

Sheriff



Larry Ashley, Okaloosa County Sheriff

1250 Eglin Parkway • Shalimar, Florida 32579-1234
Phone: (850) 651-7410 • Email: sheriff@sheriff-okaloosa.org

May 3, 2011

LOCAL ATTORNEY CHARGED WITH RACKETEERING AND PRACTICING LAW WHILE DISBARRED



The Okaloosa County Sheriff's Office served a warrant on April 29th charging 60-year old Attorney James Harvey Tipler of Destin with practicing law while disbarred or suspended and one count of racketeering.

The 60-year old Tipler is currently awaiting trial on \$100,000 bond after being arrested previously on a charge of racketeering on September 23, 2009 and again on May 4, 2010. Those charges resulted from investigations by the Office of the State Attorney and Florida Department of Law Enforcement with the assistance of the Okaloosa County Sheriff's Office, Fort Walton Beach Police Department, and Pensacola Police Department, regarding complaints of theft, fraud, and other offenses.

The complaints surrounded Tipler's operation of an Immigration Service business in Okaloosa and Walton Counties.

On May 20, 2010 Okaloosa Circuit Judge Bill Stone ordered Tipler not to go to the business offices of the IMM Cnters, to close the business, to have no personal contact with his clients/customers, and to surrender his passports.

Investigators say however Tipler has continued to operate an immigration business and has also promised refunds and not remitted them.

(Probable Cause Affidavit Attached)



The Okaloosa County Sheriff's Office is accredited by the Commission for Florida Law Enforcement Accreditation.

"The Okaloosa County Sheriff's Office provides equal access and equal opportunity in employment and services and does not discriminate"



RECEIVED

APR 29 2011

BY: OCSO

OKALOOSA CO SHERIFF'S OFFICE
SHERIFF L. R. ASHLEY

Warrant Served Service Return OKALOOSA CO SHERIFF'S OFFICE

[SUSPECT]

Name: Tipler, James Harvey Race: W Sex: M Height: 6'03" Weight: 250 Hair: GRY Eyes: GTN DOB: 01/13/1951
MNI #: OCSO03MNI014788 SSN ID #: T146448510130 State: FL Type:
Address: 305 HIGHWAY 393 SANTA ROSA BEACH FL OCA/Agency ID: 295930
Birth Location: City: County: State: AL Nation: Citizenship: US

Occupations

Business: THE IMM CENTERS Title: OWNER Phone: Entered: 04/29/2010
Address: 36468 EMERALD COAST PKWY DESTIN FL 32541
Business: Title: Phone: Entered: 04/16/2010
Address: 36468 EMERALD COAST PKWY DESTIN FL 32541
Business: TIPLER ATTORNEY Title: Phone: Entered: 07/27/2003
Address:

Aliases

Street Names

Table with 6 columns: Arrest No, Jail Booking No, Offense No, Other No, OBTS, Court Case No. Includes handwritten values like 4602052807 and 1708SP00002.

[INCIDENT INFORMATION]

Occurred Date Range: 04/19/2011 to Lat/Long:
Address: GEO: - - -

[CHARGES]

Table with 10 columns: Charge #, Charge, Charge Desc, Counts, Level, Degree, GOC, UCRC, NCIC, AON, Bond Amt. Lists charges like PUBLIC ORDER CRIMES and RACKETEERING VIOLATION.

Bond Set by LEO at Time of Arrest & Booking: \$ 0.00 ()None ()ROR ()Cash ()PRO

Bond Set by Judge: \$ 500000.00 ()None (X)Cash ()ROR/Sign ()PTR ()Any (X)Pro ()PtrIQ ()Purge NONE ()SC NONE

Return Court: CIRCUIT COURT: FELONY Date: 06/21/2011 Time: 15:30 Instructions: SHALIMAR COURTHOUSE COURTROOM C

Reporting Officer Unit Orig Off Jur Forward to for Approval
SAO

[WEAPONS]

[ARREST INFORMATION]

Arrested Residency Injury Extent of Injury Resist Alcohol Drugs
04/29/2011 12:59 Within State None No No No

Arrested Prior Arrest Jurisdiction Location: 1200 E JAMES LEE BD CRESTVIEW FL 32539 Lat/Long: /
Unknown Within Jurisdiction

Arresting Officer Unit Officer Type Geo
188 Bachtel, Richard L OCSO/ADMINSERV/JUDICIALPROC/CIVIL 1- 5-

Physical Evidence: NO PHYSICAL EVIDENCE LISTED

Richard Bachtel
Signature (Arresting Officer)

BACHTEL, RICHARD L
Name

188
ID/SSN

Subscribed and sworn to (or affirmed) before me this 29th day of April A.D., 2011 by _____
who is personally known to me or has produced _____ as identification.

Signature _____ Notary Public _____ LEO _____ CO

Commission No: _____ My commission expires: _____

Office of State Attorney, First Judicial Circuit, Florida



Admin	OBTS No:				Probable Cause Affidavit For Arrest				
	Agency ORI: FL 017015A				Agency Report No.: 1708SP00002				
	Location of Offense: Okaloosa and Walton Counties				Date of Offense: May 21, 2010 to April 4, 2011		Date of Arrest:		
Defendant	Name: (Last, First, Middle) Tipler, James Harvey					Alias:			
	Race: White	Sex: Male	DOB: 01/13/1951	Hgt: 6'03"	Wgt: 230	Eye Color: GTN	Hair Color: Brown	Skin Tone:	Build:
	Address: 305 North Highway 393, Unit A7		City: Santa Rosa Beach			State: FL	Phone: 850-428-6633		
	Social Security No:			Driver License No: T146-448-51-013-0			Driver License State: FL		
Juvenile	Select One		Name of Parent or Custodian (Last, First, Middle)			Phone:			
	Address:		City:		State:	Business Phone:			
	Notified by: (Name):		Date:		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	Juvenile Dispo: Select One			
	Released to: (Name):		Relationship:		Date:	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM			
Charge(s)	Activity: B. Buy D. Deliver E. Use K. Dispense/Distribute M. Manufacture/Produce/Cultivate N. N/A R. Smuggle P. Possess T. Traffic S. Sell Z. Other					Type: N. N/A A. Amphetamine B. Barbiturate C. Cocaine E. Heroine H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/Equip. S. Synthetic U. Unknown			
	#1 Charge Dispo: Racketeering		Counts: 1		Statute Violation No: 895.03(3)		Violation of Section (Ord.):		
	Activity:		Drug Type:		Amount/Unit:		SAO #:		Court #:
	<input type="checkbox"/> PC <input type="checkbox"/> Capias <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Juv. P/U					Date Issued:			
	#2 Charge Dispo: Practicing Law While Disbarred and/or Under Suspension		Counts: 1		Statute Violation No: 454.31		Violation of Section (Ord.):		
	Activity:		Drug Type:		Amount/Unit:		SAO #:		Court #:
	<input type="checkbox"/> PC <input type="checkbox"/> Capias <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Juv. P/U					Date Issued:			
#3 Charge Dispo:		Counts:		Statute Violation No:		Violation of Section (Ord.):			
Activity:		Drug Type:		Amount/Unit:		SAO #:		Court #:	
<input type="checkbox"/> PC <input type="checkbox"/> Capias <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Juv. P/U					Date Issued:				
Probable Cause	The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe, that the above named defendant committed the following violations of law: Racketeering and Practicing Law While Disbarred and/or Under Suspension , during the period of May 21, 2010 to April 4, 2011.								
	RECEIVED APR 10 2011 Okaloosa County Sheriff's Office Shalmar, Florida								
Admin	I swear/affirm the above and reverse side and attached statements are true and correct.				Sworn to and subscribed before me, the undersigned authority this <u>5</u> th day of April 2011.				
	Officer's/Complainant's signature: Randy B. Crowder I.D. No. 930				Signature: Name (printed)/Title of Person authorized to administer oath: Terry D. Terrell, Circuit Judge				
Judge	P.C. Exists for Charge(s) Judges Signature:				Date: April 5, 2011				
	Bond Type: Select One		Bond Type: Select One		Bond Type: Select One		Returnable Court Date:		Returnable Court Time: <input type="checkbox"/> AM <input type="checkbox"/> PM
Bond	Charge #: \$500,000.00		Charge #:		Charge #:		Release Date:		Release Time: <input type="checkbox"/> AM <input type="checkbox"/> PM
	Releasing Officer:								

ADDITIONAL INFORMATION:

RETURN

This Warrant was received by this department at Okaloosa County, Florida on the 19 day of APRIL A.D., 2011, and executed in Okaloosa County, Florida on the 29 day of APRIL A.D., 2011, by arresting the within named

TIPLER JAMES HARVEY

Arresting Officer: Patricia Roberts
1891960

Department: OCSO

Date and Time of Service: 4/29/11
1256 HRS

Place of Service: OCS

REMARKS:

CASE NO: 1708SP00002

IN CIRCUIT COURT
OKALOOSA COUNTY
STATE OF FLORIDA

WARRANT
ORDER TO TAKE INTO CUSTODY

STATE OF FLORIDA
VS.
JAMES HARVEY TIPLER

In the name of the State of Florida, to the Law Enforcement Officers of said State WHEREAS Randy B. Crowder has made on that during the period of May 21, 2010 to April 4, 2011 in the County afore said one James Harvey Tipler did unlawfully violate Florida Statute 895.03(3), Racketeering, and Florida Statute 454.31, Practicing Law While Disbarred and/or Under Suspension

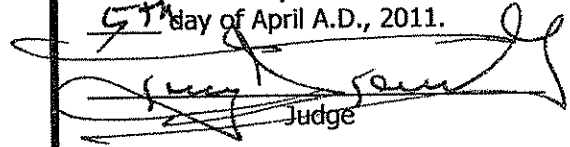
Contrary to the law in such case and provided, and against the peace and dignity of the State of Florida.

This Warrant is a command to arrest instanter the above named

JAMES HARVEY TIPLER

to bring said person before the court to be dealt with according to law.

Given under my hand and seal this 5th day of April A.D., 2011.


Judge

Seal

AFFIDAVIT OF PROBABLE CAUSE

Your affiant, Randy Crowder, Investigator, Office of State Attorney, First Judicial Circuit, with Jane Schachle, Special Agent, Florida Department of Law Enforcement, with the assistance of the Fort Walton Police Department, Okaloosa County Sheriff's Office, and the Pensacola Police Department, has investigated complaints of theft, fraud and other offenses by James Harvey Tipler, Jr. ("Tipler"). These complaints are regarding Tipler's operation of an immigration service business in the names of Immigration Centers, LLC, The Immigration Centers and IMM Centers, LLC in Okaloosa and Walton Counties (hereafter referred to as IMM Centers, LLC).

As a result of the investigation Tipler was arrested on September 23, 2009 and May 3, 2010. In the September 23, 2009 arrest Tipler was charged with Racketeering, Section 895.03, Florida Statutes for engaging in a pattern of thefts and frauds he conducted through his law firm during the period of September 1999 to July 2006 (See Attachment A). He has a pending trial in Okaloosa County and is released on a \$100,000 bond.

In the May 4, 2010 arrest Tipler was charged with Racketeering, Section 895.03, Florida Statutes for engaging in a pattern of thefts and frauds he conducted through his immigration business during the period of June 1, 2005 to January 21, 2010, and practicing law in the state of Florida while disbarred and/or under suspension by the Supreme Court of Florida, Section 454.31, Florida Statutes (See Attachment B). He is pending trial in Okaloosa County and is released on a \$155,000 bond.

On May 20, 2010, Judge Stone ordered Tipler to wear an active GPS tracking monitor; not to go to the business offices of the IMM Centers, LLC, the Immigration Centers and the IMM Centers; and to execute documents necessary to close the business within 7 days of the date of the order; to begin closing the business in 10 days of the date of the order; to have no personal contact with his clients/customers; to surrender his passports; and not to travel outside of Florida.

Since Judge Stone's order, Tipler has continued to operate an immigration business, has failed to provide the services paid for by customers, and has promised refunds and not remitted them. Crowder and Schachle are receiving weekly referrals from other law enforcement agencies, The Florida Bar, immigration attorneys, former employees, the Better Business Bureau, and other victims, including the names of new victims doing business prior to his arrest and after.

Your affiant, on September 14, 2010, interviewed a Reverend Woohyun Daniel Chong, Min Cha Dean, and Thomas J. Simms, all from Crestview, Florida.

These individuals once belonged to the New Life Korean Church in Crestview and Reverend Chong was their minister. This church split and all three are now

Handwritten signature and date: 04/05/11

with the Great Love Korean Church in Crestview. Initially, Rev Chong was in a legal immigration status. On or about September 4, 2009, Rev Chong and Mrs. Dean went to Tipler for assistance in Reverend Chong's application to the U.S. Citizenship and Immigration Services for a Visa. They met with Tipler at the IMM Centers, LLC located at 495 Grand Boulevard, Suite 206, Miramar Beach in Walton County. Tipler told them that he was an attorney and would handle the application for \$1,500. Mrs. Burgess, another member of the church provided to Tipler a check in the amount of \$1,500 from her personal account.

On or about the end of June 2010 Rev. Chong and his wife went to IMM Centers, LLC Miramar office, but found that the office had been relocated to 36468 Emerald Coast Parkway, Suite 11101, Destin, Florida, Okaloosa County. When they arrived at this location, they found the office was no longer there. After they called the business number, a "Jennifer" returned the call to Rev. Chong, sounding strange and uncomfortable, wanting to meet somewhere else. They met Tipler in front of Burger King in Destin within 2-3 miles from the office. They told Tipler that Rev. Chong and some of the church members had changed churches. Tipler suggested that a second application should be submitted to US immigrations, with the cost being only half price of first case, which they estimated it would be approximately \$1,000. Tipler took them to a post office to see if there was any correspondence from immigration concerning the first application. He showed them he had received two letters, however, he didn't have anything from the US Citizenship and Immigration Services on Rev. Chong's application.

On July 5, 2010, Rev. Chong, Mrs. Chong and Mrs. Dean had an appointment to meet with Tipler at the new office located in Destin. Tipler was not there, however, the secretary called him and he talked to Rev Chong and Mrs. Dean over the phone. The secretary filled out some paperwork, but she did not take any documentation that would have been needed to continue the process. Mrs. Dean had to provide a check for \$2,640, which surprised them because Tipler had told them it would be half the price of the first application fee.

On August 23, 2010, Tipler contacted Rev. Chong and advised him that the first application was denied. He then met Rev. Chong at a Burger King restaurant in Crestview where he told Rev. Chong they would continue with the first application, but would need more documents and additional funds. Rev Chong was embarrassed since they had already paid \$2,640 from 2nd church. When Rev. Chong told Tipler he felt if they pursued the first application for the first church it would be illegal. Tipler agreed with him, but continued to insist on pursuing it.

Several times before September 14, 2010, Rev. Chong called Tipler to arrange a meeting to provide the necessary paperwork for the second application. On September 14, 2010, Tipler called and told Rev Chong to meet him in Niceville to get the documents. Tipler would not tell Rev. Chong where in Niceville they would meet until approximately 10 minutes prior to the meeting time. Tipler then

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told them the meeting would be at the Beef O'Brady's near Blue Water Bay. After a few minutes he changed the meeting place to the Whataburger next door. When they met, Tipler told them that they had closed the Florida office and were conducting business out of the offices in California and Romania. Tipler also said they "handle things all over the world." Rev. Chong asked Tipler when the office closed and why he was not notified. Tipler responded by saying it didn't matter as they could handle it from California. Furthermore, he said he didn't know when it closed, he "wasn't here then." When they said he was their lawyer and they went through him, Tipler insisted he was the owner and "they went through everybody." He made numerous referrals to "Jennifer" and "Joe" handling their paperwork and "Joe" would be calling them. Tipler further said that Joe was in California and his full name was Joe Reosti. When told about another minister and church that needed an attorney to help them with the same type of visa application, Tipler said that he and Joe would talk to that church and it would be handled through the California office. When asked about their application, Tipler said he didn't have their paperwork. They then asked Tipler to call his office about their questions regarding their paperwork. Tipler gave the excuse of not having his phone, however, he had called them shortly before meeting. Tipler also said he had no one to call. Finally, Tipler said he would send them a full refund the next day. By the time the meeting was over, Tipler was very agitated because they were asking pointed questions (mentioned above). Tipler was even irritated that Rev Chong brought Mrs. Dean to the meeting without telling him in advance. (Note: Mrs. Dean was the petitioner in the immigration process.)

On September 22, 2010, Rev Chong stated to your affiant that he had not received any refund or any copies of the paperwork Tipler promised to send to him. Rev. Chong also said no one had called him since the meeting on September 14, 2010. Rev. Chong reiterated that he has never been introduced or worked with Joseph Reosti. In a meeting between Rev. Chong and your affiant, held just prior to the Whataburger meeting on September 14th, heard for the first time Joseph Reosti's name.

When Reverend Chong went to Tipler for his immigration work, Rev Chong and his family were in a legal status, but because they depended upon Tipler they are now out of status and are facing deportation, subject to their current request for appeal.

On September 15, 2010, Joseph Reosti, an attorney in Northwest Florida, told your affiant that he has had no contact or affiliation with Tipler or his businesses since on or about April 1, 2010.

On September 16, 2010, February 23, 2011, March 28, 2011, and April 4, 2011, your affiant reviewed the "IMM CENTERS" website and found on the CONTACTS page, a list of business locations. The Florida location listed "495 Grand Boulevard, Suite 206, Miramar Beach, FL 32550, which was their location during the period of May 2009 to January 2010. Listed on the website is the phone number 850-650-1244. According

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to the service provider, Century Link, the number was disconnected on October 11, 2010. The page also lists "56 Bowman Road, Suite 200, Mt. Pleasant, SC 29464," which is not a valid location. This is very close to 1156 Bowman Road which they have listed with the South Carolina Secretary of State as their corporate address. The Regus Center, an office leasing company located at the 1156 Bowman Road location, told your affiant that Tipler, nor any of his businesses, have ever rented space from them. When they started receiving bulk mail for the IMM Centers they found its Secretary of State listing and this was the first they heard of Tipler or any of his businesses.

On February 10, 2011, your affiant interviewed Tuwanna Michearl Duarte, whose husband, Abraham Franklin Duarte, became a client with the Immigration Centers.

Mr. Duarte went to Immigration Centers on or about March 12, 2009, to get assistance for petitioning for resident status. Tipler told them he was an attorney and very successful. They initially paid Tipler \$500 with the agreement to pay up to \$3,475 for services and fees. The business moved three times without telling them or giving them the forwarding address. They had to call repeatedly to get a status on their case. During the month of July or August 2010 they met Tipler and paid him \$1,385. In September 2010, after the last business location was closed, they went to Tipler's residence to ask what was happening with their case. Tipler was not there and they called him on the phone numbers they had. Tipler finally called them back and told them her husband needed to go to a Dr. Lucy in Pensacola for a physical. Later, Mrs. Duarte paid for the physical, picked up the results and sent them to the IMM Centers's PO Box in Miramar. They talked to an employee, Jennifer, several times after that, but got no satisfaction. On or about the end of October 2010 they went to Tipler's residence again, but found it empty and a for sale sign in of the house.

Tipler did not introduce the Duarte's to any other attorney's nor did he tell them anyone else would work on their case. Your affiant, showed Mrs. Duarte the name and signature of Joseph O. Reosti on their paperwork and she stated they did not know him.


The Duarte's have had no further contact with Tipler except on February 10, 2011. In the presence of your affiant, Mrs. Duarte called the number 850-803-0870, to show your affiant what the phone recording said. Jennifer Gallegos answered the call. She told Mrs. Duarte that the phone was hers that she was no longer employed or associated with Tipler, and that he owed her \$10,000. Gallegos said that Tipler would not give her answers and she further stated there were 14-15 people calling her on a daily basis wanting answers on their cases.

Based on our investigation, your affiant has probable cause to believe that James Harvey Tipler engaged in a pattern of thefts and frauds, in violation of Sections 812.014 and 817.034, Florida Statutes, while associated with Immigration Centers, LLC, and, in so doing, committed racketeering, a violation of Section 895.03(3), Florida

SBT
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Statutes.

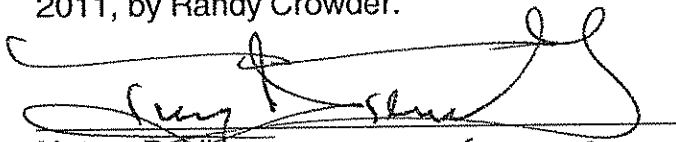
Furthermore, your affiant has probable cause to believe that James Harvey Tipler was practicing law in the state of Florida while disbarred and/or under suspension by the Supreme Court of Florida, in violation of Section 454.31, Florida Statutes.

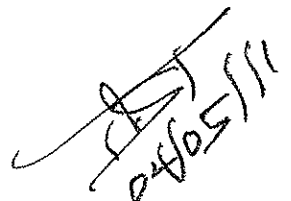

Randy Crowder

STATE OF FLORIDA

COUNTY OF ESCAMBIA

Sworn to or affirmed and subscribed before me this 5th day of April, 2011, by Randy Crowder.


Notary Public
Circuit Judge


04/05/11