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IN THE
SUPREME COURT OF THE REPUBLIC OF PALAU
APPELLATE DIVISION

2026 MAR -2 A 10: 25

SUPREME COURT
OF THE
REPUBLIC OF PALAU

<p>GLORIA SALII, <i>Appellant,</i></p> <p>v.</p> <p>TOCHORIIH DELEMEL/MARY ANN DELEMEL, <i>Appellees.</i></p>
<p>IDID CLAN by Gloria G. Salii <i>Appellant,</i></p> <p>v.</p> <p>TOCHORIIH DELEMEL/MARY ANN DELEMEL <i>Appellees.</i></p>

Cite as: 2026 Palau 4
Consolidated Civil Appeal Nos. 25-005 & 25-006
Appeal from LC/B 15-00122 & 15-00119

Decided: March 2, 2026

Counsel for Appellant..... Lalii C. Sakuma
Counsel for Appellee Brengyei Katosang

BEFORE: OLDIAIS NGIRAIKELAU, Chief Justice, presiding
FRED M. ISAACS, Associate Justice
KATHERINE A. MARAMAN, Associate Justice

Appeal from the Land Court, the Honorable Honora E. Remengesau Rudimch,
presiding.¹

OPINION

PER CURIAM:

[¶ 1] Appellant Bilung Gloria Salii (Salii) appeals from the Land Court's
March 25, 2025 determination awarding ownership of Worksheet Lot Nos. 02

¹ Sitting by designation as a Land Court Judge pro tem.

B 008-002 and 15 B 01-003 to Appellee Mary Ann Delemel (Delemel). These lots are part of Tochi Daicho (TD) Lot 846, listed under the name Taruu.

[¶ 2] For the reasons set forth below, we **AFFIRM**.

BACKGROUND

[¶ 3] This appeal concerns the ownership of Worksheet Lot Nos. 02 B 008-002 and 15 B 01-003, collectively known as *Telbong*, located in Meketii Hamlet, Koror State. The Land Court found that both lots are part of TD Lot 846, recorded in the Tochi Daicho as the individual property of Taruu, who served as Bilung of Idid Clan. Although TD 846 was originally a single lot, a road physically divided it into two portions: the dry portion (Worksheet Lot 02 B 008-002) and the taro patch (Worksheet Lot 15 B 01-003).

[¶ 4] Appellee Delemel asserted that her father, Delemel Ngiratemarikel, purchased *Telbong* in 1956 from Chief Ibedul Ngoriakl of Idid Clan. Appellant Salii did not dispute that the sale occurred. Instead, she argued that the subject lots are not part of TD 846 at all, but rather part of TD Lot 761, which is listed under Omtilou Lineage of Idid Clan. According to her, the claim asserted by Delemel encroached upon TD Lot 761.

[¶ 5] The Land Court rejected Salii's position and found that the subject lots were correctly identified as part of TD Lot 846. The court further found that Ibedul Ngoriakl sold *Telbong* to Ngiratemarikel around 1956 and that thereafter Ngiratemarikel and his wife, Tochoriich, continuously possessed and exercised ownership over the land.

[¶ 6] After Ngiratemarikel passed away in 1986, an estate case was opened. Salii intervened in that matter and asserted claims to several lands in Ngerkesoal; however, she did not assert any claim to *Telbong*. In that proceeding, the court awarded *Telbong* to his surviving widow and Mary Ann's mother, Tochoriich. This appeal followed.

STANDARD OF REVIEW

[¶ 7] We review challenges to the Land Court's factual findings for clear error. *Ibuuch Clan v. Fritz*, 2020 Palau 2 ¶ 5. Under this standard, findings will not be disturbed unless "this Court is left with a definite and firm conviction that a mistake has been made." *Salvador v. Renguul*, 2016 Palau 14 ¶ 7.

DISCUSSION

I. Salii's area-based challenge is forfeited

[¶ 8] Salii first argues that the Land Court effectively awarded Delemel more than four times the area of TD Lot 846. The two subject lots total 1,849 square meters, or 559.29 tsubo—more than four times the 131.3 tsubo (434.603 square meters) listed for TD 846 in the Tochi Daicho. However, this argument was not raised before the Land Court.

[¶ 9] Issues not raised below are forfeited on appeal. See, e.g., *Ochedaruchei Clan v. Oilouch*, 2021 Palau 33 ¶ 11 (“No axiom of law is better settled than that a party who raises an issue for the first time on appeal will be deemed to have forfeited that issue.”). Because Salii did not present this “area” argument to the Land Court, it is forfeited and we do not consider it.

II. Salii's remaining arguments challenge the Land Court's factual findings

[¶ 10] Salii next argues—consistent with her position in Civil Appeal No. 25-006—that because the Tochi Daicho lists TD Lot 846 as “taro swamp,” the dry portion corresponding to Worksheet Lot No. 02 B 008-002 cannot be part of TD 846. She further contends that the Land Court should have credited her interpretation of the evidence, particularly her reading of Delemel's testimony. See Salii's opening brief at 3.

[¶ 11] This argument merely repeats the same points she argued before the Land Court. Salii essentially asks this Court to reweigh the evidence, reassess witness credibility, and draw different inferences. That is not our role. The responsibility for weighing the evidence, assessing credibility, and drawing inferences from the evidence rests with the Land Court. *Children of Antonio Fritz v. Ibuuch Clan*, 2021 Palau 7 ¶ 4 (quoting *Esuroi Clan v. Roman Tmetuchl Family Trust*, 2019 Palau 31 ¶ 12).

[¶ 12] The Land Court heard the testimony, reviewed the documentary evidence, and made findings supported by the record. The court credited Delemel's testimony that TD 846 was originally a single lot, but a road physically divided it into two portions where one of the portions (Worksheet Lot No. 02 B 008-002) was dry land. Salii has not shown that this finding is clearly erroneous.


CONCLUSION

[¶ 13] For the foregoing reasons, we **AFFIRM** the Land Court's March 25, 2025 adjudication and determination.


SO ORDERED this 2nd day of March, 2026.



OLDMAN NGIRAIKELAU
Chief Justice, presiding



FRED M. ISAACS
Associate Justice



KATHERINE A. MARAMAN
Associate Justice