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IN THE SUPERIOR COURT OF GUAM

SUPERIOR COURT
OF GUAM

PEOPLE OF GUAM,

Criminal Case No. CF0661-22

GPD Report Nos. 22-20459 / 22-27383

v.

STEVE D. STORY,
DOB: 02/09/1958

DECISION AND ORDER
GRANTING DEFENDANT'S MOTION
FOR EARLY CLOSURE

Defendant.

INTRODUCTION

This matter came before the Honorable Alberto C. Lamorena, III on November 20, 2024 for hearing on Steve D. Story's ("Defendant's") Motion for Early Closure ("Motion"). Assistant Attorney General Jacob Wagner represents the People, and Assistant Public Defender Brian Kegerreis represents Defendant. Having duly considered the parties' briefs, oral arguments, and the applicable law, the Court now issues the following Decision and Order and **GRANTS** Defendant's Motion.

BACKGROUND

On March 27, 2024, Defendant pled guilty to Family Violence (as a Misdemeanor). See Judgment of Conviction (Apr. 8, 2024). Defendant was sentenced to two (2) years of supervised probation. Id.

On July 5, 2024, Defendant filed his Motion for Early Closure. Defendant details how his health has dramatically declined in recent months. Defendant is wheelchair bound and suffering from multiple chronic musculoskeletal deformities. See Motion at Ex. A (Jul. 5, 2024). Defendant has been hospitalized several times in recent months and now requires 24-hour assistance from caregivers. Id. at 2. Because of this, Defendant claims he is unable to complete the outstanding terms of his probation. Id. at 2.

On July 19, 2024, the People filed their Opposition to Defendant's Motion ("Opposition"). The People claim Defendant's health issues were known at the time of his plea, and are not a change

1 in circumstances that would justify deviating from the plea just months after the Court's acceptance.
2 See Opposition at 2-3 (Jul. 19, 2024).

3 The Court held a hearing on November 20, 2024. After hearing the arguments of the parties,
4 the Court took the matter under advisement.

6 **DISCUSSION**

7 **I. Preliminary Law:**

8 "At any time during the period of ... probation, upon a showing that such action will best
9 satisfy the ends of justice and the best interests of the public and the offender, the court may modify
10 or terminate the conditions to which the offender is presently subject." See 9 G.C.A. § 80.64(b)(1).

11 **II. Application:**

12 It is clear that early termination of Defendant's probation will satisfy the ends of justice and is
13 in the public's best interests. Medical records show that Defendant's condition has dramatically
14 worsened since the taking of his plea, and he now requires 24-hour care to function. Defendant's
15 condition is unlikely to improve, and prevents him from completing his remaining community service
16 hours. Because of these new developments, the public would be best served by Defendant's family
17 focusing their efforts on sustaining Defendant during this time of crisis rather than forcing a wheel-
18 chair bound man to complete community service.

19 **CONCLUSION**

20 For the reasons stated above, the Court **GRANTS** Defendant's Motion. Defendant's probation
21 is hereby terminated and this **CASE IS TO BE CLOSED**.

22
23 **IT IS SO ORDERED** this July 14, 2024 

24
25 **SERVICE VIA E-MAIL**

26 I acknowledge that an electronic
Copy of the original was e-mailed to

AG, PDSC

HONORABLE ALBERTO C. LAMORENA, III
Presiding Judge, Superior Court of Guam

27 Date 7/14/24 Time 3:44pm

Albert Condon

28 Deputy clerk, Superior Court of Guam