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Attorneys for the People

IN THE SUPERIOR COURT OF GUAM
HAGÅTÑA, GUAM

PEOPLE OF GUAM,

vs.

BRANDON MICHAEL ACOSTA,
DOB: 01/11/1994

S.C. Criminal Case No. CF0640-18
GPD Case No: 18-17100

Charges:

1. **AGGRAVATED MURDER**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
2. **AGGRAVATED MURDER**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
3. **AGGRAVATED MURDER**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
Of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*

ORIGINAL

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BRANDON MICHAEL ACOSTA,
DOB: 01/11/1994

4. **AGGRAVATED MURDER**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
5. **MURDER**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
6. **MURDER**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
7. **FIRST DEGREE
CRIMINAL SEXUAL CONDUCT**
(As a 1st Degree Felony) 2 Counts
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
8. **SECOND DEGREE
CRIMINAL SEXUAL CONDUCT**
(As a 1st Degree Felony) 2 Counts
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony
While on Felony Release*
9. **HOME INVASION**
(As a 1st Degree Felony)
SPECIAL ALLEGATION:
*Possession or Use of a Deadly
Weapon in the Commission
of a Felony*
NOTICE: *Commission of a Felony*

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4 **BRANDON MICHAEL ACOSTA,**
5 **DOB: 01/11/1994**

6 Defendant.

Cont'd.

While on Felony Release

10. **BURGLARY**

(As a 2nd Degree Felony)

SPECIAL ALLEGATION:

Possession or Use of a Deadly
Weapon in the Commission
of a Felony

NOTICE: Commission of a Felony
While on Felony Release

11. **AGGRAVATED ASSAULT**

(As a 2nd Degree Felony)

SPECIAL ALLEGATION:

Possession or Use of a Deadly
Weapon in the Commission
of a Felony

NOTICE: Commission of a Felony
While on Felony Release

12. **THIRD DEGREE CRIMINAL
SEXUAL CONDUCT 2 Counts**

(As a 2nd Degree Felony)

SPECIAL ALLEGATION:

Possession or Use of a Deadly
Weapon in the Commission
of a Felony

NOTICE: Commission of a Felony
While on Felony Release

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18 **SUPERSEDING INDICTMENT**

19 THE SUPERIOR COURT OF GUAM GRAND JURY HEREBY CHARGES:

20 **CHARGE ONE**

21 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
22 offense of *Aggravated Murder (As a 1st Degree Felony)*, in that he caused the death of another
23 human being, that is *Timicca Nauta*, during the commission of or attempt to commit the felony
24 of *Burglary*, in violation of 9 GCA §§ 16.20(a), 16.30(a)(2), 16.30(b), 37.20(a), and 13.10.

26 **SPECIAL ALLEGATION:**

27 Possession or Use of a Deadly Weapon
28 in the Commission of a Felony

1 On or about June 16, 2018, in Guam, **BRANDON**
2 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
3 weapon, that is *a blade*, in the commission of a felony, that is,
Aggravated Murder, in violation of 9 GCA § 80.37.

4 **NOTICE:**

5 *Commission of a Felony While on Felony Release*

6 In the commission of the above offense, the Defendant,
7 **BRANDON MICHAEL ACOSTA**, committed the above felony
8 offense while he was on release pursuant to Chapter 40, Title 8,
9 Guam Code Annotated, on a pending felony charge, to wit: *Family*
10 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
11 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
12 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

13 **CHARGE TWO**

14 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
15 offense of *Aggravated Murder (As a 1st Degree Felony)*, in that he caused the death of another
16 human being, that is *Timicca Nauta*, during the commission of or attempt to commit the felony
17 of *First Degree Criminal Sexual Conduct*, in violation of 9 GCA §§ 16.20(a), 16.30(a)(2),
18 16.30(b), 25.15(a)(3), and 13.10.

19 **SPECIAL ALLEGATION:**

20 *Possession or Use of a Deadly Weapon*
21 *in the Commission of a Felony*

22 On or about June 16, 2018, in Guam, **BRANDON**
23 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
24 weapon, that is *a blade*, in the commission of a felony, that is,
25 *Aggravated Murder*, in violation of 9 GCA § 80.37.

26 **NOTICE:**

27 *Commission of a Felony While on Felony Release*

28 In the commission of the above offense, the Defendant,
BRANDON MICHAEL ACOSTA, committed the above felony
offense while he was on release pursuant to Chapter 40, Title 8,
Guam Code Annotated, on a pending felony charge, to wit: *Family*
Violence (As a 3rd Degree Felony), in violation of 9 GCA §
30.10(a) and 30.20(a) filed under Superior Court Criminal Case

1 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

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3 **CHARGE THREE**

4 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
5 offense of *Aggravated Murder (As a 1st Degree Felony)*, in that he caused the death of another
6 human being, that is *Timicca Nauta*, during the commission of or attempt to commit the felony
7 of *Second Degree Criminal Sexual Conduct*, in violation of 9 GCA §§ 16.20(a), 16.30(a)(2),
8 16.30(b), 25.20(a)(3), and 13.10.

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10 ***SPECIAL ALLEGATION:***
11 ***Possession or Use of a Deadly Weapon***
12 ***in the Commission of a Felony***

13 On or about June 16, 2018, in Guam, **BRANDON**
14 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
15 weapon, that is *a blade*, in the commission of a felony, that is,
16 *Aggravated Murder*, in violation of 9 GCA § 80.37.

17 ***NOTICE:***
18 ***Commission of a Felony While on Felony Release***

19 In the commission of the above offense, the Defendant,
20 **BRANDON MICHAEL ACOSTA**, committed the above felony
21 offense while he was on release pursuant to Chapter 40, Title 8,
22 Guam Code Annotated, on a pending felony charge, to wit: *Family*
23 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
24 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
25 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

26
27 **CHARGE FOUR**

28 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
offense of *Aggravated Murder (As a 1st Degree Felony)*, in that he caused the death of another
human being, that is *Timicca Nauta*, during the commission of or attempt to commit the felony
of *Third Degree Criminal Sexual Conduct*, in violation of 9 GCA §§ 16.20(a), 16.30(a)(2),
16.30(b), 25.25(a)(1), and 13.10.

1 **SPECIAL ALLEGATION:**
2 *Possession or Use of a Deadly Weapon*
3 *in the Commission of a Felony*

4 On or about June 16, 2018, in Guam, **BRANDON**
5 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
6 weapon, that is *a blade*, in the commission of a felony, that is,
7 **Aggravated Murder**, in violation of 9 GCA § 80.37.

8 **NOTICE:**
9 *Commission of a Felony While on Felony Release*

10 In the commission of the above offense, the Defendant,
11 **BRANDON MICHAEL ACOSTA**, committed the above felony
12 offense while he was on release pursuant to Chapter 40, Title 8,
13 Guam Code Annotated, on a pending felony charge, to wit: *Family*
14 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
15 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
16 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

17 **CHARGE FIVE**

18 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
19 offense of *Murder (As a 1st Degree Felony)*, in that he intentionally or knowingly caused the
20 death of another human being, that is *Timicca Nauta*, under circumstances manifesting extreme
21 indifference to the value of human life, in violation of 9 GCA §§ 16.40 (a)(1) and (b).

22 **SPECIAL ALLEGATION:**
23 *Possession or Use of a Deadly Weapon*
24 *in the Commission of a Felony*

25 On or about June 16, 2018, in Guam, **BRANDON**
26 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
27 weapon, that is *a blade*, in the commission of a felony, that is,
28 **Murder**, in violation of 9 GCA § 80.37.

NOTICE:
 Commission of a Felony While on Felony Release

 In the commission of the above offense, the Defendant,
 BRANDON MICHAEL ACOSTA, committed the above felony
 offense while he was on release pursuant to Chapter 40, Title 8,

1 Guam Code Annotated, on a pending felony charge, to wit: *Family*
2 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
3 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
4 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

5 **CHARGE SIX**

6 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
7 offense of *Murder (As a 1st Degree Felony)*, in that he recklessly caused the death of another
8 human being, that is *Timicca Nauta*, under circumstances manifesting extreme indifference to
9 the value of human life, in violation of 9 GCA §§ 16.40 (a)(2) and (b).

10 ***SPECIAL ALLEGATION:***
11 ***Possession or Use of a Deadly Weapon***
12 ***in the Commission of a Felony***

13 On or about June 16, 2018, in Guam, **BRANDON**
14 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
15 weapon, that is *a blade*, in the commission of a felony, that is,
16 *Murder*, in violation of 9 GCA § 80.37.

17 ***NOTICE:***
18 ***Commission of a Felony While on Felony Release***

19 In the commission of the above offense, the Defendant,
20 **BRANDON MICHAEL ACOSTA**, committed the above felony
21 offense while he was on release pursuant to Chapter 40, Title 8,
22 Guam Code Annotated, on a pending felony charge, to wit: *Family*
23 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
24 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
25 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

26 **CHARGE SEVEN**

27 ***Count One***

28 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
offense of *First Degree Criminal Sexual Conduct (As a 1st Degree Felony)*, when he
intentionally engaged in sexual penetration with another, to wit: sexual intercourse with *Timicca*

1 *Nauta*, and the sexual penetration occurred under circumstances involving another felony,
2 namely, *Aggravated Assault pursuant to 9 GCA § 19.20(a)(1)*, in violation of 9 GCA §§ 25.15
3 (a)(3) and (b).

4
5 ***SPECIAL ALLEGATION:***
6 ***Possession or Use of a Deadly Weapon***
7 ***in the Commission of a Felony***

8 On or about June 16, 2018, in Guam, **BRANDON**
9 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
10 weapon, that is *a blade*, in the commission of a felony, that is,
11 ***First Degree Criminal Sexual Conduct***, in violation of 9 GCA §
12 80.37.

13 ***NOTICE:***
14 ***Commission of a Felony While on Felony Release***

15 In the commission of the above offense, the Defendant,
16 **BRANDON MICHAEL ACOSTA**, committed the above felony
17 offense while he was on release pursuant to Chapter 40, Title 8,
18 Guam Code Annotated, on a pending felony charge, to wit: ***Family***
19 ***Violence (As a 3rd Degree Felony)***, in violation of 9 GCA §
20 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
21 No. ***CF0015-18***, within the meaning of 9 GCA § 80.37.1.

22 ***Count Two***

23 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
24 offense of ***First Degree Criminal Sexual Conduct (As a 1st Degree Felony)***, when he
25 intentionally engaged in sexual penetration with another, to wit: by engaging in anal intercourse
26 with ***Timicca Nauta***, and the sexual penetration occurred under circumstances involving another
27 felony, namely, ***Aggravated Assault pursuant to 9 GCA § 19.20(a)(1)***, in violation of 9 GCA §§
28 25.15 (a)(3) and (b).

SPECIAL ALLEGATION:
Possession or Use of a Deadly Weapon
in the Commission of a Felony

On or about June 16, 2018, in Guam, **BRANDON**
MICHAEL ACOSTA did unlawfully possess or use a deadly

1 weapon, that is *a blade*, in the commission of a felony, that is,
2 *First Degree Criminal Sexual Conduct*, in violation of 9 GCA §
3 80.37.

4 **NOTICE:**

5 *Commission of a Felony While on Felony Release*

6 In the commission of the above offense, the Defendant,
7 **BRANDON MICHAEL ACOSTA**, committed the above felony
8 offense while he was on release pursuant to Chapter 40, Title 8,
9 Guam Code Annotated, on a pending felony charge, to wit: *Family
10 Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
11 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
12 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

13 **CHARGE EIGHT**

14 *Count One*

15 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
16 offense of *Second Degree Criminal Sexual Conduct (As a 1st Degree Felony)*, when he
17 intentionally engaged in sexual contact with another, to wit: by causing his penis to touch the
18 primary genital area of *Timicca Nauta*, and the sexual contact occurred under circumstances
19 involving another felony, namely, *Aggravated Assault pursuant to 9 GCA § 19.20(a)(1)*, in
20 violation of 9 GCA §§ 25.20 (a)(3) and (b).

21 **SPECIAL ALLEGATION:**

22 *Possession or Use of a Deadly Weapon
23 in the Commission of a Felony*

24 On or about June 16, 2018, in Guam, **BRANDON
25 MICHAEL ACOSTA** did unlawfully possess or use a deadly
26 weapon, that is *a blade*, in the commission of a felony, that is,
27 *Second Degree Criminal Sexual Conduct*, in violation of 9 GCA
28 § 80.37.

NOTICE:

Commission of a Felony While on Felony Release

In the commission of the above offense, the Defendant,
BRANDON MICHAEL ACOSTA, committed the above felony

1 offense while he was on release pursuant to Chapter 40, Title 8,
2 Guam Code Annotated, on a pending felony charge, to wit: **Family**
3 **Violence (As a 3rd Degree Felony)**, in violation of 9 GCA §
4 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
5 No. **CF0015-18**, within the meaning of 9 GCA § 80.37.1.

6
7 **Count Two**

8 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
9 offense of **Second Degree Criminal Sexual Conduct (As a 1st Degree Felony)**, when he
10 intentionally engaged in sexual contact with another, to wit: by causing his penis to touch the
11 buttock of **Timicca Nauta**, and the sexual contact occurred under circumstances involving
12 another felony, namely, **Aggravated Assault pursuant to 9 GCA § 19.20(a)(1)**, in violation of 9
13 GCA §§ 25.20 (a)(3) and (b).

14 **SPECIAL ALLEGATION:**

15 *Possession or Use of a Deadly Weapon*
16 *in the Commission of a Felony*

17 On or about June 16, 2018, in Guam, **BRANDON**
18 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
19 weapon, that is **a blade**, in the commission of a felony, that is,
20 **Second Degree Criminal Sexual Conduct**, in violation of 9 GCA
21 § 80.37.

22 **NOTICE:**

23 *Commission of a Felony While on Felony Release*

24 In the commission of the above offense, the Defendant,
25 **BRANDON MICHAEL ACOSTA**, committed the above felony
26 offense while he was on release pursuant to Chapter 40, Title 8,
27 Guam Code Annotated, on a pending felony charge, to wit: **Family**
28 **Violence (As a 3rd Degree Felony)**, in violation of 9 GCA §
30.10(a) and 30.20(a) filed under Superior Court Criminal Case
No. **CF0015-18**, within the meaning of 9 GCA § 80.37.1.

CHARGE NINE

On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
offense of **Home Invasion (As a 1st Degree Felony)**, in that he did commit a **Burglary** by

1 entering the dwelling of *Timicca Nauta* with the intent to commit a crime therein, at a time when
2 the premises was neither open to the public nor was **BRANDON MICHAEL ACOSTA**
3 licensed or privileged to so enter, and when *Timicca Nauta*, who was not a participant in the
4 burglary, was actually present inside the dwelling, and, in the course of committing the burglary,
5 **BRANDON MICHAEL ACOSTA** committed or attempted to commit a violent crime against
6 *Timicca Nauta*, in violation of 9 GCA 37.210(a) and 37.240(a) and (b).
7

8 ***SPECIAL ALLEGATION:***
9 ***Possession or Use of a Deadly Weapon***
10 ***in the Commission of a Felony***

11 On or about June 16, 2018, in Guam, **BRANDON**
12 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
13 weapon, that is *a blade*, in the commission of a felony, that is,
14 *Home Invasion*, in violation of 9 GCA § 80.37.

15 ***NOTICE:***
16 ***Commission of a Felony While on Felony Release***

17 In the commission of the above offense, the Defendant,
18 **BRANDON MICHAEL ACOSTA**, committed the above felony
19 offense while he was on release pursuant to Chapter 40, Title 8,
20 Guam Code Annotated, on a pending felony charge, to wit: *Family*
21 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
22 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
23 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.
24

25 **CHARGE TEN**

26 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
27 offense of *Burglary (As a 2nd Degree Felony)*, in that he did enter or surreptitiously remain in
28 the habitable property of *Timicca Nauta*, with the intent to commit a crime therein, at a time
when the premises was neither open to the public nor the Defendant licensed or privileged to
enter, in violation of 9 GCA §§ 37.20(a) and 37.20(b).

1 **SPECIAL ALLEGATION:**
2 *Possession or Use of a Deadly Weapon*
3 *in the Commission of a Felony*

4 On or about June 16, 2018, in Guam, **BRANDON**
5 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
6 weapon, that is *a blade*, in the commission of a felony, that is,
7 *Burglary (As a 2nd Degree Felony)*, in violation of 9 GCA §
8 80.37.

9 **NOTICE:**
10 *Commission of a Felony While on Felony Release*

11 In the commission of the above offense, the Defendant,
12 **BRANDON MICHAEL ACOSTA**, committed the above felony
13 offense while he was on release pursuant to Chapter 40, Title 8,
14 Guam Code Annotated, on a pending felony charge, to wit: *Family*
15 *Violence (As a 3rd Degree Felony)*, in violation of 9 GCA §
16 30.10(a) and 30.20(a) filed under Superior Court Criminal Case
17 No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

18 **CHARGE ELEVEN**

19 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
20 offense of *Aggravated Assault (As a 2nd Degree Felony)*, in that he did recklessly cause or
21 attempt to cause serious bodily injury to another, that is, *Timicca Nauta*, in circumstances
22 manifesting extreme indifference to the value of human life, in violation of 9 GCA §§
23 19.20(a)(1) and (b).

24 **SPECIAL ALLEGATION:**
25 *Possession or Use of a Deadly Weapon*
26 *in the Commission of a Felony*

27 On or about June 16, 2018, in Guam, **BRANDON**
28 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
weapon, that is *a blade*, in the commission of a felony, that is,
Aggravated Assault (As a 2nd Degree Felony), in violation of 9
GCA § 80.37.

1 **NOTICE:**

2 *Commission of a Felony While on Felony Release*

3 In the commission of the above offense, the Defendant,
4 **BRANDON MICHAEL ACOSTA**, committed the above felony
5 offense while he was on release pursuant to Chapter 40, Title 8,
6 Guam Code Annotated, on a pending felony charge, to wit: **Family
Violence (As a 3rd Degree Felony)**, in violation of 9 GCA §
30.10(a) and 30.20(a) filed under Superior Court Criminal Case
No. **CF0015-18**, within the meaning of 9 GCA § 80.37.1.

7
8 **CHARGE TWELVE**

9 *Count One*

10 On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the
11 offense of **Third Degree Criminal Sexual Conduct (As a 2nd Degree Felony)**, when he
12 intentionally engaged in sexual penetration with another, to wit: sexual intercourse with **Timicca**
13 **Nauta**, a minor at least fourteen (14) years of age but less than sixteen (16) years of age, in
14 violation of 9 GCA §§ 25.25(a)(1) and (b).

15
16 **SPECIAL ALLEGATION:**

17 *Possession or Use of a Deadly Weapon
in the Commission of a Felony*

18 On or about June 16, 2018, in Guam, **BRANDON**
19 **MICHAEL ACOSTA** did unlawfully possess or use a deadly
20 weapon, that is **a blade**, in the commission of a felony, that is,
21 **Third Degree Criminal Sexual Conduct**, in violation of 9 GCA §
80.37.

22 **NOTICE:**

23 *Commission of a Felony While on Felony Release*

24 In the commission of the above offense, the Defendant,
25 **BRANDON MICHAEL ACOSTA**, committed the above felony
26 offense while he was on release pursuant to Chapter 40, Title 8,
27 Guam Code Annotated, on a pending felony charge, to wit: **Family
Violence (As a 3rd Degree Felony)**, in violation of 9 GCA §
30.10(a) and 30.20(a) filed under Superior Court Criminal Case
No. **CF0015-18**, within the meaning of 9 GCA § 80.37.1.

Count Two

On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did commit the offense of *Third Degree Criminal Sexual Conduct (As a 2nd Degree Felony)*, when he intentionally engaged in sexual penetration with another, to wit: by engaging in anal intercourse with *Timicca Nauta*, a minor at least fourteen (14) years of age but less than sixteen (16) years of age, in violation of 9 GCA §§ 25.25(a)(1) and (b).

SPECIAL ALLEGATION:
*Possession or Use of a Deadly Weapon
in the Commission of a Felony*

On or about June 16, 2018, in Guam, **BRANDON MICHAEL ACOSTA** did unlawfully possess or use a deadly weapon, that is *a blade*, in the commission of a felony, that is, *Third Degree Criminal Sexual Conduct*, in violation of 9 GCA § 80.37.

NOTICE:
Commission of a Felony While on Felony Release

In the commission of the above offense, the Defendant, **BRANDON MICHAEL ACOSTA**, committed the above felony offense while he was on release pursuant to Chapter 40, Title 8, Guam Code Annotated, on a pending felony charge, to wit: *Family Violence (As a 3rd Degree Felony)*, in violation of 9 GCA § 30.10(a) and 30.20(a) filed under Superior Court Criminal Case No. *CF0015-18*, within the meaning of 9 GCA § 80.37.1.

RECEIVED FOR SERVICE:

TIME: _____

DATE: _____

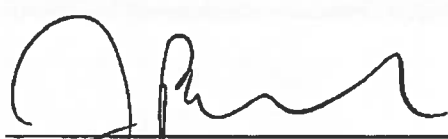
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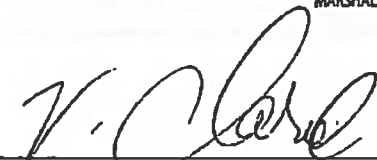
MARSHAL, SUPERIOR COURT OF GUAM

Dated: July 12, 2019

OFFICE OF THE ATTORNEY GENERAL
Leevin Taitano Camacho, Attorney General of Guam

A TRUE BILL


JEREMIAH B. LUTHER
Assistant Attorney General, Prosecution Division


FOREMAN OF THE GRAND JURY

SERVICE VIA COURT BOX

I acknowledge that a copy of the original hereto was placed in the court box of:

Date: _____ Time: _____

Deputy Clerk, Superior Court of Guam