

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

JOYCE E. DUDLEY
District Attorney



J. GORDON AUCHINCLOSS
Chief Deputy District Attorney

STEPHEN P. FOLEY
Chief Deputy District Attorney

KIMBRA MCCARTHY
Administrative Director

HILARY M. DOZER
Chief Deputy District Attorney

JERRY N. LULEJIAN
Chief Deputy District Attorney

DAVID M. SAUNDERS
Chief Investigator

Real Estate Fraud Prosecution Program

FY 2011-2012 Annual Report

Cases

- *People vs. Earl Graham Ward III*
Earl Ward was a property manager who embezzled over \$120,000 from local victims. He pled guilty halfway through a preliminary hearing in July of 2011. He was sentenced to 16 months in County Jail and ordered to surrender his broker's license to the Department of Real Estate. After numerous hearings, he was ordered to pay over \$120,000 in restitution.
- *People vs. Murphy and Lind*
These defendants were held to answer after a preliminary hearing in March of 2012 during which time the Real Estate Fraud Investigator was acknowledged by the Court as an expert in the Sovereign Citizen Movement. This case is currently set for trial.
- *People vs. Williams and Berch*
This is an on-going case involving over \$2,000,000 in losses. It is currently set for trial.
- *People vs. Orca*
This case involves loan modification and theft by false pretenses charges. It is a multi-victim case which is currently in the prosecutorial stages. A search warrant was served in this case during the fiscal year.
- *People vs. Marquez and Aragon*
This case involves foreclosure consultant and grand theft charges. The case came to the DA's Office by way of the United States Bankruptcy Court. It is currently in the prosecutorial stages. The Marquez/Aragon case is associated with a previously prosecuted case (Irma Diaz) and has state-wide ties to an organized criminal real estate fraud network whose players are being investigated and prosecuted throughout the State.

☐ SANTA BARBARA OFFICE
1112 Santa Barbara Street
Santa Barbara, CA 93101
(805) 568-2300
Fax (805) 568-2453

☐ SANTA MARIA OFFICE
312-D East Cook Street
Santa Maria, CA 93454
(805) 346-7540
Fax (805) 346-7588

☐ LOMPOC OFFICE
115 Civic Center Plaza
Lompoc, CA 93436
(805) 737-7760
Fax (805) 737-7732

Highlights

- The Real Estate Fraud Unit investigated its first Adverse Possession case. The DA Investigator contacted the Attorney General's Office and learned there were multiple victims relating to the same suspects throughout the State. The Attorney General's Office is prosecuting this case (including a Santa Barbara victim) as it spans multiple jurisdictions. The DA Investigator will complete follow-up as requested and testify in the Attorney General's prosecution as needed.
- The Real Estate Fraud Investigator conducted numerous community outreach and training presentations for various real estate and professional groups. Those presentations included 2 joint seminars with the FBI.
- The Real Estate Fraud Unit sent out over 1,000 letters to homeowners facing default and potential foreclosure. The letters advised homeowners how to avoid falling victim to scams and predators.
- The Real Estate Fraud Unit continues to partner and coordinate with various local, State, and Federal agencies to educate, investigate, and prosecute real estate related crimes throughout the County. This office remains committed to vigorously seeking justice for Santa Barbara County victims.

Case Statistics

- Total number of referrals: 26
- Total number of investigations: 24
- Total number of filed cases: 9
- Total number of victims in filed cases: 36
- Number of convictions obtained in the fiscal year: 1
- Aggregate monetary loss suffered by victims for cases in which there has been an investigation, filing, or conviction: \$2.2 million