

IN THE SUPREME COURT OF THE
 FEDERATED STATES OF MICRONESIA
 TRIAL DIVISION – POHNPEI STATE

FEDERATED STATES OF MICRONESIA,) CRIMINAL CASE NO. 2014-502
)
)
 Plaintiff,)
)
 vs.) INFORMATION
)
 Erick Bisalen)
 Defendant.)
)
)

Plaintiff, the Federated States of Micronesia, by and through its counsel, the FSM Department of Justice, states and alleges for its complaint as follows:

1. This Court has jurisdiction over this matter pursuant to 11 F.S.M.C. §103(1)
2. Defendant Erick Bisalen is a resident of the State of Pohnpei.
3. The Pohnpei State Trial Division of the FSM Supreme Court is the proper venue for this action because the material elements of the offense were committed in Pohnpei, 11 FSMC §106(1). Additionally, a substantial number of witnesses currently reside in Pohnpei as do the defendant.

SUMMARY OF OFFENCES

4. On or about Wednesday early morning, June 13, 2012, around 0100 hours, the defendant and his wife, Tanya Bisalen came home to Palikir after

1 having some drinks at 7 Stars Inn. Upon arriving close to the President's
2 residence in Palikir, they got into an argument which resulted in a fight.

3 5. Tanya Bisalen managed to get out of their car and ran to the Guard
4 house near the President's residence crying for help. FSM police officer Raynold
5 Julios was on duty at that time, sitting inside the Guard house. Officer Julios went
6 to assist by diverting the defendant away from Tanya Bisalen. Officer Julios then
7 called the national police headquarter seeking assistance. Officers Sirak Sos and
8 Rensper Martin went to assist by allowing the defendant to retrieve his
9 belongings from the President's house and allowing the defendant to leave.
10 Officer Julios took up his post inside the guard house. On or about 0318 hours,
11 that same early morning, the defendant returned in his car, and came running
12 towards Officer Julios in the guardhouse with his knife. Officer Julios went inside
13 the guardhouse, closed the door and ordered the defendant to put down his
14 knife, however, the defendant rushed to the guardhouse with his knife and
15 started damaging it, by stabbing the security wires, insect screen and damaging
16 the windows. While the defendant was attacking the guardhouse, the police
17 officers at the police headquarter called and Officer Julios reported what was
18 happening and asked for back-up. Officers Sirak Sos and Rensper Martin came
19 back, and calmed down the defendant, who then handed over his knife.

20
21 **6. COUNT 1**
22 **RESISTING ARREST OR OTHER LAW ENFORCEMENT CONTRARY TO THE**
23 **REVISED CRIMINAL CODE SECTION 502**
24
25

1 Paragraphs 1 through 5, including all sections and subparts thereof, are
2 hereby realleged and incorporated by reference as though fully set forth
3 herein.
4

5 On or about June 13, 2012, the defendant, Erick Bisalen prevented National
6 Police Officer Raynold Julios from effecting a lawful arrest or discharging his
7 duty by creating a substantial risk of bodily injury to Officer Raynold Julios
8 in one or more of the following ways:
9

10 a) By the defendant's act of running towards Officer Julios while the
11 officer was in the guard house with his knife,
12

13 b) By the defendant's act of stabbing at the guardhouse which
14 officer Julios was in,
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16 c) By damaging the louvers of the guardhouse where officer Julios
17 was in,
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19 d) By damaging the security wires and insect screen of the
20 guardhouse where officer Julios was in,
21

22 e) By refusing to listen to officer Julios when officer Julios told him to
23 put his knife down.
24

25 11 FSMC § 502 provides as follows:

§ 502. Resisting arrest or other law enforcement.

1 (1) A person commits a crime if, for the purpose of
2 preventing a public official from effecting a lawful arrest or
3 discharging any other duty, the person creates a substantial risk of
4 bodily injury to the public official or anyone else, or employs
5 means justifying or requiring substantial force to overcome the
6 resistance.

7 (2) A person convicted under this section shall be punished
8 by imprisonment for not more than five years.

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10 Dated this 18th day of August 2014

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14 

15 Pole Atanraoi-Reim

16 Assistant Attorney General

17 Counsel for the Plaintiff

18 FEDERATED STATES OF MICRONESIA

19 DEPARTMENT OF JUSTICE

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