

IN THE COUNTY COURT AT LAW NUMBER FIVE  
EL PASO COUNTY, TEXAS

THE STATE OF TEXAS

Plaintiff

v.

ROBERTO RAMIREZ and  
FRANCISCO RAMIREZ,

Defendants

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CAUSE NO. 2005 - 824

**AGREED FINAL JUDGMENT AND PERMANENT INJUNCTION**

TO THE HONORABLE JUDGE OF SAID COURT:

On this date, came for hearing the agreement of the parties in the above entitled and numbered cause, in which THE STATE OF TEXAS is Plaintiff and ROBERTO RAMIREZ and FRANCISCO RAMIREZ are Defendants.

**ALLEGATIONS**

1. The State alleges that Defendants are violating § 17.46(a) and (b) of the Deceptive Trade Practices-Consumer Protection Act, TEX. BUS. & COM. CODE ANN. § 17.41 *et seq.* (“DTPA”) and TEX. GOV. CODE §406.017 (the “Notary Statute”) by falsely holding out that they are licensed to practice law in the State of Texas.

**STIPULATIONS**

2. The parties wish to make the following stipulations and agree to the entry of this Agreed Final Judgment and Permanent Injunction:

a. It is stipulated that the parties have compromised and settled all claims stated by Plaintiff State of Texas in this cause.

b. It is further stipulated that Defendants deny all allegations contained in the State's pleadings, and that the parties have consented to the entry of this agreed final judgment and permanent injunction, without trial or adjudication of any issue of fact or law, solely in an effort to avoid the expense, burden, and uncertainty of litigation.

3. The Court then proceeded to read the pleadings and stipulations of the parties, and the Court determined that all parties agreed to the entry of this Judgment in the County Court at law Number Five of El Paso County, Texas and that they have approved the entry of this Judgment.

### **INJUNCTION**

4. **IT IS THEREFORE ORDERED** that Defendant ROBERTO RAMIREZ and his agents, servants, relatives, employees and any other persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other devise, shall be restrained from engaging in the following acts or practices:

a. Maintaining a commission as a Notary Public in the State of Texas;

b. Maintaining an office in Texas for the purpose of giving advice and counsel regarding U.S. immigration rights and privileges or any other sort of legal matter, until such time as Defendant obtains the certification, license, or other qualifications required for such activity or unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

c. Representing or advertising that Defendant has an office available for giving advice and counsel regarding U.S. immigration laws or any other sort of legal matter, until such time as Defendant obtains the certification, license, or other qualifications required for such activity or unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

d. Selecting or preparing immigration forms or legal documents of any type on behalf of persons seeking to legalize their status or to obtain lawful employment in the United States, until such time as Defendant obtains the certification, license, or other qualifications required for such activity, unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

e. Giving persons advice and counsel regarding their rights under the immigration laws of the United States or any other sort of legal matter, until such time as Defendant obtains the certification, license, or other qualifications required for such activity, unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

f. Collecting or accepting fees for providing immigration or other legal services to consumers, until such time as Defendant obtains the certification, license, or other qualifications required for such activity, unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

g. Holding himself out to the public by any title or designation incorporating the word “immigration,” “inmigracion,” or an abbreviation thereof, unless Defendant is accredited by the Bureau of Citizenship & Immigration Services to provide immigration services;

h. Causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services, if Defendant does not possess the certification or qualifications necessary to counsel persons regarding their rights under U.S. immigration laws or other legal matters;

i. Causing confusion or misunderstanding as to affiliation, connection, or association with, or certification by, another, if Defendant does not possess the certification or qualifications necessary to counsel persons regarding their rights under U.S. immigration laws or other legal matters;

j. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which he does not, if Defendant does not possess the certification or qualifications necessary to counsel persons regarding their rights under U.S. immigration laws or other legal matters;

k. Representing that an agreement confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law; specifically, and without limitation, counseling persons regarding their rights under U.S. immigration laws or other legal matters if Defendant does not possess the certification or qualifications necessary to do so;

l. Failing to disclose information concerning any good or service sold or offered for sale with knowledge at the time of the transaction when such failure to disclose is intended to induce consumers to enter into transactions consumers would not enter into if such information were disclosed; specifically, and without limitation, failing to disclose to consumers that he is not qualified to counsel them regarding their rights under U.S. immigration laws or with respect to other legal matters, unless such acts are performed under

the direct daily supervision of an attorney licensed to practice law in the State of Texas; and

m. Representing, directly or by implication, that this court or the Attorney General has approved any good or service sold or offered for sale by Defendant, or has approved any of Defendant's business practices.

5. **IT IS FURTHER ORDERED** that all clients who previously obtained services from Defendant ROBERTO RAMIREZ in immigration matters shall be transferred to the Law Offices of Miguel A. Villalba, and such clients shall become clients of the law firm. In the event there are clients who paid Defendant ROBERTO RAMIREZ for counseling them regarding their rights under U.S. immigration laws or other legal matters or for preparing immigration forms or legal documents of any type on behalf of persons seeking to legalize their status or to obtain lawful employment in the United States, and the matters have not been concluded, the Law Offices of Miguel A. Villalba will bring such matters to conclusion, subject to paragraph 7 below..

6. **IT IS FURTHER ORDERED** that as to Defendant FRANCISCO RAMIREZ, based upon his representation that he has not in the past and will not in the future participate in any immigration or notarial business enterprise with Defendant ROBERTO RAMIREZ, and that he has not in the past and will not in the future receive any part of compensation ROBERTO RAMIREZ received from such business enterprises, the cause of action as against FRANCISCO RAMIREZ is hereby DISMISSED.

**RESTITUTION, CIVIL PENALTIES,  
ATTORNEYS FEES AND COSTS OF COURT**

7. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that in the event there are clients who paid Defendant ROBERTO RAMIREZ for counseling them regarding their

rights under U.S. immigration laws or other legal matters or for preparing immigration forms or legal documents of any type on behalf of persons seeking to legalize their status or to obtain lawful employment in the United States, and such clients either (1) paid another provider to obtain the relief agreed to be done by Defendant ROBERTO RAMIREZ or (2) were not eligible for the relief represented by Defendant ROBERTO RAMIREZ, and those clients present a complaint to Defendant ROBERTO RAMIREZ or the Office of the Attorney General within one year from the date this Judgment is signed, Defendant ROBERTO RAMIREZ will pay restitution to such clients in the amount of the fees that were charged to each client.

8. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Defendant ROBERTO RAMIREZ will use his best efforts to contact all of his prior clients who have not yet obtained the relief agreed to be obtained by him, including specifically the thirty-six clients listed on the attached Exhibit A, and will ensure that the immigration and other legal matters of those clients are concluded by the Law Offices of Miguel A. Villalba.

9. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the State of Texas shall have judgment against ROBERTO RAMIREZ, as civil penalties payable to the State of Texas, the total sum of Two Thousand Five Hundred and no/100 Dollars (\$2,500.00).

10. **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the State of Texas shall have judgment against Defendant in the amount of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00) as attorney's fees.

11. The judgment amounts shall be tendered by Defendant in the form of money orders or cashier's checks made payable to the State of Texas, bearing Attorney General No.042000091.

SIGNED this \_\_\_\_\_ day of August, 2005.

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JUDGE PRESIDING

APPROVED AS TO FORM:

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JAMES A. DAROSS  
Attorney for Plaintiff the State of Texas

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MIGUEL A. VILLALBA  
Attorney for Defendants

AGREED:

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ROBERTO RAMIREZ

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FRANCISCO RAMIREZ

**VERIFICATION**

**STATE OF TEXAS**

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**COUNTY OF EL PASO**

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Before me, the undersigned Notary Public, on this day personally appeared FRANCISCO RAMIREZ, who, after being duly sworn, stated under oath that he is a defendant in this action, that he has read the above judgment, and that every statement contained in the petition concerning him is true and correct and within his personal knowledge.

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FRANCISCO RAMIREZ

SUBSCRIBED AND SWORN TO BEFORE ME, on the \_\_\_\_\_ day of August, 2005, to certify which witness my hand and official seal.

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NOTARY PUBLIC  
State of Texas



24.	Victor Rodriguez/Manuel Venegas-Concepcion Varela (Real Estate contract)	
25.	Cecilia Cano De Lerma	12/15/61
26.	Cipriano Flores-Guerra	9/10/53
27.	Jose Merced Beltran-Iglesias	6/27/85
28.	Maria Teresa Herrera	3/13/76
29.	Rosalino Bautista Martinez	8/30/79
30.	Alvaro Carrasco-Granados	9/14/77
31.	Cesar Mirelas Chacon	2/25/80
32.	Manuela Rojo De Munoz	10/6/68
33.	Blanca Estela Luna De Navarro	5/8/55
34.	Josue Alejandro Cruz Gutierrez	2/5/77
35.	Miguel Angel Torres-Barrios	10/30/59
36.	Jose Cardenas Alvarado	6/11/68