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COUNTY OF STANISLAUS  
BY \_\_\_\_\_  
DEPUTY

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Attorneys for Plaintiff  
The People of the State of California

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF STANISLAUS

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

v.

TELLEZ ADMINISTRATIVE SERVICE;  
ANGELICA M. TELLEZ dba TELLEZ  
ADMINISTRATIVE SERVICE; RICARDO TELLEZ,  
dba TELLEZ ADMINISTRATIVE SERVICE; and  
DOES 1 through 10, Inclusive,

Defendants.

No.: 348090.

**COMPLAINT FOR  
INJUNCTION, CIVIL  
PENALTIES, AND OTHER  
RELIEF**

Plaintiff, the People of the State of California, by Bill Lockyer, Attorney General of the  
State of California (hereinafter "People"), allege the following on information and belief:

**PARTIES**

1. Defendants Angelica M. and Ricardo Tellez (hereinafter "Tellez") are individuals.  
They engage in business under the name Tellez Administrative Service.

2. Defendant Tellez Administrative Service (hereinafter "Tellez Administrative  
Service") is a business of unknown form.

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1           3.       Defendants Angelica M. and Ricardo Tellez are not currently, nor were they at  
2 any time referred to in this Complaint, licensed to practice law in the State of California or  
3 authorized by federal law to represent persons before the Immigration and Naturalization Service,  
4 the Bureau of Citizenship & Immigration Services or the Immigration Courts and Board of  
5 Immigration Appeals.

6           4.       Defendant Tellez Administrative Service is not currently nor was it at any time  
7 referred to in this Complaint, a nonprofit, tax-exempt corporation.

8           5.       The true names and capacities of defendants sued herein under the fictitious  
9 names Does 1 through 10 are unknown to the People. The People will seek leave of court to  
10 amend this Complaint to allege such names and capacities as soon as they are ascertained.

11          6.       All references in this Complaint to any of the Defendants shall also include all of  
12 them, unless otherwise specified. Whenever reference is made in this Complaint to any act of  
13 Defendants, such allegation shall mean that each Defendant acted individually and jointly with  
14 the other Defendants.

15          7.       At all relevant times, each Defendant has committed the acts, caused others to  
16 commit the acts, or permitted others to commit the acts alleged in this Complaint.

17          8.       Any allegation about any acts of any corporate or other business Defendant shall  
18 mean that the corporation or other business did the acts alleged through its officers, directors,  
19 employees, agents, and/or representatives while they were acting within the actual or ostensible  
20 scope of their authority.

21          9.       The named Defendants' principal place of business is located at 602 E. Hatch  
22 Road, Modesto, California.

23          10.       The violations of law alleged in this Complaint occurred in the County of  
24 Stanislaus, and may also have occurred elsewhere in California.

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1 **FIRST CAUSE OF ACTION**

2 **VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 17200**  
3 **(UNLAWFUL BUSINESS ACTS OR PRACTICES)**  
4 **(Against all Defendants)**

5 11. The People reallege and incorporate by reference paragraphs 1 through 10 of this  
6 Complaint.

7 12. Defendants have engaged and are engaging in unfair competition as defined by  
8 California Business and Professions Code section 17200 by engaging in acts or practices  
9 including, but not necessarily limited to, violations of Business and Professions Code  
10 sections 22443.2, 22443.3, and 17500.

11 13. Business and Professions Code section 22443.2 provides that an immigration  
12 consultant shall conspicuously display in his/her office a notice that is at least 12 by 20 inches in  
13 a 1-inch font in English and in the native language of the consultant's clientele, that contains the  
14 following: evidence of compliance with applicable bonding requirements, a statement that the  
15 consultant is not an attorney, the fees charged for each service offered, and the name of each  
16 consultant employed at the location.

17 14. Business and Professions Code section 22443.3 provides that any person making a  
18 statement indicating directly or by implication that the person serves as an immigration  
19 consultant must have on file with the Secretary of State a bond of \$50,000. The measure, which  
20 is contained in the Immigration Consultants Act (Bus. & Prof. Code, § 22440 et seq.), provides:

21 It is unlawful for any person to disseminate by any means any  
22 statement indicating directly or by implication that the person  
23 engages in the business or acts in the capacity of an immigration  
24 consultant, unless the person has on file with the Secretary of State  
25 a bond, in the amount and subject to the terms described in Section  
26 22443.1, that is maintained throughout the period covered by the  
27 statement, such as, but not limited to the period of a yellow pages  
28 listing.

15 15. Section 22443.1 of the Business and Professions Code, describing the amount and  
16 terms of the required bond, provides in relevant part:

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1 (a) . . . [E]ach person shall file with the Secretary of State a bond of  
2 fifty thousand dollars (\$50,000) executed by a corporate surety  
3 admitted to do business in this state and conditioned upon  
4 compliance with this chapter. The total aggregate liability on the  
5 bond shall be limited to fifty thousand dollars (\$50,000) . . . .

6 (b) The bond required by this section shall be in favor of, and  
7 payable to, the people of the State of California and shall be for the  
8 benefit of any person damaged by any fraud, misstatement,  
9 misrepresentation, unlawful act or omission, or failure to provide  
10 the services of the immigration consultant or the agents,  
11 representatives, or employees of the immigration consultant while  
12 acting within the scope of that employment or agency.

13 16. Section 22441, subdivision (a), of the Business and Professions Code provides:

14 A person engages in the business of or acts in the capacity of an  
15 immigration consultant when that person gives nonlegal assistance  
16 or advice on an immigration matter.

17 17. In April 2004, and continuing to the present, Defendants and their employees have  
18 disseminated and continue to disseminate statements indicating directly or by implication  
19 that they engage or propose to engage in the business, or act in the capacity or propose to act in  
20 the capacity of an immigration consultant.

21 18. Defendants do not currently have on file with the Secretary of State, nor have they  
22 at any time referred to in this Complaint had on file with the Secretary of State, the requisite  
23 \$50,000 bond.

24 19. Defendants have not conspicuously displayed in their office the required posted  
25 notice including their bond information, a statement that the consultant is not an attorney, the fee  
26 for each service offered, and the name of each consultant employed at that location.

27 20. Section 17500 of the Business and Professions Code provides:

28 It is unlawful for any person . . . with intent directly or indirectly . . .  
to perform services . . . to make or disseminate or cause to be made  
or disseminated . . . in any newspaper or other publication . . . , or in  
any other manner or means whatever, any statement, concerning  
such . . . services . . . which is untrue or misleading.

21 21. A violation of Business and Professions Code section 17500 is by definition also a  
22 violation of Business and Professions Code section 17200, which provides that "unfair  
23 competition shall mean and include . . . any act prohibited by . . . Section 17500 . . ."

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1           22.     Defendants have violated and continue to violate Business and Professions Code  
2 section 17500 by making or causing to be made untrue or misleading statements, which they  
3 know or by the exercise of reasonable care should know are untrue or misleading, with the intent  
4 to induce members of the public to purchase Defendants' services. Defendants' violations of this  
5 section include, but are not limited to, the following: By disseminating or causing to be  
6 disseminated statements concerning their ability to provide immigration consulting services,  
7 Defendants have implicitly represented that they could do so lawfully. The statements and/or  
8 omissions are untrue and misleading because in the absence of a bond, as required by Business  
9 and Professions Code section 22443.3, and in absence of the posted-notice disclosures, as  
10 required by Business and Professions Code section 22443.2, Defendants cannot lawfully provide  
11 immigration consultant services.

12                                   **SECOND CAUSE OF ACTION**

13                   **VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 22443.3**  
14                   **(FAILURE TO OBTAIN AND FILE SURETY BOND)**  
                                  **(Against all Defendants)**

15           23.     The People reallege and incorporate by reference paragraphs 1 through 22 of this  
16 Complaint.

17           24.     By disseminating statements indicating directly or by implication that they engage  
18 in the business or act in the capacity of an immigration consultant, without having on file with  
19 the Secretary of State the bond described in Business and Professions Code section 22443.1,  
20 Defendants have violated Business and Professions Code section 22443.3.

21                                   **THIRD CAUSE OF ACTION**

22                   **VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 22443.2**  
23                   **(FAILURE TO POST NOTICE)**  
                                  **(Against all Defendants)**

24           25.     The People reallege and incorporate by reference paragraphs 1 through 24 of this  
25 Complaint.

26           26.     By failing to conspicuously post any bond information, a statement of fees for  
27 each immigration service it provides, a statement that the consultant is not an attorney, and the  
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1 name of each consultant, Defendants have violated Business and Professions Code section  
2 22443.2.

3 **FOURTH CAUSE OF ACTION**

4 **VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 17500**  
5 **(UNTRUE OR MISLEADING ADVERTISING)**  
6 **(Against all Defendants)**

7 27. The People reallege and incorporate by reference paragraphs 1 through 26 of this  
8 Complaint.

9 28. Defendants have violated and continue to violate Business and Professions Code  
10 section 17500 by making or causing to be made untrue or misleading statements, which they  
11 know or by the exercise of reasonable care should know are untrue or misleading, with the intent  
12 to induce members of the public to purchase Defendants' services. Defendants' violations of this  
13 section include, but are not limited to, the following: By disseminating or causing to be  
14 disseminated statements concerning their ability to provide immigration consultant services,  
15 Defendants have implicitly represented that they could do so lawfully. The statements and  
16 omissions are untrue and misleading because in the absence of a bond, and posted notice  
17 requirements as required by Business and Professions Code sections 22443.3 and 22443.2,  
18 Defendants cannot lawfully provide immigration consultant services.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, the People pray for judgment as follows:

21 1. Pursuant to Business and Professions Code sections 17203, 22446.5, and 17535,  
22 that all Defendants, their agents, employees, officers, representatives, successors, partners,  
23 assigns, and all persons acting in concert or participating with them, be permanently enjoined  
24 from violating Business and Professions Code sections 17200, 22443.3, and 17500, including,  
25 but not limited to, the violations alleged in this Complaint;

26 2. Pursuant to Business and Professions Code sections 17206, 17536, 22445,  
27 and 22446.5, that the Court assess a civil penalty against each Defendant for each violation of  
28 Business and Professions Code sections 17200, 17500, 22443.2 or 22443.3 alleged in the  
Complaint, as proved at trial, in the total amount of \$100,000;

1           3.       That the People recover their costs and reasonable attorneys fees pursuant to Code  
2 of Civil Procedure section 1021.8, subdivision (a); and

3           4.       That the Court grant such other and further relief as it may deem just and proper.

4       DATED:       June 8, 2004

5                               BILL LOCKYER  
6                               Attorney General of the State of California

7                               SUZANNE M. AMBROSE  
8                               Supervising Deputy Attorney General

9                               \_\_\_\_\_  
10                              JOHN M. APPELBAUM  
11                              Deputy Attorney General

12                             Attorneys for Plaintiff  
13                             The People of the State of California  
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