



FILED
SUPERIOR COURT
OF GUAM

2013 FEB 13 PM 12:42

CLERK OF COURT

BY: _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Office of the Attorney General
Leonardo M. Rapadas
Attorney General of Guam
Prosecution Division
287 West O'Brien Drive
Hagåtña, Guam 96910 • USA
(671) 475-3406 • (671) 477-3390 (Fax)
www.guamag.org

Attorneys for the People of Guam

IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

CF 0083-13

PEOPLE OF GUAM,

) Criminal Case No. CF _____
) GPD Report No. 13-04705

vs.

) Charges:

CHAD R. DE SOTO
DOB: 10/28/1991

-) 1) **AGGRAVATED MURDER**
(As a 1st Degree Felony) **2 counts**
Special Allegation - Possession and Use of a Deadly Weapon in the Commission of a Felony (2 counts)
-) 2) **ATTEMPTED AGGRAVATED MURDER**
(As a 1st Degree Felony)
Special Allegation - Possession and Use of a Deadly Weapon in the Commission of a Felony
-) 3) **AGGRAVATED ASSAULT**
(As a 2nd Degree Felony) **8 counts**
Special Allegation - Possession and Use of a Deadly Weapon in the Commission of a Felony (8 counts)

Defendant.

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **CHAD R. DE SOTO** of certain crimes committed as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FIRST CHARGE

Count One

On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the offense of ***Aggravated Murder***, in that he intentionally and with premeditation caused the death of another human being, that is, ***Kazuko Uehara***, in violation of 9 GCA §§ 16.30(a)(1) and 16.30(b).

SPECIAL ALLEGATION

*Possession and Use of a Deadly Weapon in the
Commission of a Felony
Count One*

On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did knowingly and unlawfully possess and use a deadly weapon, that is, ***a knife***, in the commission of a felony, that is, ***Aggravated Murder (As a 1st Degree Felony)***, as alleged in the First Charge, Count One above, in violation of 9 GCA § 80.37.

Count Two

On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the offense of ***Aggravated Murder***, in that he intentionally and with premeditation caused the death of another human being, that is, ***Rie Sugiyama***, in violation of 9 GCA §§ 16.30(a)(1) and 16.30(b).

SPECIAL ALLEGATION

*Possession and Use of a Deadly Weapon in the
Commission of a Felony
Count Two*

On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did knowingly and unlawfully possess and use a deadly weapon, that is, ***a knife***, in the commission of a felony, that is, ***Aggravated Murder (As a 1st Degree Felony)***, as alleged in the First Charge, Count Two above, in violation of 9 GCA § 80.37.

1 **SECOND CHARGE**

2 **Count One**

3 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
4 offense of *Attempted Aggravated Murder*, in that he intentionally and with premeditation caused
5 the death of another human being, that is, *R.S. (DOB: June 2012)*, in violation of 9 GCA
6 §§ 16.30(a)(1) and 16.30(b), and 13.10.

7 ***SPECIAL ALLEGATION***

8 *Possession and Use of a Deadly Weapon in the*
9 *Commission of a Felony*

10 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
11 did knowingly and unlawfully possess and use a deadly weapon, that is, *a knife*, in
12 the commission of a felony, that is, *Attempted Aggravated Murder (As a 1st Degree*
13 *Felony)*, as alleged in the Second Charge above, in violation of 9 GCA § 80.37.

14 **THIRD CHARGE**

15 **Count One**

16 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
17 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
18 is, *Katsuko Nohara*, in circumstances manifesting extreme indifference to the value of human life,
19 in violation of 9 GCA §§ 19.20(a)(1) and (b).

20 ***SPECIAL ALLEGATION***

21 *Possession and Use of a Deadly Weapon in the*
22 *Commission of a Felony*
23 *Count One*

24 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
25 did knowingly and unlawfully possess and use a deadly weapon, that is, *a car*, in the
26
27
28

1 commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*, as
2 alleged in the Third Charge, Count One above, in violation of 9 GCA § 80.37.

3
4 **Count Two**

5 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
6 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
7 is, *Hiromi Nohara*, in circumstances manifesting extreme indifference to the value of human life,
8 in violation of 9 GCA §§ 19.20(a)(1) and (b).

9
10 **SPECIAL ALLEGATION**
11 *Possession and Use of a Deadly Weapon in the*
12 *Commission of a Felony*
13 *Count Two*

14 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
15 did knowingly and unlawfully possess and use a deadly weapon, that is, *a car*, in the
16 commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*, as
17 alleged in the Third Charge, Count Two above, in violation of 9 GCA § 80.37.

18 **Count Three**

19 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
20 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
21 is, *Daisuke Okawachi*, in circumstances manifesting extreme indifference to the value of human life,
22 in violation of 9 GCA §§ 19.20(a)(1) and (b).

23
24 **SPECIAL ALLEGATION**
25 *Possession and Use of a Deadly Weapon in the*
26 *Commission of a Felony*
27 *Count Three*

28 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
did knowingly and unlawfully possess and use a deadly weapon, that is, *a car*, in the

1 commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*, as
2 alleged in the Third Charge, Count Three above, in violation of 9 GCA § 80.37.

3
4 **Count Four**

5 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
6 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
7 is, *Kana Furuyama*, in circumstances manifesting extreme indifference to the value of human life,
8 in violation of 9 GCA §§ 19.20(a)(1) and (b).

9
10 ***SPECIAL ALLEGATION***
11 *Possession and Use of a Deadly Weapon in the*
12 *Commission of a Felony*
13 *Count Four*

14 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
15 did knowingly and unlawfully possess and use a deadly weapon, that is, *a car*, in the
16 commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*, as
17 alleged in the Third Charge, Count Four above, in violation of 9 GCA § 80.37.

18 **Count Five**

19 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
20 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
21 is, *Rui Sugiyama*, in circumstances manifesting extreme indifference to the value of human life, in
22 violation of 9 GCA §§ 19.20(a)(1) and (b).

23
24 ***SPECIAL ALLEGATION***
25 *Possession and Use of a Deadly Weapon in the*
26 *Commission of a Felony*
27 *Count Five*

28 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
did knowingly and unlawfully possess and use a deadly weapon, that is, *a knife*, in

1 the commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*,
2 as alleged in the Third Charge, Count Five above, in violation of 9 GCA § 80.37.

3
4 **Count Six**

5 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
6 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
7 is, *Haruka Furuyama*, in circumstances manifesting extreme indifference to the value of human life,
8 in violation of 9 GCA §§ 19.20(a)(1) and (b).

9
10 ***SPECIAL ALLEGATION***
11 *Possession and Use of a Deadly Weapon in the*
12 *Commission of a Felony*
13 *Count Six*

14 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
15 did knowingly and unlawfully possess and use a deadly weapon, that is, *a knife*, in
16 the commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*,
17 as alleged in the Third Charge, Count Six above, in violation of 9 GCA § 80.37.

18 **Count Seven**

19 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the
20 offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that
21 is, *Kaylani Quichocho*, in circumstances manifesting extreme indifference to the value of human
22 life, in violation of 9 GCA §§ 19.20(a)(1) and (b).

23
24 ***SPECIAL ALLEGATION***
25 *Possession and Use of a Deadly Weapon in the*
26 *Commission of a Felony*
27 *Count Seven*

28 On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO**
did knowingly and unlawfully possess and use a deadly weapon, that is, *a knife*, in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

the commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*, as alleged in the Third Charge, Count Seven above, in violation of 9 GCA § 80.37.

Count Eight


On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did commit the offense of *Aggravated Assault*, in that he did recklessly cause serious bodily injury to another, that is, *Yusuki Sugiyama*, in circumstances manifesting extreme indifference to the value of human life, in violation of 9 GCA §§ 19.20(a)(1) and (b).

SPECIAL ALLEGATION
Possession and Use of a Deadly Weapon in the Commission of a Felony
Count Eight

On or about the 12th day of February, 2013, in Guam, **CHAD R. DE SOTO** did knowingly and unlawfully possess and use a deadly weapon, that is, *a knife*, in the commission of a felony, that is, *Aggravated Assault (As a 2nd Degree Felony)*, as alleged in the Third Charge, Count Eight above, in violation of 9 GCA § 80.37.

Dated this day, Wednesday, February 13, 2013.

OFFICE OF THE ATTORNEY GENERAL
LEONARDO M. RAPADAS, Attorney General of Guam


JONATHAN R. QUAN
Assistant Attorney General, Prosecution Division

NO PRIORS

IN THE SUPERIOR COURT OF GUAM

DECLARATION

COMES NOW, JONATHAN R. QUAN, a duly appointed Assistant Attorney General, and aver, upon information and belief, that the foregoing is true.

I have reviewed a synopsis of Guam Police Report No. 13-04705 submitted by GPD Officer J. Lizama and I have spoken briefly to him as well as GPD Officer B.K. Flores. The synopsis as well as the discussions set forth the following events occurred on Guam.

On or about February 12, 2013, Officers responded to the Sand Castle in Tumon regarding an individual, later identified as CHAD RYAN DESOTO ("Defendant"), who had used a knife and stabbed people and then entered a vehicle (grey 2007 Toyota Yaris (GLP#: MER 6052)) and struck several other people, causing injuries. While responding, Officers received further information that the Defendant had driven his vehicle off the roadway and onto the sidewalk and pedestrian area of the Outrigger Hotel / Jungle Java and Plaza Shopping Center in Tumon in front of ABC Store. The Defendant struck several individuals in front of the Outrigger Hotel / Jungle Java and Plaza Shopping Center when he drove off the roadway.

The Defendant then exited his vehicle with his knife and began to stab individuals that he came across.

In total, FOURTEEN (14) people were victimized. The following SIX (6) people were injured by the Defendant utilizing his vehicle:

- (1) Katsuko Nohara;
- (2) Hiromi Nohara;
- (3) Daisuki Okawachi;
- (4) John Doe;
- (5) Jane Doe;
- (6) Kana Furuyama.

The following EIGHT (8) people were injured by the Defendant using his knife:

- (1) Kazuko Uehara;
- (2) Rie Sugiyama;
- (3) Rui Sugiyama;
- (4) Jane Doe II
- (5) R.S. (June 2012);
- (6) Haruka Furuyama;

(7) Kaylani Quichocho;

(8) Yusuke Sugiyama.

Of this eight, the following TWO (2) people were killed:

KAZUKO UEHARA was killed by the Defendant when he stabbed her. She was 81 years old.

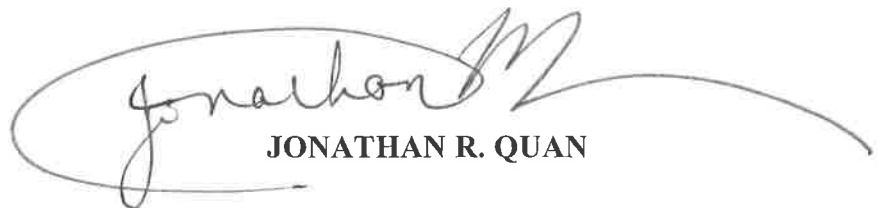
RIE SUGIYAMA was killed by the Defendant when he stabbed her. She was 29 years old. RIE SUGIYAMA's eight month old son, R.S. (DOB: June 2012) was also stabbed by the Defendant.

The Defendant later stated to Police Officers that he had intended on hurting as many people with his vehicle initially and subsequently with his knife.

Based on the foregoing, there is probable cause to charge CHAD RYAN DESOTO with Two (2) Counts of AGGRAVATED MURDER (As a 1st Degree Felony), in violation of Title 9 G.C.A. §16.30(a)(1) and (b); Two (2) Counts of SPECIAL ALLEGATION – POSSESSION AND USE OF A DEADLY WEAPON IN THE COMMISSION OF A FELONY in violation of Title 9 G.C.A. §80.37; ATTEMPTED AGGRAVATED MURDER (As a 1st Degree Felony), in violation of Title 9 G.C.A. §16.30(a)(1) and (b) and §13.10; SPECIAL ALLEGATION – POSSESSION AND USE OF A DEADLY WEAPON IN THE COMMISSION OF A FELONY in violation of Title 9 G.C.A. §80.37 and Eight (8) Counts of AGGRAVATED ASSAULT (As a 2nd Degree Felony), in violation of Title 9 G.C.A. §19.20(a)(1) and (b) and Eight (8) Counts of SPECIAL ALLEGATION – POSSESSION AND USE OF A DEADLY WEAPON IN THE COMMISSION OF A FELONY in violation of Title 9 G.C.A. §80.37.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of February, 2013.



JONATHAN R. QUAN