks. This notice will include the exact dates of arrival and departure. Should Kurtoglu be unable to arrive or depart on the

exact days stated to Sun, Kurtoglu will forfeit that time unless otherwise agreed upon by the parties.

5. Any of the terms of this custody arrangement may be adjusted by mutual agreement of the parties.

If this Order modifies current orders of the court, this Order controls. Any prior orders of the Court not modified by this Order remain in effect.

SO ORDERED, this Sept. 25, 2026.

HON. JOHN C. TERLAJE
Judge, Superior Court of Guam