

(SUIT FILED AGAINST SANTOS)

SAIPAN, APRIL 11 (MNS)---A CIVIL ACTION WAS FILED THURSDAY (APRIL 11) IN TRUST TERRITORY HIGH COURT ON SAIPAN AGAINST MARIANA ISLANDS DISTRICT LEGISLATURE PRESIDENT VICENTE N. SANTOS. THE SUIT, BROUGHT BY THE TT GOVERNMENT, SEEKS TO RECOVER SOME \$35,346 IN FUNDS WHICH THE GOVERNMENT ALLEGES WERE MISAPPROPRIATED BY SANTOS AND EITHER CONVERTED TO HIS OWN USE OR PAID TO OTHERS WITHOUT AUTHORIZATION. THE SUIT IS NOT A CRIMINAL ACTION, AND NO CRIMINAL CHARGES HAVE BEEN FILED AGAINST SANTOS.

Mariana

THE CIVIC ACTION GROWS OUT OF AN AUDIT OF THE DISTRICT LEGISLATURE WHICH WAS CONDUCTED IN JULY AND AUGUST, 1972, WHEREIN IT WAS FIRST LEARNED BY THE GOVERNMENT THAT, IN THE WORDS OF THE COMPLAINT, "... DEFENDANT WAS ENGAGED IN A CONTINUING SCHEME, DESIGN AND PLAN OF ACTION WHICH RESULTED IN THE IMPROPER AND UNAUTHORIZED PAYMENT OF PUBLIC FUNDS TO DEFENDANT AND OTHERS IN EXCESS OF TEN THOUSAND DOLLARS, WHICH PLAINTIFF SEEKS TO RECOVER HEREIN." THE COMPLAINT EXPLAINS THAT THE EXACT AMOUNT OF THE CLAIM IS IMPOSSIBLE TO DETERMINE WITH ACCURACY PENDING FURTHER INVESTIGATION, BUT SPECIFIC ALLEGATIONS IN THE SUIT TOTAL MORE THAN \$35,000 WHICH THE GOVERNMENT IS SEEKING TO RECOVER FROM SANTOS

SPECIFICALLY, THE COMPLAINT CHARGES THAT ALTHOUGH HE KNEW THAT OVERTIME PAYMENTS WERE NOT AUTHORIZED TO THE PRESIDENT OF THE MARIANAS DISTRICT LEGISLATURE, SANTOS "...REPRESENTED THAT HE HAD WORKED OVERTIME AND ORDERED THAT HE BE PAID FOR THE SAME. UPON DEFENDANT'S OWN ORDERS TO THE DISTRICT TREASURER, DEFENDANT WAS PAID THE SUM OF NINE THOUSAND FOUR HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY-EIGHT CENTS FOR ALLEGED OVERTIME WORKED FROM APRIL 1, 1970 THROUGH APRIL 1, 1972." THE COMPLAINT FURTHER STATES THAT THE GOVERNMENT HAS REASON TO BELIEVE THAT SANTOS "... DID NOT WORK THE HOURS OF OVERTIME FOR WHICH HE DEMANDED PAYMENT AND THAT SUCH DEMANDS ARE FALSE, FRAUDULENT AND WERE MADE WITH THE INTENTION TO APPROPRIATE AND CONVERT PUBLIC FUNDS TO DEFENDANTS OWN USE."

THE COMPLAINT ALSO CHARGES THAT ALTHOUGH SANTOS WAS ALLOWED AND AUTHORIZED TO EXPEND A MAXIMUM OF 500 DOLLARS A YEAR FOR "OFFICIAL REPRESENTATION EXPENSES," HE "...DEMANDED THE SUM OF EIGHTEEN THOUSAND NINE HUNDRED THIRTY ONE DOLLARS AND SIXTY FIVE CENTS AS OFFICIAL REPRESENTATION AND EXPENSES AND WAS PAID THAT AMOUNT BY THE DISTRICT TREASURER," THE GOVERNMENT ALLEGES THAT THIS DEMAND FOR PAYMENT WAS "FRAUDULENT AND WITH THE INTENT TO CONVERT PUBLIC FUNDS TO DEFENDANT'S OWN USE., THE COMPLAINT FURHTER ALLEGES THAT THE FUNDS WERE NOT EXPENDED FOR OFFICIAL PURPOSES, AND SEEKS TO HAVE AN ACCOUNTING OF ALL SUCH EXPENDITURES.

OTHER, SMALLER CLAIMS ARE MADE IN SEPARATE COUNTS OF THE COMPLAINT, INCLUDING A CHARGE THAT SANTOS AUTHORIZED THE PAYMENT OF \$2,500 TO WILLIAM NABORS, COUNSEL TO THE DISTRICT LEGISLATURE, AND THAT "... SUCH PAYMENTS WERE NOT AUTHORIZED OR EARNED BY THE SAID WILLIAM NABORS AND THAT DEFENDANT (SANTOS) WAS FULLY AWARE OF HIS LACK OF AUTHORITY TO PAY OR CAUSE SUCH PAYMENTS TO BE MADE.

SEVERAL OF THE ADDITIONAL CHARGES DEAL WITH OVERPAYMENT OF PER DIEM OR TRAVEL EXPENSES.

A SUMMONS WAS OFFICIALLY SERVED ON SANTOS ON SAIPAN THURSDAY, IN WHICH HE WAS GIVEN 20 DAYS TO ANSWER THE COMPLAINT. THE COMPLAINT WAS FILED BY PONAPE DISTRICT ATTORNEY MINOR POUNDS, ACTING AS COUNSEL FOR THE TT GOVERNMENT.

MNS WAS NOT ABLE TO CONTACT PRESIDENT SANTOS, EITHER THURSDAY AFTERNOON OR FRIDAY TO OBTAIN HIS COMMENTS ON THE LEGAL ACTION TAKEN AGAINST HIM. HWEVER ATTORNEY WILLIAM NABORS, CONTACTED BY ANOTHER REPORTER THURSDAY, INDICATED THAT HE HAD NO COMMENT TO MAKE ON THE SUIT AT THE TIME. NABORS WAS ON GUAM FRIDAY AND COULD NOT BE REACHED.

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