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FILED
SUPERIOR COURT
OF GUAM

2010 MAR 15 PM 1:31

CLERK OF COURT

BY _____

IN THE SUPERIOR COURT OF GUAM
HAGATNA, GUAM **CF 0175-10**

THE PEOPLE OF GUAM,

CRIMINAL CASE NO. CF
GPD REPORT NO. 10-07241

vs.

CHARGES:

DERRICK CRUZ,
DOB: 02/24/1992
CAL-JEROME DELORIE,
DOB: 12/20/1990
DARREN GONZOLO CRUZ,
DOB: 10/02/1993
ZARED ZERMAINE LIZAMA,
DOB: 02/10/1994
SHAYNE G. TERLAJE,
DOB: 06/18/1992
Defendants.

- 1. **MURDER**
(As a First Degree Felony)
- 2. **AGGRAVATED MURDER**
(As a First Degree Felony)
- 3. **BURGLARY**
(As a Second Degree Felony)
SPECIAL ALLEGATION -
*Possession and Use of a Deadly Weapon
in Commission of a Felony)*
- 4. **CONSPIRACY TO
COMMIT BURGLARY**
(As a Second Degree Felony)

MAGISTRATE'S COMPLAINT

The Attorney General of Guam hereby accuses **DERRICK CRUZ, CAL-JEROME DELORIE, DARREN GONZOLO CRUZ, ZARED ZERMAINE LIZAMA** and **SHAYNE G. TERLAJE** of certain crimes committed as follows:

ORIGINAL

FIRST CHARGE

1
2 On or about the 8th day of March, 2010, in Guam, **DERRICK CRUZ, CAL-JEROME**
3 **DELORIE, DARREN GONZOLO CRUZ, ZARED ZERMAINE LIZAMA** and **SHAYNE G.**
4 **TERLAJE** did commit the offense of *Murder*, in that they recklessly caused the death of another
5 human being, that is *Vincent Bernardo Peredo*, under circumstances manifesting extreme indifference
6 to the value of human life, in violation of 9 GCA §§ 16.20(a)(4), 16.40(a)(2) and 16.40(b).

SECOND CHARGE

7
8 On or about the 8th day of March, 2010, in Guam, **DERRICK CRUZ, CAL-JEROME**
9 **DELORIE, DARREN GONZOLO CRUZ, ZARED ZERMAINE LIZAMA** and **SHAYNE G.**
10 **TERLAJE** did commit the offense of *Aggravated Murder*, in that they committed criminal homicide
11 during the commission of a felony or the attempt to commit a felony, namely, *Burglary*, in violation
12 of 9 GCA §§ 16.20(a)(4), 16.30(a)(2), and 37.20(a).

THIRD CHARGE

13
14 On or about the 8th day of March, 2010, in Guam, **DERRICK CRUZ, CAL-JEROME**
15 **DELORIE, DARREN GONZOLO CRUZ, ZARED ZERMAINE LIZAMA** and **SHAYNE G.**
16 **TERLAJE** did commit the offense of *Burglary*, in that they did enter in the habitable property of
17 *Vincent Bernardo Peredo, #153 As Andie St., Yona*, with the intent to commit the crime *Theft*
18 therein, at a time when the premises were neither open to the public nor the Defendant licensed or
19 privileged to so enter in, violation of 9 GCA §§ 37.20(a) and 37.20(b).

SPECIAL ALLEGATION

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

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22
23 On or about the 8th day of March, 2010, in Guam, **DERRICK**
24 **CRUZ, CAL-JEROME DELORIE, DARREN GONZOLO CRUZ,**
25 **ZARED ZERMAINE LIZAMA** and **SHAYNE G. TERLAJE** did
26 knowingly and unlawfully use a deadly weapon, that is, *a bat*, in the
27 commission of a felony, that is, *Burglary*, in violation of 9 GCA § 80.37.
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FOURTH CHARGE

On or about the 8th day of March, 2010, in Guam, **DERRICK CRUZ, CAL JEROME DELORIE, DARREN GONZOLO CRUZ, ZARED ZERMAINE LIZAMA and SHAYNE G. TERLAJE** did agree with one or more other persons, that they or one of them would engage in conduct which constituted the crime of **Burglary**, in violation of 9 GCA § 13.30.

Dated: MARCH 15, 2010

OFFICE OF THE ATTORNEY GENERAL
ALICIA G. LIMTIACO, Attorney General of Guam

Clyde Lemons Jr.

CLYDE LEMONS, JR.
Assistant Attorney General, Prosecution Division

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IN THE SUPERIOR COURT OF GUAM
DECLARATION

COME NOW Clyde Lemons, Jr., a duly appointed Assistant Attorney General, and aver, upon information and belief, that the following is true. I interviewed GPD Special Agent A.V. Camacho #211 regarding GPD case #2010-7241 who revealed the following occurred on Guam:

On March 8, 2010 a caller called 911 and identified himself as Philip Mesa, who stated that his friend, the victim Vincent Bernardo Peredo, "looked beat up and knocked out." The caller requested that an ambulance come to the location. Police arrived on the scene and found the victim lying in a pool of blood with numerous head injuries. The police saw that the victim's hands, feet and legs were tied. Police also observed that marijuana was scattered throughout the victim's house and that there had appeared to be a struggle at the house as well. The victim was dead at the scene.

Dr. Espinola who conducted the autopsy told police that the victim appeared to have been tortured. Dr. Espinola further told them that the victim would have lived had he received prompt medical attention.

The police learned that the 911 call had been made on the victim's cell phone, which was not at his home when they arrived on March 8, 2010. Police interviewed Cal-Jerome Delorie, who told them he had made the call to 911 on the victim's cell phone and that he was present when the victim was beaten by Derrick Cruz and Zared Zermaine Lizama. He also said he used Philip Mesa's name because he knew Mesa and the victim were good friends. He told police that he (Cal-Jerome Delorie), Derrick Cruz, Zared Zermaine Lizama and Shayne Terlaje had met the morning of March 8, 2010. He said that they had planned to go to the victim's residence to steal his marijuana. He further stated that they drove to an area and told Shayne Terlaje to meet them at that location after they had taken the victim's marijuana. Delorie also told the police that he gave his pistol to defendant Lizama to take to the victim's house.

According to defendant Delorie when they arrived at the victim's house, defendant Cruz, sees a bat and goes inside the house with the bat. Defendant Delorie told police that he stayed outside and acted as the "lookout". Shortly after the other defendants go inside the house, Delorie stated he heard a lot of noise and yelling. Delorie stated shortly afterwards the other defendants came out of the house with black trash bags filled with marijuana and that they go to the pre-arranged location where Shayne Terlaje picks them up. Delorie further stated that on the way to the prearranged pickup spot that they got rid of the bat and the victim's cell phone in the jungle. Delorie stated that the defendants subsequently shared the marijuana amongst themselves.

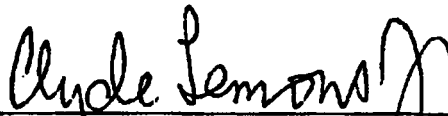
Police interviewed Derrick Cruz who told them that when they got to the victim's house he is the one who took the bat inside. He further stated that defendant Delorie went inside the victim's residence with him and Zared Zermaine Lizama. Defendant Cruz stated that defendant Zared Lizama, broke the door down and the victim punched defendant Lizama, knocking him down. Lizama stated that all of them began to beat up the victim. Lizama stated that while he did not intend to kill the victim he admitted to striking the victim in the head, body and knees with the baseball bat. Lizama told police the victim told them ".....to take what you want." The police spoke to Zared Lizama, who's statement corroborated Derrick Cruz's statement, however he added that Cal-Jerome Delorie hit the victim in the head with a glass vase.

Darren Gonzolo Cruz admitted to burning his brother's (Derrick Cruz) bloody shirt after the victim was killed.

1 Based on the foregoing, there is probable cause to charge **DERRICK CRUZ, CAL- JEROME**
 2 **DELORIE, DARREN GONZOLO CRUZ, ZARED ZERMAINE LIZAMA and SHAYNE G.**
 3 **TERLAJE** with **MURDER** as a 1st degree felony (9GCA § 16.40(a) (2)), **AGGRAVATED**
 4 **MURDER** as a 1st degree felony (9GCA § 16.30(a) (2)), **BURGLARY** as a 2nd degree felony (9 GCA
 5 § 37.20(a) and (b)) with **SPECIAL ALLEGATION – DEADLY WEAPON USED IN A FELONY**
 6 (9 GCA § 80.37) and **CONSPIRACY TO COMMIT BURGLARY** as a 2nd degree felony (9 GCA
 7 § 13.10).

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

9 Executed on MARCH 15, 2010.

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 13 **CLYDE LEMONS, JR.**
 14 Assistant Attorney General

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