

FILED  
SUPERIOR COURT  
OF GUAM

2024 FEB 20 PM 3:55

IN THE SUPERIOR COURT OF GUAM

CLERK OF COURT

DEPARTMENT OF CORRECTIONS,

Petitioner,

vs.

GUAM CIVIL SERVICE COMMISSION,

Respondent,

vs.

JOSEPH CRUZ II,

Real Party in Interest.

Special Proceedings Case No.: SP0083-22

WRIT OF PROHIBITION

In conjunction with the Decision and Order re Motion for Summary Judgment on Writ of Prohibition issued February 20, 2024, the Court issues the following Writ of Prohibition directing the CSC to:

1. cease violating the Open Government Law;
2. cease permitting the unlicensed practice of law in CSC proceedings;
3. cease violating CSC rules and other applicable law regarding the appearance of Lay Representatives in CSC proceedings; and
4. cease denying DOC's right to fair and impartial hearings in compliance with applicable law.

SO ORDERED, 20 February 2024.

  
HON. ELYZE M. IRIARTE  
Judge, Superior Court of Guam

ORIGINAL

FILED  
SUPERIOR COURT  
OF GUAM

2024 FEB 20 PM 3:55

IN THE SUPERIOR COURT OF GUAM

CLERK OF COURT

DEPARTMENT OF CORRECTIONS,

Petitioner,

vs.

GUAM CIVIL SERVICE COMMISSION,

Respondent,

vs.

JOSEPH CRUZ II,

Real Party in Interest.

BY:   
Special Proceedings Case No. SP0083-22

JUDGMENT

Following the Court's February 20, 2024 Decision and Order and October 5, 2023 Decision and Order, the Court finds in favor of Petitioner Department of Corrections on its Petition for Judicial Review and Petition for Writ of Prohibition except as to the issues of the CSC's compliance with administrative adjudication law as to the effective date of the Decision and Judgment, and the issue of the Joseph Cruz's lay representative's compensation. The Court remands this matter and all remaining claims to the Guam Civil Service Commission.

**SO ORDERED, 20 February 2024.**

  
HON. ELYZE M. IRIARTE  
Judge, Superior Court of Guam

ORIGINAL