

US judge orders government to release Iraqis or grant bond hearings

WASHINGTON (Reuters) - A U.S. judge ordered the government on Tuesday to either release Iraqi immigrants it arrested last year or grant them bond hearings, in the latest judicial curb on the Trump administration's efforts to tighten U.S. immigration.

Last year the federal government detained hundreds of Iraqi immigrants who had been ordered deported years ago due to criminal convictions. Iraq until recently had refused to take them back, but struck a deal with the United States in March to repatriate its citizens, sparking the immigration sweeps.

The Iraqis and civil rights groups representing them sued the federal government. U.S. District Judge Mark Goldsmith, in Detroit, had previously halted the deportation of the Iraqis, many of whom are Christian, who argued they would face persecution if they were sent back to Iraq.

In his ruling on Tuesday, Goldsmith said that any of the Iraqis held for six months or longer must either be released or granted a bond hearing before an immigration judge within 30 days.



RALLY FOR IRAQI NATIONALS: Protesters rally outside the federal court just before a hearing to consider a class-action lawsuit filed on behalf of Iraqi nationals facing deportation, in Detroit, Mich., June 21, 2017. Reuters

"Our legal tradition rejects warehousing human beings while their legal rights are being determined," wrote Goldsmith.

The Trump administration has tried to deport the Iraqis as part of its push to increase immigration enforcement

and make countries, which have resisted in the past, take back nationals ordered deported from the United States.

Since June, immigration enforcement officers have detained approximately 300 Iraqi nationals with final

deportation orders, according to information provided to the court by the Iraqis' lawyers. There are approximately 1,400 Iraqis in the United States with final deportation orders.

The U.S. government said in March that Iraq had agreed to repatriate Iraqi nationals ordered deported from the United States.

But Goldsmith noted in his order that the United States has "no written agreement" with Iraq regarding its cooperation, and that it is therefore unclear whether Iraq had agreed to take back all its nationals, and if so, under what conditions.

Goldsmith said his ruling would apply to Iraqi detainees in similar circumstances nationwide, even if they are not involved in the litigation.

"(Goldsmith) just really reaffirmed the principle that indefinite detention in this country is not acceptable," said Kary Moss, executive director of the American Civil Liberties Union of Michigan, which is representing the Iraqis.

The Department of Justice, which is arguing on behalf of the government, did not immediately respond to a request for comment.

GUAM BOARD OF NURSE EXAMINERS

Regular Session Meeting, Thursday, January 11, 2018 at 3:30 PM

at the Tertaje Professional Building, 194 Herman Cortez Avenue, 2nd Floor, Suite 209 Health Professional Licensing Office Board Conference Room, Hagatna, Guam.

For more information please contact the Board Office at 735-7405 thru 12. Persons with disabilities needing special accommodations may call Jimmy Sian at 735-7172 or the telecommunication device for the Hearing/Speech Impaired (TDD) at 649-1801. Executive meeting may be called if necessary.

GUAM BOARD OF BARBERING AND COSMETOLOGY

Regular Session Meeting, Monday, January 8, 2018 at 9:00 AM

at Tertaje Professional Building, 194 Herman Cortez Avenue, 2nd Floor, Suite 209 Health Professional Licensing Office Board Conference Room, Hagatna, Guam.

For more information please contact the Board office at 735-7405 thru 12. Persons with disabilities needing special accommodations may call Jimmy Sian at 735-7172 or the telecommunication device for the Hearing/Speech Impaired (TDD) at 649-1801. Executive meeting may be called if necessary.

Senator Hatch to retire, opening door for bid by Romney

WASHINGTON (Reuters) - U.S. Republican Sen. Orrin Hatch said on Tuesday he will not seek re-election in November, opening the door to a potential Senate bid by Mitt Romney, the 2012 Republican presidential candidate and one of the party's harshest critics of President Donald Trump.

"Every good fighter knows when to hang up the gloves. And for me, that time is soon approaching," Hatch said in a video statement posted on Twitter. "That's why after much prayer and discussion with family and friends, I've decided to retire at the end of this term."

Hatch, 83, of Utah, is the most senior Republican in the U.S. Senate, having first been elected in 1976. He is chairman of the tax-writing Senate Finance Committee. Trump has credited him with helping shepherd a massive tax overhaul through Congress last month.

Hatch steps down amid speculation that Romney, the former Massachusetts governor who ran against Democratic President Barack Obama



RETIRING: Sen. Orrin Hatch, left, accompanied by Senate Majority Leader Mitch McConnell, second from right, and members of the Republican Conference, speaks at a news conference about the passage of the Tax Cuts and Jobs Acts at the U.S. Capitol in Washington, D.C. on Dec. 20, 2017. Aaron P. Bernstein/Reuters

in 2012, would run for his Senate seat. Romney, who is a Mormon, has close ties to Utah, a state with a majority-Mormon population.

In a statement on Twitter, Romney praised Hatch for his service but he did not say if he would enter the Senate race.

A close Romney adviser, speaking on condition of anonymity, said Hatch's decision increased the odds that Romney would consider jumping

in, saying that Romney would likely decide relatively soon whether to seek the Senate seat in the Republican-leaning state.

If he does decide to mount a campaign, Romney, who gained national prominence as head of the 2002 Salt Lake City Olympics, would be the front-runner, said Republican strategist Joe Brettell.

"Romney's name ID, fund-raising network and business acumen will immediately vault him to the top of the Senate GOP list," Brettell said. "The question is whether he can happily weather a body currently known more for partisan rancor than the Mr. Fixit role he's played all his life."

In a tweet, Trump congratulated Hatch on "an absolutely incredible career." Trump called Hatch a "tremendous supporter" and said he will be "greatly missed" in the Senate.

Trump said last month he wanted Hatch to run for another six-year Senate term in 2018, in a slap at Romney, who was one of Trump's harshest Republican critics during the 2016 presidential campaign.



Judge grants release, orders \$100K cash bond

By Mindy Aguon
mindy@postguam.com

Juanita Marie Quitugua Moser has been granted her request to leave off-island for medical treatment, but she will have to deposit \$100,000 cash with the District Court of Guam before she can go.

District Court Chief Judge Frances Tydingco-Gatewood granted Moser's motion to travel for orthopedic surgery after receiving supporting documentation from Moser's physician that indicated her need for medical care in the Philippines.

Moser and Raymond Martinez Jr. were charged in 2015 with conspiracy to distribute methamphetamine and possession with intent to distribute methamphetamine, after they were



◀ **MOTION HEARING:** Juanita Marie Quitugua Moser and Raymond Martinez Jr. leave the District Court of Guam in Hagåtña after a motion hearing Dec. 21.
David Castro/The Guam Daily Post

allegedly found in possession of 8 pounds of meth during a two-month sting operation.

The government opposed Moser's request to travel off-island for the surgery, arguing it has a strong case against the defendants and a serious

flight risk exists.

The judge's order, signed yesterday, allows Moser to travel to the Philippines after Jan. 7, and return to Guam no later than Jan. 22.

Moser and Martinez's legal counsels have accused federal law enforcement of "setting up" the couple in an effort to help former Guam Customs and Quarantine Agency Lt. Henry Alvendia, who accepted bribes and other payments while on the job, avoid prison.

The trial is scheduled to begin on Feb. 6, 2018.

Stay safe during celebrations

By Andrew Roberto
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Back in 2008, Emily Mae Caalim was a 6-year-old playing in a relative's yard on New Year's Eve, when an object struck her head and caused her to bleed, according to Post files.

Emily was rushed to Guam Memorial Hospital. Doctors there made a startling discovery: Emily had been struck by a bullet fragment.

Although the child received surgery to remove the fragment, the incident sparked an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives in 2009.

The likelihood of gun-related or explosion-related injury rises as the year's end approaches, as some residents seek to ring in the new year with a bang by shooting firearms and fireworks - with little thought to the repercussions.

Bullets fired into the air can rise up to

2 miles before falling at a rate between 300 and 700 feet per second. Discharging a firearm into the air is a crime and can lead to felony charges under Guam law, or federal charges if that person is prohibited from possessing a firearm.

According to Guam law, no fireworks are allowed on island "unless consigned to the territorial or federal government." Even in this case, fireworks can be used only under direct supervision of authorities belonging to that government, such as the fire department.

'All kinds of injuries'

"In the ER we see people that have all kinds of injuries," said Dr. Alexander Wielaard, a physician at Guam Regional Medical City. "Gunshot injuries are not too common on Guam, but firecracker injuries are common everywhere."

According to Wielaard, fireworks-related injuries can occur when people light firecrackers as they hold them or fire them at people.

Children are most at risk of fireworks-related injury, according to the National Fire Protection Association. During Fourth of July celebrations, it's most often children and teens who are injured because of consumer fireworks, according to the NFPA. In 2013, the NFPA reported that 11,400 people had been treated in emergency rooms for fireworks-related injuries. About 38 percent of those treated suffered injuries to their head.

Wielaard said blast injuries will vary depending on the strength of the fireworks. But in the worst cases, injuries can result in the loss of limbs.

"The problem with a blast injury is that it causes a lot of damage," he said. "It sort of will mangle some of the tissue and when that happens, it means the likelihood that reattaching the digit and it works is much lower."

"You can basically mangle your entire hand, lose your fingers. It can be quite serious," Wielaard said.

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Chairman

John M. Benavente, P.E.
General Manager

PUBLIC MEETING NOTICE
Date: January 05, 2018
Time: 6:00 P.M.
Place: Astumbo Senior Center

Bill 233-34 An Act to Re-Zone Lot 5010-1NEW, Lot 5042-1 and Lot 5042-R1 in the Municipality of Dededo from "R2" (Residential Multiple Dwelling Zone) to "M2" (Industrial Zone) for the Construction of a New Guam Power Authority Northern Power Generation Plant.

Funding Source provided by the Guam Power Authority.

Persons requiring special accommodations, please call Selma Blas at 648-3180 or email at selma.blas@gua.gov.gu



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