



**Combating Immigration Services Scams
Local Action List
June 9, 2011**

Matter Name / Location	Type of Action	Date / Matter Information	Responsible Agency	Press Contact
<p><i>City of Oakland v. American Legal Services</i>, available at http://apps.alameda.courts.ca.gov/domainweb/html/index.html (Case # RG10496098)</p> <p>(CA Superior Court)</p>	<p>Civil Action: Alleging unauthorized practice of law, false statements in immigration matters, and various violations of the Immigration Consultants Act, under state law.</p>	<p>January 28, 2010: Complaint filed. Both named office locations closed down shortly after.</p> <p>Action for victim restitution, penalties, etc. continues, with assistance of 15 victim families.</p>	<p>City of Oakland, Neighborhood Law Corps.</p>	<p>Alex Katz (510) 238-3148</p> <p>Jesse Newmark (510) 238-7030</p> <p>Press Release: http://www.oaklandcityattorney.org/PDFS/News%20Release/Immigration%20fraud%201.28.09.pdf</p>
<p><i>People of The State of California v. Martin R. Guajardo, Christopher Stender, Immigration Practice Group, P.C.</i></p> <p>(Superior Court of County of San Francisco, CA)</p>	<p>Civil Action: Alleging various violations of California law, including unauthorized practice of law, failure to notify clients of resignation from the bar, fee-splitting with a non-lawyer.</p>	<p>November 17, 2010: Complaint filed.</p> <p>March 17, 2011: Preliminary Injunction granted.</p> <p>March 25, 2011: Appeal filed from Preliminary Injunction.</p>	<p>Office of the City Attorney of San Francisco</p>	<p>Jack Song (415) 554-4710</p> <p>Press Releases: http://www.sfcityattorney.org/index.aspx?page=320</p> <p>http://www.sfcityattorney.org/index.aspx?page=341</p>

<p><i>People of the State of New York v. Teresa Nora Martinez</i></p> <p>(NY County Supreme Court)</p>	<p>Criminal Action: Defendant charged with the Unauthorized Practice of Law, Grand Larceny and Scheme to Defraud charges for falsely claiming to be an attorney or to be working with attorneys in order to provide immigration services and promise green cards.</p>	<p>June 21, 2011: Indictment filed.</p> <p>February 16, 2011: Guilty plea to Scheme to Defraud and the Unauthorized Practice of Law entered.</p> <p>Sentence pending.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p><u>Press Release:</u> http://www.manhattanda.org/whatsnew/press/2010-06-21.shtml</p>
<p><i>People of the State of New York v. Marc Payen</i></p> <p>(NY County Supreme Court)</p>	<p>Criminal Action: Defendant charged with the Unauthorized Practice of Law, Grand Larceny and Scheme to Defraud charges for falsely claiming to be a UN employee offering immigration services.</p>	<p>August 9, 2010: Indictment filed.</p> <p>April 8, 2011: Guilty verdict after trial.</p> <p>Sentence pending.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p><u>Press Release:</u> http://www.manhattanda.org/whatsnew/press/2010-08-09.shtml http://www.manhattanda.org/whatsnew/press/2011-04-08d.shtml</p>
<p><i>People of the State of New York v. Te –Hu Tsuei</i></p> <p>(NY County Supreme Court)</p>	<p>Criminal Action: Defendant charged with the Unauthorized Practice of Law, Grand Larceny and Scheme to Defraud charges for falsely claiming to be an attorney or experienced paralegal in order to provide immigration services and promise U-visas. Civil Action: Forfeiture against the defendant to seize the proceeds of scheme.</p>	<p>August 23, 2010: Indictment filed and Temporary Restraining Order entered.</p> <p>Case pending.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p><u>Press Release:</u> http://www.manhattanda.org/whatsnew/press/2010-08-23.shtml</p>

<p><i>People of the State of New York v. Rafael Masso</i></p> <p>(NY County Supreme Court)</p>	<p>Criminal Action: Defendant charged with the Unauthorized Practice of Law, Grand Larceny, Criminal Impersonation and Scheme to Defraud charges for falsely claiming to be an immigration agent in order to provide immigration services and promise green cards.</p>	<p>September 1, 2010: Indictment filed.</p> <p>December 14, 2010: Guilty plea to Grand Larceny and Scheme to Defraud entered.</p> <p>January 18, 2011: Sentenced to two to six years in prison.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p>Press Releases: http://www.manhattanda.org/whatsnew/press/2010-09-01.shtml</p> <p>http://www.manhattanda.org/whatsnew/press/2011-01-18.shtml</p>
<p><i>People v. Linyan Zou and Xiao Ling Chen</i></p> <p>(NY County Supreme Court)</p>	<p>Criminal Action: Defendants charged with the Unauthorized Practice of Law, Grand Larceny, Scheme to Defraud and violations of the Immigration Assistance Services Law for falsely claiming to be immigration consultants in order to provide immigration services.</p>	<p>August 6, 2009: Indictment filed.</p> <p>June 17, 2010: Superseding Indictment filed.</p> <p>November 17, 2011: Guilty plea to a violation of the Immigration Assistance Services Law entered as to defendant Chen.</p> <p>January 19, 2011: Defendant Chen is sentenced to three years of probation and community service.</p> <p>December 7, 2010: Defendant Zou is found guilty after trial.</p> <p>February 8, 2011: Defendant Zou is sentenced to three to nine years in prison and a restitution order.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p>Press Releases: http://manhattanda.org/whatsnew/press/2009-08-6.shtml</p> <p>http://www.manhattanda.org/whatsnew/press/2010-12-07b.shtml</p>

<p><i>People v. Victor Espinal</i> (NY County Supreme Court)</p>	<p>Criminal Action: Defendants charged with the Unauthorized Practice of Law, Grand Larceny, Scheme to Defraud and Forgery related charges for falsely claiming to be lawyer in order to provide immigration services.</p>	<p>January 21, 2009: Indictment filed.</p> <p>February 26, 2010: Superseding Indictment filed.</p> <p>May 13, 2010: Guilty plea to Grand Larceny, Forgery, Scheme to Defraud and the Unauthorized Practice of Law entered.</p> <p>July 7, 2010: Sentenced to six months in jail, five years of probation and a restitution order.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p><u>Press Releases:</u> http://manhattanda.org/whatsnew/press/2009-01-21.shtml</p> <p>http://www.manhattanda.org/whatsnew/press/2010-05-13.shtml</p>
<p><i>People v. Wilmer Rivera Melendez</i> (NY County Supreme Court)</p>	<p>Criminal Action: Defendants charged with the Unauthorized Practice of Law, Grand Larceny and Scheme to Defraud for falsely claiming to be lawyer in order to provide immigration services.</p>	<p>October 15, 2009: Indictment filed.</p> <p>December 8, 2010: Guilty plea to Attempted Grand Larceny and the Unauthorized Practice of Law entered.</p> <p>January 6, 2011: Sentenced to two years in jail.</p>	<p>NY County District Attorney's Office</p>	<p>Joan Vollero (212) 335-9400</p> <p><u>Press Release:</u> http://manhattanda.org/whatsnew/press/2009-10-15.shtml</p>

<p>Since June 1, 2010, 62 inspections have been conducted of 56 immigrant service providers. Based on this and a review of advertising materials, the Department of Consumer Affairs has issued 23 violations to immigrant service providers.</p>	<p>Administrative Actions: The Department of Consumer Affairs enforces local laws that prevent immigrant services providers from offering services beyond clerical services, from falsely claiming to be able to provide legal services and from using contracts that don't clearly define the contract requirements that ensure consumers know precisely what services are being provided, what the providers obligations are and their rights. The most common violations were failing to have a contract or having a contract that did not include all required information, failing to post required disclosures and failing to maintain the required surety bond.</p>	<p>Since June 1, 2010, charges that have been decided or settled have resulted in fines totaling approximately \$32,200. The remaining charges have yet to be heard.</p>	<p>New York City Department of Consumer Affairs</p>	<p>Abigail Lootens (212) 248-1073 Alootens@dca.nyc.gov</p> <p><u>Press Release:</u> http://www.nyc.gov/html/dca/html/pr2011/prindex_en_0.shtml</p>
<p>Brought numerous enforcement actions prior to June 1, 2010; currently investigating about a dozen immigration service providers in the Los Angeles area.</p>	<p>Criminal and Civil Actions</p>	<p>Filings expected within the next 6 months.</p>	<p>Los Angeles County District Attorney's Office</p> <p>(Investigations by County of Los Angeles Department of Consumer Affairs)</p>	<p>LADA: Sandi Gibbons (213) 974-3528</p> <p>LADCA: Armando Nogal: (213) 974-9750 anogal@dca.lacounty.gov</p>