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IN THE SUPERIOR COURT  
FOR THE  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS,	)	TRAFFIC CASE No. 93-1284
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER DENYING RELEASE
FRANCISCO H. RAMANGMOU	)	PENDING APPEAL
	)	
Defendant.	)	

On September 18, 1993, in Saipan, Commonwealth of the Northern Mariana Islands, the Defendant, Francisco H. Ramangmou was convicted by a jury of vehicular homicide, in violation of 9 CMC §7110(a).<sup>1/</sup> Mr. Ramangmou was the driver of a vehicle that struck and killed bicycle rider Sidney Quan on April 18, 1993. On October 28, 1993, Defendant received and began to serve a ten year prison sentence. Defendant has filed an appeal from the Judgment and Probation/Commitment Order and now has filed a motion for his release pending the appeal.

FOR PUBLICATION

<sup>1/</sup> In addition, the Court found the Defendant guilty of reckless driving in violation of 9 CMC §7104(a).





1 Defendant's vehicular homicide conviction is a felony offense,<sup>2/</sup>  
2 and constitutes evidence which this Court may consider when  
3 applying Rule 46(c) to the particular circumstances of this case.

4 The Defendant argues that any potential danger the Defendant  
5 may pose to the community can be neutralized through the  
6 suspension of his driving privileges. While the Court recognizes  
7 that the revocation of the Defendant's driver's license may lessen  
8 the potential danger, the Court does not believe anything less  
9 than continued incarceration would effectively deny the Defendant  
10 access to any motor vehicle.

11 In addition, this Court is convinced that he poses an  
12 additional danger to the community. On November 24, 1993, Cheryl  
13 Gill, the Assistant Attorney General who prosecuted this case,  
14 testified during the hearing of the Defendant's motion for release  
15 pending appeal.

16 This Court believes Ms. Gill to be a very credible witness.  
17 Ms. Gill's testimony centered on three separate encounters with  
18 the Defendant during the course of the jury trial and presentence  
19 hearing. First, during the course of the trial, the Defendant  
20 approached Ms. Gill in the courtroom and told her: "You're not  
21 going to get me". Ms. Gill informed Counsel for Defense, Mr.  
22 Theodore Christopher, about the incident and asked him to warn  
23 Mr. Ramangmou against speaking to the prosecution. Subsequently,  
24 the jury found the Defendant guilty of vehicular homicide and  
25 reckless driving.

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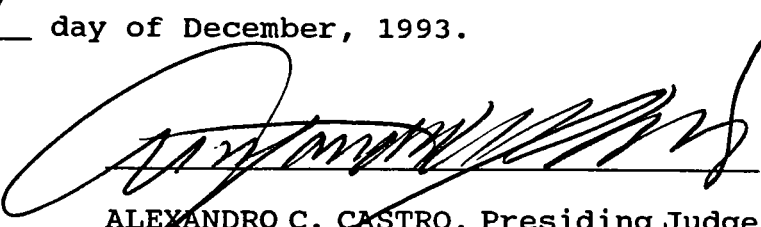
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28 <sup>2/</sup> The crime of vehicular homicide arises to the level of  
felony because it is punishable by more than one year. See 9 CMC  
§7110 ("not less than 90 days nor more than 10 years").



1 represents a flight risk and a danger to the community, and  
2 therefore, his motion for release pending appeal is denied.

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4 So ORDERED this 9 day of December, 1993.

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7 ALEJANDRO C. CASTRO, Presiding Judge

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