FILED 4.

IN THE
SUPREME COURT OF THE REPUBLIC OF PALAU
APPELLATE DIVISION

2022 JUN 27 AM 11: 20

SUPREME COURT
OF THE
REPUBLIC OF PALAU

TOBIAS F. AQUON,
Appellant,
v.
MARIA A. ULECHONG, SADARIA AQUON, and DANIEL AQUON,
Appellees.

Cite as: 2022 Palau 8
Civil Appeal No. 21-032
Appeal from LC/F 17-00181, LC/F 17-00182, and LC/F 17-00186

Decided: June 27, 2022

Counsel for Appellant ..... Johnson Toribiong
Counsel for Appellees ..... C. Quay Polloi

BEFORE: JOHN K. RECHUCHER, Associate Justice
KATHERINE A. MARAMAN, Associate Justice
DANIEL R. FOLEY, Associate Justice

Appeal from the Land Court, the Honorable Salvador Ingereklii, Associate Judge, presiding.

OPINION

PER CURIAM:

[¶ 1] This is the second time this land dispute involving a father's dueling deeds allegedly transferring the same land to different children has come before us. In our prior opinion, we remanded to the Land Court to consider a narrow issue—"the legal meaning and effect of the 1974 deed." *Aquon v. Ulechong*, 2021 Palau 31 ¶ 16. On remand, the Land Court did so, holding that the 1974 deed granted Francisco Aquon the land in fee simple and that Francisco then validly transferred ownership of the land to Appellees Maria Ulechong, Sadaria Aquon, and Daniel Aquon before he died.

[¶ 2] On appeal, Appellant Tobias Aquon does not challenge the Land Court's legal conclusion that the 1974 deed granted Francisco a fee simple. Instead, Tobias argues that the Land Court abused its discretion by entering its decision on remand without giving him an opportunity to be heard. We reject this argument. Tobias, when he included the 1974 deed in his closing argument, was afforded a meaningful opportunity explain his interpretation that deed. Moreover, once the case was remanded, Tobias never requested a hearing or submitted any supplemental briefing on how the 1974 deed should be interpreted. The Land Court acted pursuant to our mandate on remand—and did not abuse its discretion or violate Tobias's right to due process—when it decided this narrow legal issue without further proceedings. Thus, we **AFFIRM** the Land Court's decision.

SO ORDERED, this 27th day of June, 2022.

JOHN K. RECHUCHER
Associate Justice

KATHERINE A. MARAMAN
Associate Justice

DANIEL R. FOLEY
Associate Justice