

FILED  
CLERK OF COURT

2025 APR -7 PM 3:28

SUPERIOR COURT  
OF GUAM

IN THE SUPERIOR COURT OF GUAM

PEOPLE OF GUAM,

v.

CHRISWELL EDWIN LUDWIG,  
DOB: 07/12/1994

Defendant.

Criminal Case No. CF0161-21  
GPD Report No. 21-07321

DECISION AND ORDER  
GRANTING  
THE PEOPLE'S MOTION  
TO REVOKE PROBATION

**INTRODUCTION**

This matter came before the Honorable Alberto C. Lamorena, III on March 28, 2025 for a Revocation Hearing in the above-captioned matter related to Chriswell Edwin Ludwig's ("Defendant's") failure to abide by his probationary terms. Defendant was represented by Assistant Public Defender Jocelyn Roden. The People of Guam were represented by Assistant Attorney General Neil Bonavita. Having duly considered the Parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order Granting the People's Motion to Revoke Probation.

**BACKGROUND**

On December 30, 2021, Defendant entered a plea of guilty to Family Violence (as a 3<sup>rd</sup> Degree Felony), Assault of an Unborn Child (as a Misdemeanor), and Violation of a Court Order (as a Misdemeanor). See Judgment of Conviction (Jan. 5, 2022). A judgment was entered imposing the following relevant conditions of probation:

- **COURT ORDERS:** Defendant shall comply with any court orders entered against Defendant, including orders of family court or any other local or federal court of competent jurisdiction.

- 1 • **COUNSELING/TREATMENT:** Defendant shall report to Client Services and  
2 Family Counseling (CSFC) with the Superior Court of Guam for intake and  
3 assessment. Defendant shall follow all treatment recommendations including  
4 psychological evaluation, psychiatric evaluation, drug and alcohol evaluation, and  
5 individual, group, and family counseling. CSFC may also, if determined to be  
6 appropriate, refer the Defendant to the Domestic Abuse Project Workshop  
7 administered through the Adult Probation Office of the Superior Court of Guam,  
8 and the Guam Behavioral Health and Wellness Center for intake and assessment,  
9 and any other agencies or organizations as deemed appropriate.
- 10 • **FINE:** Defendant shall pay a fine of two thousand dollars (\$2,000.00) plus court  
11 costs of eighty dollars (\$80.00). All or part of the fine imposed may be converted  
12 to community service at the current prevailing minimum wage.
- 13 • **COMMUNITY SERVICE:** Defendant shall complete one hundred fifty (150)  
14 hours of community service under the direction of the Adult Probation Office. All  
15 or part of the community service imposed may be converted into a fine at the  
16 current prevailing minimum wage.
- 17 • **MANDATORY REPORTING:** Defendant shall report to the Adult Probation  
18 Office once a month in person, or as ordered by the Court or the Probation Office.
- 19 • **LAWS:** Defendant shall obey all federal and local laws of Guam.

20 Id.

21 On October 12, 2022, this matter came before the Court for Further Proceedings. However,  
22 Defendant failed to appear despite being summoned to do so. See Summons (Sep. 20, 2022); Minute  
23 Entry (Oct. 12, 2022). A warrant was issued for Defendant's arrest, and Defendant would ultimately  
24 be arrested five months later. See Return of Warrant (Mar. 16, 2023).

25 On October 19, 2023, a Violation Report was filed indicating that Defendant had violated  
26 several terms of his probation. For example, Defendant had not yet made any progress on paying off  
27 his fines and court costs or working off his community service hours. See Violation Report (Oct. 19,  
28

1 2023). It was also made known that Defendant had not reported to the Probation Office or attended  
2 his CSFC classes for several months. Id.

3 On October 25, 2023, this matter again came before the Court for Further Proceedings.  
4 However, Defendant again failed to appear despite being summoned to do so. See Summons (Aug.  
5 17, 2023); Minute Entry (Oct. 25, 2023). Another warrant was issued for Defendant's arrest, and  
6 Defendant would ultimately be arrested one month later. See Return of Warrant (Dec. 4, 2023).

7 On December 5, 2023, another Violation Report was filed, indicating that Defendant had been  
8 arrested and charged with Driving While Impaired (as a Misdemeanor), Drinking While Driving a  
9 Motor Vehicle (as a Misdemeanor), Possession of Opened Container of Alcohol in a Motor Vehicle  
10 (as a Misdemeanor), Expired Vehicle Registration (as a Petty Misdemeanor), and Operating a Vehicle  
11 Without a Valid License (as a Violation) in CM0403-23. See Violation Report (Dec. 5, 2023).

12 On February 27, 2025, the People filed their Motion to Revoke Defendant's Probation and  
13 Impose Jail Sentence ("Motion"). The People base their request on Defendant's non-compliance with  
14 numerous probation conditions. See Motion (Feb. 27, 2025). Opposing the Motion, Defendant claims  
15 he retains the ability to complete the terms of his probation if given another chance. See Opposition  
16 to Motion (Mar. 5, 2025).

17 On March 28, 2025, the Court held a Revocation Hearing and subsequently took the matter  
18 under advisement. See Minute Entry (Mar. 28, 2025).

### 19 DISCUSSION

20 Guam law specifies the procedures that the Court must follow for revocation of probation.  
21 The relevant statute, in its entirety, states as follows:  
22

23 [T]he court, if satisfied that the offender has inexcusably failed to comply with a  
24 substantial requirement imposed as a condition of the order may revoke the  
25 suspension or probation and sentence or re-sentence the offender. Violation of a  
26 condition shall not result in revocation, however, unless the court determines that  
revocation under all the circumstances then existing will best satisfy the ends of  
justice and the best interests of the public.

27 See 9 G.C.A. § 80.66(a)(2) (1980).  
28

1 The process for revoking an offender's probation has been further explained by the Guam  
2 Supreme Court as follows:

3 Probation revocation is a two-step process. First, the trial court must make a factual  
4 determination that a violation of probation actually has occurred. If a violation is  
5 proven, then the Court must determine if the violation warrants revocation of the  
6 probation.

7 See *People of Guam v. Camacho*, 2009 Guam 6 ¶ 27 (internal citations omitted). To revoke a  
8 defendant's probation, evidence and facts presented to the Court must be "reasonably necessary to  
9 satisfy the judge that the probationer's conduct has not been as required by the conditions of  
10 probation." Id. at ¶ 30 (*citing People v. Angoco*, 1998 Guam 10).

11 The Court also cannot order revocation unless the offender is provided with written notice  
12 of grounds for revocation of probation. See 9 G.C.A. § 80.68(a). At the hearing, the offender shall  
13 "have the right to hear and controvert the evidence against him, to offer evidence in his defense and  
14 to be represented by counsel." Id. Should the Court revoke an offender's probation, "it may impose  
15 on the offender any sentence that might have been imposed originally for the crime of which he  
16 was convicted." See 9 G.C.A. § 80.66(b).

18 It remains undisputed that Defendant violated his probation conditions and that there is  
19 probable cause to support the violations. Defendant repeatedly disobeyed this Court's orders and  
20 skipped several required hearings. See Minute Entry (Oct. 12, 2022); Minute Entry (Oct. 23, 2023).  
21 Furthermore, Defendant has made no progress on paying off his fines or completing his community  
22 service hours. See Violation Report (Oct. 19, 2023). And most concerning of all, Defendant is  
23 continuing to commit criminal acts while released on probation, having since been arrested and  
24 charged in CM0403-23. See Violation Report (Dec. 5, 2023).

26 Having found that Defendant was in violation of his probation requirements, the next  
27 question the Court must resolve is whether "revocation under all the circumstances . . . will best  
28 satisfy the ends of justice and the best interests of the public." See 9 G.C.A. § 80.66(a)(2).

1 Based on a review of the record, Defendant has exhausted the trust of the Court by violating  
2 numerous probationary conditions. Defendant's history of repeatedly violating court orders  
3 suggests that Defendant will not comply with future orders from the Court or the Probation Office.

4  
5 Were probation continued, it appears unlikely that any significant progress would be made  
6 in positively altering Defendant's behavior and ensuring compliance with the Court's orders.  
7 Therefore, the Court finds that revocation is in the public's best interest and satisfies the ends of  
8 justice. See 9 GCA § 80.66(a)(2).

9  
10 **CONCLUSION**

11 For the reasons stated above, the Court hereby **REVOKES** the Defendant's probation in the  
12 above-captioned matter. The Defendant is hereby **SENTENCED** to **three (3) years incarceration**  
13 at the Department of Corrections, Mangilao with credit for time served. After the completion of  
14 the Defendant's sentence the Court shall close the above-captioned case.

15  
16 **IT IS SO ORDERED** this April 7, 2025



18  
19 **HONORABLE ALBERTO C. LAMORENA III**  
20 **Presiding Judge, Superior Court of Guam**

21  
22  
23 **SERVICE VIA EMAIL**

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

26 AG, PDSC

27 Date: 4/7/25 Time: 3:50 PM

28 Antonio M. Cruz  
Deputy Clerk, Superior Court of Guam