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1 message

Edward Pocaigue <epocaigue@senatorbjcruz.com> Wed, Jun 14, 2017 at 11:54 AM
To: Guam Legislature Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

6/14/2017	6/14/2017	Supreme Court of Guam	Supreme Court of Guam Case No. CRQ 17-001; 7 G.C.A § 6106 Memorandum	34-17-632

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Gi Minagåhet,

GL# 34-17-632
Speaker Benjamin J.F. Cruz

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Ed Pocaigue

Asistånten Liheslatibu

epocaigue@senatorbjcruz.com

I Ufisinan I Etmas Ge'helo' Liheslatura

Si Sinadot Benjamin J.F. Cruz

Ge'helo' Kumiten Manapropiadå Yan Manapreba

I Mina'trentai Kuåttro Na Liheslaturan Guåhan

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2017 JUN 14 PM 12:10

Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu tí un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as epocaigue@senatorbjcruz.com yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

0632

GL# 34-17-632
Speaker Benjamin J.F. Cruz

JUN 14 2017
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IN THE SUPREME COURT OF GUAM

IN RE:	Supreme Court Case No. CRQ17-001
REQUEST OF I MAGA'LÅHEN GUÅHAN EDDIE BAZA CALVO RELATIVE TO THE INTERPRETATION AND APPLICATION OF ORGANIC ACT SECTION 1423b AND WHAT CONSTITUTES THE AFFIRMATIVE VOTE OF THE MEMBERS OF *I LIHESLATURAN GUÅHAN.*	7 GCA § 6106 Memorandum

The undersigned, having knowledge of facts which, under the provisions of 7 GCA § 6105, disqualify me from sitting or acting as a justice in this case, declare as follows:

> My wife, Mary Camacho Torres, a current Senator of the Guam Legislature, participated in the vote on Bill 1(1-S), which is the subject matter of this case. Under these circumstances, my impartiality might reasonably be questioned, warranting my disqualification under 7 GCA § 6105(a). Moreover, my wife may be a party to the proceeding, warranting my disqualification under 7 GCA § 6105(b).
>
> However, given the purely legal issues of statutory interpretation posed in the Request for Declaratory Judgment, I believe that I can discharge my judicial duties with integrity and impartiality.

Therefore, in accordance with 7 GCA § 6106, a copy of this Memorandum shall be transmitted by the clerk to each party or attorney who has appeared in this action.

Pursuant to 7 GCA § 6105 and Canons 3E and 3F of the Model Code of Judicial Conduct, I will continue to sit as a panel member on this case if all parties file written agreements waiving this disqualification within fourteen (14) days of the filing of this Memorandum. (Form Two, or a document substantively similar to it, shall be used to agree.)

If the parties do not file written agreements waiving disqualification, I am disqualified from this matter.

Dated this 13th day of June, 2017.

ROBERT J. TORRES
Associate Justice