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7 [REDACTED]

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9  
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES**  
12

13 **THE PEOPLE OF THE STATE OF CALIFORNIA**  
Plaintiff,  
14  
15 v.  
16 **01 ABEL MOSES SOMILLEDA**  
Defendants.

Case No.  
DECLARATION MADE  
PURSUANT TO SECTION  
2015.5 C.C.P. IN SUPPORT OF  
ARREST WARRANT FOR  
ABEL SOMILLEDA

17  
18 The undersigned hereby declares, upon information and belief:

19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
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Declaration is support of Arrest Warrant

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**STATEMENT OF PROBABLE CAUSE:**

Based upon my training and experience, and the facts set forth in this affidavit, I conclude there is probable cause to believe that from on or about September 1, 2003 to the present. Suspect Abel SOMILLEDA engaged in a travel fraud scheme where he arranged and took money from students and their parents for a Cancun trip, canceled the trip and did not refund the money. This evidence of this scheme to defraud was found at the SOMILLEDA residence [REDACTED].

DOJ Special Agents have been conducting an ongoing criminal investigation, centered

1 around Abel Somilleda for P.C. section 487(a) (grand theft), B & P Code 17550.14(a) (failure to  
2 return moneys) and B&P Code section 17550.17(b) (failure to deliver ticket or voucher).

3 **CITIZEN COMPLAINT**

4 This investigation was initiated upon information received from several students and  
5 their parents regarding Big Bad Student Travel. They complained to the State of California,  
6 Department of Consumer Affairs. They claimed that Big Bad Student Travel and Abel  
7 Somilleda (BBST) offered for sale and sold them senior trips to Cancun, Mexico that were  
8 supposed to take place in May 2006. BBST took their money for the trip and canceled it a day  
9 or two before the students were supposed to leave. The students were sent out cancellation  
10 letters with an explanation and were promised a full refund. Neither the students nor their  
11 parents received any money. They were unsuccessful in contacting Abel Somilleda via the  
12 telephone numbers he listed as they received no response.

13 **CRIMINAL INVESTIGATION**

14 Beginning in February 2007, I was assigned to investigate this case. Along with other  
15 Department of Justice agents and personnel, I conducted several interviews, database searches  
16 and surveillances on SOMILLEDA in an effort to document the fraud. During the investigation,  
17 I discovered that Abel SOMILLEDA was the owner of Big Bad Student Travel, Somi Travel  
18 Group and Edumex Tours. A check in Lexis Nexis showed a Fictitious Business Name for Big  
19 Bad Student Travel, 480 Rosecrans Ave. #6, Manhattan Beach, CA 90266 was filed on March  
20 12, 2003 in Los Angeles as a Travel Agency with the contact name of Abel Somilleda and  
21 Industry Classification Code: 472402. Another search for Big Bad Student Travel in the  
22 Autotrack database showed it also having a DBA of Somi Travel Group with the same address  
23 under file number 03-0711287 and filed on March 12, 2003. A Comprehensive Business Report  
24 check also showed Edumex Tours was located at 480 Rosecrans Ave.#6, Manhattan Beach, CA  
25 90266. Big Bad Student Travel, Edumex Tours and Somi Travel Group had a business contact  
26 of Abel M. Somilleda.



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**SELLER OF TRAVEL**

On June 5, 2008, I researched the Seller of Travel information which is regulated by the the California Attorney General’s Office. California requires all sellers of travel to register and display the registration number on all advertising. On the same date, I accessed the California Seller of Travel website and ran Big Bad Student Travel, Somi Travel Group, Abel Somilleda, his

On June 10, 2008, I researched the Seller of Travel information with the State of Florida,

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1 Department of Agriculture and Consumer Services. I spoke to Regulatory Specialist Lily and  
2 she ran Big Bad Student Travel and Somi Travel Group through the database and found both  
3 were unregistered.

4 **POSTAL OFFICE BOX INFORMATION**

5 On March 24, 2008, I spoke to Mike Wilson, Postal Inspector in the Los Angeles area.  
6 Wilson told me the Postal Box [REDACTED], Manhattan Beach, CA 90266 also showed C/O Big Bad  
7 Student Travel and was registered to Abel Somilleda, [REDACTED]  
8 [REDACTED] The box was opened from March 14, 2003 to March 14, 2007.

9 **BANK RECORDS**

10 During the course of my investigation, I reviewed a personal bank check from [REDACTED]  
11 [REDACTED] written to Big Bad Student Travel. The check was deposited into the Somi Travel Group  
12 bank account at Bank of America, Manhattan Beach, CA 90266 [REDACTED]

13 [REDACTED]  
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**SEARCH WARRANT**

On June 17, 2008, the Honorable Joseph DeVanon, Los Angeles Superior Court signed a search warrant for two locations. Location 1 was Somilleda's residence [REDACTED] [REDACTED] Location 2 was a bank search warrant for Bank of America [REDACTED]

On June 18, 2008, Department of Justice personnel served the search warrant [REDACTED] [REDACTED] All the evidence was booked with Property Controller Clement in the Los Angeles Regional Office.

**INTERVIEW WITH ABEL SOMILLEDA**

On June 18, 2008 at approximately 7:30 a.m., [REDACTED] interviewed suspect Abel Somilleda (hereafter Somilleda). Somilleda said he has been in the student travel business since 1996. He said he organized ski trips and he organized his own senior trip. While he

1 attended the University of California, Los Angeles he worked for "Class Travel" in sales and  
2 operations. He then worked for a Denver company called "Student Express." He said he  
3 organized trips for students for spring break and high school senior class trips. He worked there  
4 for about four years and from 1999-2000 he took 1,500 students on trips to Mexico. Somilleda  
5 told us that after 9/11, the travel industry had problems and many travel companies went out of  
6 business. He also mentioned that the hurricanes affected the travel industry, too.

7 He said he started Big Bad Student Travel and had a Bank of America account in  
8 Manhattan Beach. He also used the business name of Somi Travel Group. He said all the  
9 money from the students went to operational costs and that 60 students were supposed to travel  
10 from Florida to Cancun. He said he gave himself a \$5,000 a month salary and \$5,000 went out  
11 to expenses. He said he did file taxes on the Big Bad Student Travel company and took credit  
12 card payments for deposits for the trips.

13 He had to cancel the 2006 Cancun trip and he said he believed he has refunded about  
14 \$700 to students and estimates he still owes the students between \$40,000 to \$50,000. He said  
15 he was trying to secure a \$40,000 loan from his mother living in San Diego so that the students  
16 can go on the 2006 Cancun trip, but his mother could not afford it. He said the 2005 Cancun trip  
17 was successful but he had money problems and that he lost money. He said the hotel is bought  
18 through a third party and a broker secured the rooms. He said he just had to send the list of  
19 students a couple days before. Somilleda said there was going to be about four students per  
20 room.

21 Somilleda said that three months before the June 2006 Cancun trip, he was still accepting  
22 the students' money, but clearly knew the trip was not going to happen. He said he knew he was  
23 getting "deeper and deeper in the hole." He knew that these kids were not going to go on this  
24 trip. He said all the students' money went to him and not the other companies. He tried to get  
25 the students to go to Cancun with other companies, but he could not get the deal done.

26 He said the profit per student was about \$120, but in reality was about \$50. He explained  
27 that he made money off the plane trip. He said the 2005 Cancun trip, he only made about \$20 to  
28 \$30 profit per student for himself. He said his former friend, Richard Henrich, took some of his

1 travel accounts from “under his nose.” Henrich was 36 years old and used to live at 2008  
2 Pullman, Los Angeles.

3 He said that after he sent the cancellation letters, no authorities or representatives from  
4 Florida ever contacted him. He explained he felt bad and would have “loved” to figure out how  
5 to pay the students back. He said he almost got divorced over this incident. Somilleda even said  
6 that it was good he got out of this business because there were young cute girls and he could  
7 have gotten “into trouble” with them.

8 [REDACTED]  
9 [REDACTED] He makes about \$65,000 a year and his wife makes \$50,000 a year. He said he  
10 has \$110,000 in debt from the business, has personal loans, owes his dad and a friend [REDACTED]  
11 [REDACTED] a total of \$25,000.00.

12 He said he should have stopped the travel business in 2005, but thought he could do a  
13 2006 trip again. He said that he knew in March or April 2006 that this trip was in trouble and  
14 thought he could borrow money for it. He said she should have cancelled the trip earlier and  
15 given the students their money back.

16 Somilleda mentioned problems like in 2006, there were many rapes occurring in Cancun  
17 and he was planning to postpone the trip. Additionally, the staff in Florida were not getting visas  
18 issued, and no supervision would be in place.

19 Somilleda said he did not claim bankruptcy and could have done things “better.” He said  
20 this has been “difficult to live with” and has lost two friends over this. He said it is “rough  
21 existing now!” He said he stopped answering the students’ and their parents’ phone calls after  
22 they received the trip cancellation letter because he had no answers for them. He told us he  
23 would like to figure out a payment plan to pay the students back and that he “got in over his  
24 head.”

25 Somilleda told us that he had an external hard drive but it was located at his work. He  
26 said he would be willing to fix the drive to extract the excel sheet he created that showed how  
27 much he owed each student.

28 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]

5 **EXTERNAL HARD DRIVE EVIDENCE**

6 I contacted [REDACTED] the Huntington Beach Police Dept. to do the forensics  
7 review. [REDACTED] received the external hard from [REDACTED]  
8 on January 12, 2009. [REDACTED] was able to extract the information and forward to me in a  
9 zip drive form via my email.

10 I reviewed the information which was mostly registration information and money sent in  
11 and deposited. Student Intern Franklin ran the excel database for me and found.....

12 **BANK RECORDS FROM SEARCH WARRANT**

13 On June 19, 2008, [REDACTED] served the bank search warrant at Bank of America located  
14 at [REDACTED]. [REDACTED]  
15 [REDACTED]

16 On July 14, 2008, I received bank statements for Somi Travel Group, DBA: Big Bad  
17 Student Travel from Bank of America dated from August 16, 2003 until October 26, 2006. I  
18 reviewed statements and noticed that there were additional months where more money was going  
19 out than had been deposited. On August 25, 2008, I received a box of banking documents for the  
20 Somi Travel Group, DBA: Big Bad Student Travel from Bank of America. Starting from 2005-  
21 2006, I noticed that most of the money deposited was being used by Somilleda for personal  
22 expenses as opposed to paying Big Bad Student Travel bills. He spent money on his rent,  
23 family, going out to eat, groceries, utilities, etc.

24 **REVIEW OF EVIDENCE**

25 [REDACTED] reviewed the evidence from Somilleda's house  
26 regarding the 2006 Cancun Trip. Files were arranged by schools and student registration forms.  
27 From this evidence, [REDACTED] created a database and sent out approximately 175  
28 letters to students with a questionnaire. We also found 2007 registrations and deposits. We



1 received approximately 50% responses back from these students and most had moved out of  
2 town. From the seized records and database, we estimate that Abel Somilleda took  
3 approximately \$55,000 from the students for the 2006 Cancun trip and another \$2,000 from the  
4 students that registered for the 2007 trip.

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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