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IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM

In Re:)	SPECIAL PROCEEDINGS CASE NO.
)	_____
)	
)	PETITION FOR ORDER AUTHORIZING
Travelers arriving in Guam from Manila,)	CONTINUED DETENTION FOR
Philippines on or about March 19, 2020,)	ISOLATION OR QUARANTINE WHEN
)	VOLUNTARY ISOLATION OR
)	QUARANTINE REFUSED
)	
)	
Respondent(s).)	
)	

Guam is facing an unprecedented public health emergency. This has required unprecedented government measures to prevent and to mitigate the spread of novel coronavirus (COVID-19), including the temporary quarantine of individuals and groups of individuals with recent travel to the Philippines. **LINDA DENORCEY**, Director of the

Department of Public Health and Social Services (DPHSS), asks this court for an order authorizing the continued involuntary quarantine or isolation of Travelers arriving in Guam from Manila, Philippines on or about March 19, 2020 (“Respondents”) for only as long as necessary to reasonably determine that Respondents do not pose a risk of transmitting COVID-19.

Jurisdiction

1. This petition is made pursuant to 10 GCA § 19605.

Statutory authority to prevent the spread of disease

2. The Governor has authority under the Organic Act of Guam to promulgate quarantine regulations “for the protection of Guam against the importation and spread of disease.” 48 U.S.C. § 1421g(a).
3. The Director may impose the quarantine or isolation of an individual who has or is reasonably suspected of having or carrying a communicable disease. 10 GCA § 3309.
4. When a public health emergency has been declared, the Director shall use “every means available” to prevent the transmission of disease and to ensure that all contagions are subject to control and treatment, including temporarily quarantining or isolating an individual or group of individuals. 10 GCA §§ 19601, 19604.

Parties

5. Petitioner **Linda Denorcey** is the Director of the Department of Public Health and Social Services located at 590 S. Marine Corps Dr., Tamuning, Guam.

6. Respondents are all passengers of a flight that arrived in Guam from Manila, Philippines on or about March 19, 2020. Respondents are more specifically identified in the attached Confidential Schedule.

Factual background and allegations

7. Upon information and belief, based on reports that several cases of COVID-19 in Guam were connected to travel to the Philippines, the Governor and Director have imposed a mandatory quarantine of individuals with recent travel to Manila, Philippines.
8. Upon information and belief, Respondents recently traveled to Manila, Philippines.
9. Based on travel history and information available, the Director of DPHSS has determined that Respondents may have been exposed to SARS-COV-2, a contagious disease.
10. Upon information and belief, the Director issued an Emergency Involuntary Detention Order to Respondents at approximately 4:00 a.m. on March 19, 2020. That is the time and date at which the quarantine commenced.
11. Upon information and belief, Respondents are subject to quarantine or isolation at the premises identified in the attached Confidential Schedule.
12. Upon information and belief, the Director posted a Directive for Temporary Isolation and Quarantine/Emergency Involuntary Detention Order in a conspicuous place at all quarantine and isolation premises and issued a copy to all Respondents.
13. The Director requested that Respondents voluntarily comply with isolation and quarantine requirements to protect the public health, safety and welfare, but Respondents refused.

14. Upon information and belief, the Director and responding government agencies are in compliance with the conditions and principles for isolation and quarantine set forth in 10 GCA § 19604(b).
15. The medical basis justifying detention for isolation or quarantine is that COVID-19 is a contagious disease that is dangerous to public health.

RELIEF REQUESTED

Based on the above allegations as supported by the attached declaration, the DPHSS Director requests the following:

- a. The entry of an order authorizing continued involuntary detention of Respondents from March 29, 2020 at 12 a.m.. (ChST) to April 28, 2020 at 12 a.m. (not to exceed thirty days);
- b. The entry of an order sealing the confidential schedule and any documents that are confidential by law or necessary to protect the privacy of Respondents' health care information.
- c. Such other relief as the court deems reasonable and proper.

Dated this 27th day of March, 2020.

OFFICE OF THE ATTORNEY GENERAL
Leevin T. Camacho, Attorney General

/S/

By:

Shannon Taitano
Chief Deputy Attorney General