

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

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PEOPLE OF THE STATE OF NEW YORK, by
LETITIA JAMES, Attorney General of the State of
New York,

IAS Part

Petitioner,

-against-

AFFIRMATION IN
SUPPORT OF
VERIFIED PETITION

KOFI O. AMANKWAA; KOFI AMANKWAA, JR. a/k/a
JUNIOR AMANKWAA; SYLVESTER BOATENG d/b/a
BOATENG, KONTOH & SMITH; NANA ADOMA
KONTOH d/b/a BOATENG, KONTOH & SMITH; and
BETTY DANQUAH SMITH, d/b/a BOATENG, KONTOH
& SMITH,

Respondents.

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ROBERTO G. LEBRON, an attorney duly admitted to practice law in the State of New
York, affirms the following under the penalty of perjury:

1. I am the Assistant Attorney General in Charge of the Harlem Regional Office of
Letitia James, Attorney General of the State of New York. I am familiar with the facts and
circumstances of this proceeding.

2. The facts set forth in this affirmation are alleged upon information and belief and
are based upon the information contained in the files of the Harlem Regional Office.

3. I make this affirmation in support of the Verified Petition and Petitioner's
application for injunctive relief, restitution, costs and penalties pursuant to Executive Law
§ 63(12); General Business Law ("GBL") Article 22-A, §§ 349 and 350; GBL Article 28-C, §§
460-b, 460-c and 460-d; Judiciary Law § 478; and Rules of Professional Conduct 22 NYCRR
1200.00 Rules 7.1 and 7.5. Petitioner requests an order and judgment enjoining Respondents

Nana Adoma Kontoh and Betty Danquah Smith from engaging in false advertising and all Respondents from engaging in illegal and deceptive business practices in connection with their practice of immigration law.

4. Attached to this affirmation are i) Attorney General Complaint Forms of 12 consumers¹ who dealt with Respondents and their scam immigration services; the affidavits of 15 consumers who were victimized by Respondents' immigration services²; the affidavit of Attorney General Undercover Investigator Angel Benito Santiago-Perez ("AG Undercover Perez") who inquired with Respondent Nana Adoma Kontoh concerning her immigration services; and the letters of Samuel Younger with the New York State Office of Court Administration's Attorney Registration Unit ("OCA registration letters") concerning the attorney registration status' of Respondents Kofi O. Amankwaa, Sylvester Boateng, Nana Adomo Kontoh, Kofi Amankwaa, Jr., and Betty Danquah Smith.

PARTIES

5. Petitioner is the People of the State of New York, by Letitia James, Attorney General of the State of New York ("NYAG").

¹ Of the 15 Attorney General complaint forms in support of the petition, 5 also include affidavits. See Exhibits A-1, A-17, A-22 and A-23. The terms consumer and client are used interchangeably throughout. The complainant affidavits contain redactions to preserve their privacy and the privacy of other victims. The court has been provided an unredacted set of pleadings and exhibits.

² Every complainant who provided an affidavit and/or an Attorney General complaint form is Spanish language dominant with the exception of Ricardo Velazquez and Evelyn Villanueva-Martinez, who both speak English and Spanish fluently. The Attorney General complaint forms and affidavits were translated from English to Spanish with the exception of Mr. Velazquez's and Ms. Villanueva-Martinez'. The Attorney General complaint forms were translated by Yessenia Lopez-Perez of TB Alliance and the affidavits were translated by Rosalicia De La Rosa with Lingualex Language Solutions, Inc. See Exhibits W and X for their Translator's affidavits, respectively.

6. Respondent Kofi O. Amankwaa (“Respondent Amankwaa”), is an attorney admitted to practice law in New York³ and has practiced immigration law from his office located at 881 Gerard Avenue, Suite 700, Bronx, New York since at least 2018. (See the OCA registration letter, Exhibit B, and the affidavit of Manuel Flores, Exhibit A-3.)

7. Respondent Sylvester Boateng (“Respondent Boateng”) is an attorney admitted to practice law in New York and has practiced immigration law from his office located at 881 Gerard Avenue Suite 700, Bronx, New York since at least 2022. (See OCA registration letter, Exhibit C, and the Affidavit of Mario Manzanara, Exhibit A-12.) Respondent Boateng conducts his law practice independently and as a member of Boateng, Kontoh and Smith, located at 881 Gerard Avenue, Suite 700, Bronx, New York. (See Respondent Boateng’s business card and the business card of Nana Adoma Kontoh, Exhibits D and E, respectively.)

8. Nana Adoma Kontoh (“Respondent Kontoh”) is an individual who provides immigration services as a member of Boateng, Kontoh and Smith from law offices located at 881 Gerard Avenue, Bronx, New York. (See Exhibit E and the Affidavits of Mayrel Aguilar Fuentes and Mario Josue Reyes Manzanara, Exhibits A-5 and A-12, respectively.) Although Respondent Kontoh represents herself to clients as an attorney, she is not an attorney admitted to practice law in New York or elsewhere in the United States. (See OCA registration letter, Exhibit F, and letter in response to Subpoena Duces Tecum from Randy Tesser, Esq., Exhibit G.)

9. Kofi Amankwaa, Jr. a/k/a Junior Amankwaa (“Respondent Amankwaa Jr.”), is an individual who is employed as a legal assistant and has provided immigration services to immigrant consumers from offices located at 881 Gerard Avenue, Suite 700, Bronx, New York since at least 2020. (See the Affidavits of Esperanza Neri-Angel, Exhibit A-1 and Respondent

³ Respondent Amankwaa was suspended from the practice of law in the State of New York by the Supreme Court, Appellate Division, First Judicial Department on November 9, 2023. See Exhibit T.

Amankwaa's business card, Exhibit H.) Respondent Amankwaa Jr. is not an attorney admitted to practice law in New York State. (See OCA registration letter, Exhibit I.)

10. Betty Danquah Smith ("Respondent Smith") is an attorney admitted to practice law in New York and has practiced from her office located at 881 Gerard Avenue, Suites 250 and 700, Bronx, New York since at least 2022. (See the OCA registration letter, Exhibit J and the affidavits of Mayrel Aguilar Fuentes and Mario Josue Reyes Manzanares, Exhibits A-5 and A-12, respectively.)

11. Respondents Amankwaa, Boateng, Kontoh, Amankwaa Jr., and Smith are collectively referred to as "Respondents".

12. Petitioner has served Respondents with a pre-litigation notice pursuant to GBL sections 349 (c) and 350-c. (See Exhibit K.)

FACTS

13. Respondents provide immigration services from law offices located at 881 Gerard Avenue, Suite 700, Bronx, New York.

14. Respondents Boateng, Kontoh and Smith advertise themselves individually or as members of Boateng, Kontoh & Smith by disseminating their respective business cards or the cards of one another. (See Exhibits D and E, respectively.) Respondent Kontoh utilizes LinkedIn and Facebook accounts to list her credentials. (See Exhibits L and M, respectively.)

15. Immigrant consumers typically seek the services of Respondents to request assistance to adjust their immigration status to lawful permanent resident⁴. (See the Affidavits of Santa Alicia Arteaga, Mayrel Aguilar Fuentes, Carmen Salazar Guzman, Mario Josue Reyes Manzanares, Maria Escamilla Najera, Fernando Lazcano Ramirez, Gabriella Torres-Salazar,

⁴ Lawful Permanent Resident status is generically known as securing a "green card". See <https://www.dhs.gov/get-a-green-card>.

Samuel Soriano Sedeno, Felipe Chavez-Sosa, Julian Flores Sotelo, and Ricardo Velazquez, Exhibits A-2, A-5, A-7, A-12, A-14, A-19, A-20, A-21, A-22, A-23 and A-25, respectively).

16. Respondents inform clients that while their lawful permanent resident petition is pending, they are eligible for ancillary benefits, including work authorization, social security benefits and parole or advanced parole. See the Affidavits of Esperanza Neri Angel, Santa Alicia Arteaga, Manuel Garcia Flores, Mayrel Aguilar Fuentes, Pedro Gonzalez Garcia, Mario Josue Reyes Manzanares, Evelyn Villanueva-Martinez, Odilon Perez, Fernando Lazcano Ramirez, Samuel Soriano Sedeno, Felipe Chavez-Sosa, and Ricardo Velazquez, Exhibits A-1, A-2, A-3, A-5, A-12, A-13, A-17, A-19, A-20, A-21, A-22 and A-25.)

17. Parole allows an individual who may be inadmissible or otherwise ineligible for admission into the United States to be paroled into the United States for a temporary period.⁵ Advanced Parole allows an immigrant to travel back to the United States without applying for a visa.⁶

18. Respondents advise clients once the United States Citizenship and Immigration Service (“USCIS”) approves their parole, they should travel to their native country and return to the United States. They further advise them that their re-entry triggers the process to secure lawful permanent resident status. (See the Affidavits of Esperanza Neri Angel, Santa Alicia Arteaga, Mayrel Aguilar Fuentes, Deifila Huerta, Mario Josue Reyes Manzanares, Evelyn Villanueva-Martinez, Odilon Perez, Fernando Lazcano Ramirez, Samuel Soriano Sedeno and Ricardo Velazquez, Exhibits A-1, A-2, A-5, A-9, A-12, A-13, A-17, A-19, A-21 and A-25.)

⁵ The United States Citizenship and Immigration Service uses its discretion to authorize parole. The Immigration and Nationality Act (INA) allows the secretary of homeland security to use their discretion to parole any noncitizen applying for admission into the United States temporarily for urgent humanitarian reasons or significant public benefit. (See INA section 212(d)(5).) See https://www.uscis.gov/humanitarian_parole.

⁶ See <https://www.uscis.gov/green-card/green-card-processes-and-procedures/travel-documents>.

19. However, Respondents' advisements to their clients concerning advance parole and that travel to their native country and returning triggers process to secure lawful permanent residence is false. Securing an advance parole document does not guarantee that an immigrant will be allowed to re-enter the United States.⁷ At the airport or border, a U.S. Customs and Border Protection ("US Customs") officer will make the final decision concerning whether to allow an immigrant to re-enter the United States regardless of parole status.⁸

20. Unbeknownst to their clients, Respondents systematically and intentionally submit fraudulent I-360 "Petition for Amerasian, Widow(er), or Special Immigrant" petitions on their behalf citing the Violence Against Women Act ("VAWA")⁹ as a basis for the petition despite knowing or having reason to know that their clients do not meet the eligibility for that relief after consulting with them. (See sample I-360 petition, Exhibit N.) The USCIS directs the use of the I-360 to classify an undocumented immigrant as one of the following¹⁰:

- an Amerasian (born after Dec. 31, 1950, and before Oct. 23, 1982);
- the widow(er) of a U.S. citizen;
- a VAWA self-petitioning spouse of an abusive U.S. citizen or lawful permanent resident;

⁷ Id.

⁸ Id.

⁹ With the passage of the Violence Against Women Act of 1994 (VAWA) and its subsequent reauthorizations, Congress provided noncitizens who have been abused by their U.S. citizen or lawful permanent resident relative the ability to independently petition for themselves (self-petition) for immigrant classification without the abuser's knowledge, consent, or participation in the immigration process. This allows victims to seek both safety and independence from their abusers. Spouses and children of U.S. citizens and lawful permanent residents, and parents of U.S. citizens who are 21 years of age or older, may file a self-petition for immigrant classification with USCIS. A noncitizen filing the self-petition is generally known as a VAWA self-petitioner. If USCIS approves the self-petition, VAWA self-petitioners may seek legal permanent residence and obtain a Green Card. This can be done either by consular processing if the approved self-petitioner is outside the United States or by applying for adjustment of status if the approved self-petitioner is in the United States. See <https://www.uscis.gov/humanitarian/abused-spouses-children-and-parents>.

¹⁰ See <https://www.uscis.gov/i-360>.

- a VAWA self-petitioning child of an abusive U.S. citizen or lawful permanent resident;
- a VAWA self-petitioning parent of an abusive U.S. citizen son or daughter who is 21 years old or older; or
- a special immigrant.¹¹

21. Most immigrants who apply for lawful permanent resident status will need to complete at least two forms: an immigrant petition and a lawful permanent resident application.¹²

In most cases, another individual must file the immigrant petition as a sponsor (referred to as “sponsoring” or “petitioning”), although the immigrant may be eligible to file on their own behalf.¹³ The I-360 is among the types of immigrant petitions that can be filed with the petition for lawful permanent resident status.¹⁴

22. Respondents have repeatedly and intentionally submitted I-360 petitions on behalf of their undocumented immigrant clients identifying them as a VAWA self-petitioning parent of an abusive U.S. citizen son or daughter who is 21 years old or old or older (“VAWA abusive child basis”). Respondents submit the I-360 petitions to secure immigration benefits for clients without inquiring of them whether the VAWA abusive child basis is appropriate and without even informing them that they were seeking VAWA relief on their behalf.

¹¹ USCIS defines a special immigrant as any one of the following: a religious worker; a Panama Canal company employee, Canal Zone government employee, or U.S. government in the Canal Zone employee; a Physician licensed and practicing medicine in a U.S. state as of Jan. 9, 1978; an International organization or NATO-6 employee or family member; a juvenile who needs the protection of a juvenile court because they have been abused, neglected or abandoned by a parent; a U.S. armed forces member; an Afghan or Iraqi national who worked for or on behalf of the U.S. government as a translator; an Iraqi national who worked for or on behalf of the U.S. government in Iraq; an Afghan national who worked for or on behalf of the U.S. government or the International Security Assistance Force (ISAF) in Afghanistan; or Broadcasters for the United States Agency for Global Media (USAGM) or for a USAGM grantee. See <https://www.uscis.gov/i-360>.

¹² <https://www.uscis.gov/green-card/green-card-processes-and-procedures/adjustment-of-status>.

¹³ Id.

¹⁴ Id.

False Advertising

23. Respondents Kontoh and Smith distribute business cards for the law firm Boateng, Kontoh & Smith. (See the Affidavit of AG Undercover Perez, Exhibit O and the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

24. Respondent Kontoh's business card for the law firm Boateng, Kontoh & Smith identifies Respondent Kontoh as "Nana Adoma Kontoh, Esq." and "Snr. Associate":



(See also Exhibit E.)

25. Respondent Kohtoh informed AG Undercover Perez that she is an attorney and that she could represent him in Immigration Court. (See the Affidavit of AG Undercover Perez, Exhibit O.)

26. Respondent Kontoh represents to clients that she is an attorney. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

27. Respondent Kontoh's LinkedIn page indicates that she is a "Legal Services Professional" and has experience working as a "State Attorney with the Attorney-General's Department, Ghana." (See Exhibit L.)

28. Moreover, Respondent Kontoh's Facebook account indicates that she "Worked at Ministry of Justice and Attorney General's Department", studied at the Kwame Nkrumah University, and studied at the Ghana School of Law. (See Exhibit M.)

29. However, according to records maintained by the New York State Attorney Registration Office, Office of Court Administration, there is no attorney registered in New York State with the name Nana Adoma Kontoh. (See Exhibit F.)

30. Moreover, a subpoena response letter provided by Randy Tesser, Esq., an attorney who represents Respondent Kontoh indicates that “there is no entity as Boateng, Kontoh & Smith” and that “there are no documents disclosing evidence of admission to a state bar association or office of attorney registration for Nana Adoma Kontoh, or licensure or credentials to engage in the practice of law in the United States”. (See Exhibit G.) The veracity of the information Mr. Tesser provided is supported by a Subpoena Compliance Affidavit attested to by Respondent Kontoh. (See Exhibit P.)

B. Deceptive Business Practices

31. Respondents Amankwaa, Boateng, Kontoh and Smith distribute personal business cards to promote their respective immigration practices or the cards of one another. (See Exhibits Q, D and E, respectively.) However, as described below, the affidavits of Respondents’ clients and AG Undercover Perez indicate that all of the Respondents conduct business as one single entity and collaborate in connection with the immigration services they provide:

On November 7, 2022, my family and I visited Mr. Amankwaa’s office located at 881 Gerard Avenue, Suite 700, Bronx, New York... We initially spoke with a person named Betty Smith. Ms. Smith informed us that my husband and I would be eligible to apply for lawful permanent resident status because my son, John Soriana, was over the age of twenty-one. She also informed us that while our applications for lawful permanent residence were processed, my husband and I would be eligible for travel permits, social security cards, and work authorization...She also provided us with business cards for two individuals, Sylvester Boateng and Nana Adoma Kontoh. (See enclosed.) She informed us that Mr. Boateng would serve as the lead attorney on our case, and Ms. Kontoh would be working with him. On November 14, 2022, my family and I returned to Mr. Amankwaa’s office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer...Ms. Kontoh

claimed that Mr. Amankwaa, Mr. Boateng and herself were all members of the same firm.

(See the Affidavit of Mayrel Fuentes, Exhibit A-5.)

In early November 2022, my wife Julia Reyes called Mr. Amankwaa's office located at 881 Gerard Avenue, Bronx, New York to inquire about his services. An English-speaking woman answered the phone... The woman then scheduled me for an appointment with Mr. Amankwaa a few weeks later. After this phone call, we received a message via Whatsapp from Sylvester Boateng providing us a list of documents we needed to present during our in-person appointment... We subsequently met a woman named Nana Adoma Kontoh ("Ms. Kontoh") who requested all of the personal identification documents we brought.
(See the Affidavit of Mario Josue Reyes Manzanares, Exhibit A-12.)

In 2021, my partner Odilon Perez and I visited Kofi Amankwaa ("Mr. Amankwaa") at his office located at 881 Gerard Avenue, Bronx, New York. He provided us with a consultation on how to file for lawful permanent residence... We initially spoke with a younger individual named Kofi Amankwaa, Jr. He told my husband and I that we qualified for "parole", although he did not explain what parole means.
(See the Affidavit of Esperanza Neri Angel, Exhibit A-1.)

Ms. Kontoh explained that they had six lawyers. I asked if one day I had to continue with this office and go to court and she was not around, would the other attorneys assist. Ms. Kontoh explained that it would either be her or Mr. Boateng. She explained "I am a lawyer that works with Sylvester" and that Betty is "also with us." I understood "Betty" to mean Betty Smith, a named partner of the law firm Boateng, Kontoh & Smith.
(See the Affidavit of AG Undercover Perez, Exhibit O.)

32. Based upon detailed client affidavits, it is clear that the Respondents engage collaboratively in the provision of professional services. They share office space, share clients, work on client files together, and cover court appearances for each other. As outlined below, the Respondents' shared activities establish a firm pattern of repeated and persistent fraudulent and deceptive conduct.

i. **Respondent Amankwaa**

33. As detailed below, client affidavits and an Attorney General complaint form indicate that Respondent Amankwaa typically informed them that they could apply for parole,

leave the United States, and return using their parole documents for re-entry. In some instances, Respondent Amankwaa initially secured valid documentation that allowed his clients to leave the United States and re-enter. However, he repeatedly and intentionally submitted fraudulent I-360 petitions citing the VAWA abusive child basis to secure immigration benefits without inquiring with his clients to determine whether they could establish that basis, or even informing them that he was filing for VAWA relief on their behalf:

In 2021, my partner Odilon Perez and I visited Kofi Amankwaa (“Mr. Amankwaa”) at his office located at 881 Gerard Avenue, Bronx, New York. He provided us with a consultation on how to file for lawful permanent residence. My daughter, Olga Perez (“Olga”), who was over 21 years of age at the time of the consultation, and my youngest son William Perez, also attended the consultation with us.... Then, we spoke with Mr. Amankwaa, who explained that my husband and I would be able to use parole to leave the United States. In fact, he explained that in order to submit an immigration application, we would be required to leave the country and re-enter using our parole documents. He further explained that once we returned, he would submit an application on our behalf for lawful permanent residence... Several months later, in June 2022, Olga searched the USCIS website for the status of our applications and discovered that the ones Mr. Amankwaa submitted for me and my husband were denied. Olga informed us that he filed an I-360 form on our behalf without our knowledge or consent. The I-360 he submitted falsely claimed that Olga abused us. (See Affidavit of Esperanza Neri Angel, Exhibit A-1.)

In 2018, I visited Mr. Amankwaa at his office located at 881 Gerard Avenue, Suite 700, Bronx, New York. At the time, my son, Edgar Garcia Cantu (“Edgar”) was seventeen years old. Mr. Amankwaa advised me to return to his office once Edgar turned twenty years old. Mr. Amankwaa represented that once our son was twenty, he earned the right of a United States citizen to petition for his parents... On April 20, 2021, Wilbert turned twenty years old. My wife and I scheduled an appointment with Mr. Amankwaa for April 20, 2021... After several weeks my son Wilbert searched for our application status on the USCIS website using the case number referenced in our biometrics paperwork. He discovered our case had been denied. My wife and I returned to Mr. Amankwaa’s office again with this new information. Mr. Amankwaa informed us that he would look into it further before claiming that immigration rules had changed. He asserted that my son now had to be twenty-one years old,

rather than twenty years old...He advised us to return when our son turned twenty-one...On April 28, 2022, my son turned twenty-one years old. The next day, on April 29, 2022, my husband and I visited Mr. Amankwaaa's office at the 881 Gerard Avenue, Bronx, location...Mr. Amankwaa instructed us to bring all the documents from the first time we visited his office since he didn't have copies of our original files...My son visited Mr. Amankwaa's office to gather more information about our case, and while he was there, encountered another client accusing Mr. Amankwaa of being a scammer... On May 4, 2023, we met with an attorney, Brad Glassman, for assistance. After filing a Freedom of Information Act form with USCIS, Mr. Glassman informed us that Mr. Amankwaa filed an I-360 application on our behalf, alleging that my son was abusing both me and my wife. This is not true at all. My wife, sons, and I all get along well...I never intended to file an I-360 application. Mr. Amankwaa did not inform us that he would be submitting this type of application on our behalf, nor did he explain the contents of the application he submitted to USCIS.

(See the Affidavit of Manuel Garcia Flores, Exhibit A-3.)

On February 6, 2023, my husband and I visited Mr. Amankwaa at his Office located at 881 Gerard Avenue, Suite 700, Bronx, New York...Mr. Amankwaa explained that the process included first obtaining a work permit as well as a travel permit. He further explained that once my husband and I obtained travel permits, we would have to leave the country and re-enter using the travel permit to grant us legal entry. After we re-entered, Mr. Amankwaa would begin the application for lawful permanent resident status...Over the next few weeks while my husband and I waited for our work permits to arrive, we saw social media posts alleging that several of Mr. Amankwaa's clients were accusing him of fraud. Soon after, we started seeing television news segments also alleging that Mr. Amankwaa had engaged in fraudulent immigration legal services. My husband and I did not know what to do, but we did not want to risk any issues, so we contacted Brad Glassman, an immigration attorney, for guidance and support. Mr. Glassman instructed my husband and I to retrieve our records from Mr. Amankwaa's office...My son Christopher confronted Mr. Amankwaa to request our files. Mr. Amankwaa provided us with a packet of documents...After reviewing the packet of documents, Christopher realized that Mr. Amankwaa falsely alleged that Christopher was abusive towards my wife and me. Neither my husband nor I ever mentioned abuse to Mr. Amankwaa. These allegations were completely false, and we had no idea he made such claims.

(See Affidavit of Santa Alicia Ceja Arteaga, Exhibit A-2.)

In November 2019, a family friend informed me of Kofi Amankwaa ("Mr. Amankwaa") and his legal services. I was seeking legal assistance to apply for lawful permanent residence, and I was under the impression that he was of good character. In December, 2019, I personally visited

Mr. Amankwaa's office located at 881 Gerard Avenue, Bronx, with my daughter, who is a United States citizen... On January 25, 2020, after having compiled all of the necessary documents, I visited Mr Amankwaa's office again. He informed me that I was eligible to apply for lawful permanent resident status. He explained having a daughter over the age of twenty-one who has United States citizenship was the only requirement. My daughter met that criteria, so I agreed to apply for lawful permanent resident status... When I visited his office to prepare for my interview with immigration authorities scheduled for April 4, 2023, he informed me that he submitted an application pursuant to an I-360 pursuant to the Violence Against Women Act ("VAWA"), alleging that my daughter abused me. I did not understand why Mr. Amankwaa submitted my application on that basis. I never intended to submit an application on those grounds. Mr. Amankwaa did not communicate the types of forms he submitted on my behalf, nor did he explain the contents of the application. Mr. Amankwaa completed my entire application without providing any explanation. He simply advised me to sign a handful of documents without me knowing or understanding that VAWA relief was being sought... Shortly after, USICS sent me a letter stating that my case had been denied because I submitted a baseless VAWA claim. I trusted Mr. Amankwaa's counseling, and I would not have applied for a lawful permanent resident status on false claims if I knew that this was his approach.

(See Affidavit of Maria Asuncion Escamilla Najera, Exhibit A-14.)

In May or June of 2019, a family relative informed me of Kofi Amankwaa's ("Mr. Amankwaa") services... Shortly after, I visited Mr. Amankwaa's office located at 881 Gerard Avenue, Bronx, New York... Mr. Amankwaa informed us that in order to apply for lawful permanent residency, my husband and I would first have to obtain a travel permit. Then, pursuant to Mr. Amankwaa's instructions, my husband and I would need to leave the country and then re-enter... In October 2020, USCIS granted my husband a travel permit... My husband traveled to Mexico on his own for about two weeks. While he was there, I received my travel permit and I subsequently travelled to Mexico to meet him there... Approximately three or four months later, Mr. Amankwaa received a letter at his office addressed to my husband. The letter provided details for an upcoming interview regarding my husband's immigration application. Mr. Amankwaa told my husband he would accompany him to the interview. Before the interview, Mr. Amankwaa provided my husband a script. Mr. Amankwaa instructed my husband, if asked, to tell the immigration officer that he was a victim of abuse my son, Luis Anthony Ramales ("Luis"). My son never abused me or my husband... My son, Luis, was devastated and infuriated, worried that these false allegations would put his personal and professional life in jeopardy. Mr. Amankwaa failed to appear for the interview. The immigration officer asked for my son, Luis, because he was listed as the sponsor for me and my husband. My husband called Luis and urged him to meet him at the interview, so Luis joined him. Luis refused to lie to the immigration officer about having

abused my husband. The immigration officer warned my husband that if he was dishonest, his application would be denied. My husband became emotional and did not know how to respond because of the instructions provided to him by Mr. Amankwaa. My husband's application was ultimately denied. (See the Affidavit of Gabriella Torres Salazar, Exhibit A-20.)

On September 14, 2019, I visited Mr. Kofi Amankwaa ("Mr. Amankwaa") at his office located at 881 Gerard Avenue, Suite 700, Bronx, New York, in hopes of applying for a green card. Mr. Amankwaa informed me that the only requirement his previous clients had to meet was that their children be United States born citizens over the age of 21. He indicated that meeting this requirement would be enough to file an application for a green card as well as a work permit and a travel visa. This was the only explanation Mr. Amankwaa provided, and I trusted him given he is a well-known attorney in the community for helping families achieve lawful permanent residency in the United States... On April 10, 2023, I attended an interview with Immigration Officer R. Scoot ("Officer Scoot") regarding an I-485 application for lawful permanent residence that Mr. Amankwaa filed on my behalf. During the interview, Officer Scoot informed me that Mr. Amankwaa submitted an I-360 Petition for Amerasian Widow(er) or Special Immigrant on October 28, 2019. Further, Officer Scoot explained that the application Mr. Amankwaa submitted on my behalf contained allegations that my son, Carlos, abused me. Those allegations were false, and I denied these allegations under oath. I informed the officer that I never intended to file an I-360 Petition, that Mr. Amankwaa never informed me that he was filing this type of application, and that I was completely unaware that the application contained false allegations about my son.

(See the Affidavit of Felipe Chavez Sosa, Exhibit A-22.)

On April 28, 2021, my parents, Ricardo Velazquez and Rosalba Marcelino Mendoza and I visited attorney Kofi Owusu Amankwaa ("Mr. Amankwaa") for assistance in filing for lawful permanent residence for my parents. Mr. Amankwaa misled my family and me into believing that it was possible for me to successfully sponsor my parents for a petition for lawful permanent residence. Mr. Amankwaa informed us that all of the correct documents were submitted to the United States Citizenship and Immigration Service ("USCIS") for my parents' applications... According to Mr. Amankwaa, my parents both received parole which he explained allowed them to travel in and out of the United States without any consequences. He informed us that they needed to leave the United States and re-enter in order to proceed with their immigration applications. In early March, 2022, my family and I traveled to my parents' native country of Mexico to visit out extended family. On March 11, 2022, as my family was arriving back to New York, my parents were detained by the United States Customs and Border Patrol ("US Customs") at JFK Airport. Immigration

officers informed them that immigration authorities were aware of Mr. Amankwaa's practices, and that they were currently investigating him. My mother was allowed to enter; my father was detained. About a month later, we learned from another attorney that rather than providing us the immigration services we requested, Mr. Amankwaa filed a false I-360 application citing a Violence Against Women Act ("VAWA") violation alleging that I had abused both of my parents. We never intended to file an I-360 application. Mr. Amankwaa did not inform us that he would be submitting this type of application on their behalf, nor did he explain the contents of the applications he submitted to USCIS.

(See the Affidavit of Ricardo Velazquez, Exhibit A-25.)

However, on October 31, 2023, Mr. Amankwaa decided to tell us that he had actually applied for my mother's papers using the form I-360 or VAWA. The document stated that I had physically abused my mother, a statement that is completely false and untrue. We were never made aware that he would do this, nor did he ever had [sic] our consent our [sic] application in such a way. My mother, unable to speak, read or write English, had unknowingly signed the VAWA papers that summer of 2021.

(See the Attorney General Complaint Form of Evelyn Villanueva Martinez, Exhibit A-13.)

34. Respondent Amankwaa prepared and submitted I-360 petitions without securing the signatures of his clients for their Declaration and Certification, without interpreters who reviewed the petitions with his clients, or even signing them himself. (See the I-360 petitions contained for Santa Alicia Arteaga and Fernando Lazcano Ramirez, Exhibits R and S, pp. 14-18, respectively.)

35. Respondent Amankwaa fabricated documents to support the submission of at least one client's I-360 petition:

Around July 2021, my mother and I hired Mr. Kofi Amankwaa (BAR # 2742773) to help us adjust my mother's immigration status. During my first meeting with Mr. Kofi, he assured me that he would immediately send paperwork to immigration to help my mother get legal status...For example, in the I-360, they claimed that my mother is seeking legal status because she is a victim of abuse by a US citizen child which is holly [sic] untrue. They then submitted falsified letters from my uncle, brother and family friend who allegedly witnessed the abuse my mother endured. However, I spoke with these people and they confirmed that they never wrote nor signed any of these letters. This demonstrates that Mr. Kofi and his son

submitted fraudulent documentation to immigration on behalf of my mother. On November 17, 2023, I emailed Mr. Kofi and Junior why they submitted and forged these documents. To no surprise, they did not respond. (See Attorney General Complaint Form of Gabriel Rojas Leon, Exhibit A-11.)

36. Moreover, client affidavits indicate that Respondent Amankwaa encouraged his clients to lie to immigration officials during their interview or on their petition submissions:

Approximately three to four months later, Mr. Amankwaa received a letter at his office addressed to my husband. The letter provided details for an upcoming interview regarding my husband's immigration application. Mr. Amankwaa told my husband that he would accompany him to this interview. Before the interview, Mr. Amankwaa provided my husband a script. Mr. Amankwaa instructed my husband, if asked, to tell the immigration officer that he was a victim of abuse by my son, Luis Anthony Rames ("Luis"). My son has never abused me or my husband. My husband informed me of Mr. Amankwaa's instructions, and I told him that I refused to participate in a lie. I warned him that if Mr. Amankwaa wanted us to lie, then he could not be trusted...My son, Luis, was devastated and infuriated, worried that these false allegations would put his personal and professional life in jeopardy. (See Affidavit of Gabriella Torres Salazar, Exhibit A-20.)

Mr. Amankwaa later informed me that I was ineligible to apply for lawful permanent residence pursuant to the Violence Against Women Act (VAWA) because although I suffered domestic abuse from my ex-husband, Joel, he could not indicate he was my abuser because Joel was also Mr. Amankwaa's client, and doing so would create a conflict of interest for him. Instead, Mr. Amankwaa insisted that I apply for residency by falsely claiming that my son, Osvaldo, is mentally ill. Mr. Amankwaa requested I obtain documentation and mental evaluations from a psychologist, indicating that these documents were mandatory. Mr. Amankwaa informed me that if I did not claim that my son was mentally ill, I would have failed to provide a legal basis that could render me eligible for residency. I refused to lie about my son's mental capacity. (See the Affidavit of Carmen Salazar Guzman, Exhibit A-7.)

Mr. Amankwaa requested that my mother lie and state during the Immigration Interview that the physical abuse did indeed take place. My mother went to her Immigration Interview on Thursday, November 02, 2023, and refused to lie, as no physical abuse has ever occurred. USCIS rejected my mother's I-485 application, due to fraud, and has

asked that my mother leave the country in 33 days.
(See the Attorney General Complaint Form of Evelyn Villanueva Martinez, Exhibit A-13.)

37. As a result of Respondent Amankwaa's fraudulent I-360 filings citing the VAWA abusive child basis, several of his clients were deported¹⁵:

According to Mr. Amankwaa, my parents both received parole, which he explained allowed them to travel in and out of the United States without any consequences. He informed us that they needed to leave the United States and re-enter in order to proceed with their immigration applications. In early March, 2023, my family and I traveled to my parents' native country of Mexico to visit our extended family. On March 11, 2023, as my family was arriving back to New York, my parents were detained by the United States Customs and Border Patrol ("US Customs") at JFK Airport. Immigration officers informed them that immigration authorities were aware of Mr. Amankwaa's practices, and that they were currently investigating him. My mother was allowed to enter; my father remained detained...After US Customs denied my father entry on March 11, 2023, they sent him to a detention center in New Jersey for about a month. After that, he was deported to Mexico, where he remains.
(See the Affidavit of Ricardo Velazquez, Exhibit A-25.)

Mr Amankwaa decided to tell us that he had actually applied for my mother's papers using the form I-360 or VAWA. The document stated that I had physically abused my mother, a statement that is completely false and untrue. We were never made aware that he would do this, nor did he ever had our consent our application in such a way...USCIS rejected my mother's I-485 application, due to fraud, and asked that my mother leave the country in 33 days.
(See the Attorney General Complaint Form of Evelyn Villanueva Martinez, Exhibit A-13.)

38. Recently, Respondent Amankwaa was suspended from the practice of law¹⁶ as a result of his failure to respond to nine client complaints registered with the Attorney Grievance Committee for the First Judicial Department alleging that he submitted immigration filings,

¹⁵ This affiant spoke with a Respondent Amankwaa victim on December 20, 2023 who had been deported as a result of his submission of a fraudulent I-360 petition. Because of the traumatic experience that resulted from being deported, and her fear of being deported again if her affidavit and complaint were included in support of the petition, the victim decided to not have them included in this proceeding.

¹⁶ Respondent Amankwaa's suspension took effect on November 9, 2023 and remains until further notice of the Court. See Exhibit T.)

“which unbeknownst to the clients at the time, contained fraudulent information, including false allegations of domestic violence by a family member as a basis for status or relief under the immigration laws.” (See Decision of the Supreme Court of the State of New York, Appellate Division, First Department for In the Matter of Kofi O. Amankwaa, an attorney and counselor at law, pp. 2, 4-5, Exhibit T.)

ii Respondent Boateng

39. Respondent Boateng’s business card indicates that his office is located at 881 Gerard Avenue, Suite 700, Bronx, New York. (See Exhibit D.) Respondent Kontoh’s business card lists him as a member of the law firm of Boateng, Kontoh & Smith. (See Exhibit E.) Respondent Boateng collaborates with Respondent Kontoh to provide fraudulent immigration services to undocumented immigrant clients. One client was informed that Mr. Boateng would serve as the lead attorney on their case, and that Ms. Kontoh would be working with him. (See Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.) Client affidavits reveal that they interacted with both Respondents Boateng and Kontoh. (See the Affidavits of Mayrel Aguilar Fuentes and Mario Josue Reyes Manzanares, Exhibits A-5 and A-12, respectively.) In a similar pattern and practice to that of Respondent Amankwaa, Respondents Boateng and Kontoh collaborated to submit petitions pursuant to I-360 citing the VAWA abusive child basis to secure immigration benefits without inquiring with clients to determine whether they could establish that basis, or even inform them that he was filing for VAWA relief on their behalf:

On November 7, 2022, my family and I visited Mr. Amankwaa’s office located at 881 Gerard Avenue, Suite 700, Bronx, New York... We initially spoke with a person named Betty Smith. Ms Smith informed us that my husband and I would be eligible to apply for lawful permanent resident status because my son, John Soriana, was over the age of twenty-one. She also informed us that while our applications for lawful permanent residence were processed, my husband and I would be eligible for travel permits, social security cards, and work authorization...She also provided

us with business cards for two individuals, Sylvester Boateng and Nana Adoma Kontoh. (See enclosed). She informed us that Mr. Boateng would serve as the lead attorney on our case, and Ms. Kontoh would be working with him. On November 14, 2022, my family and I returned to Mr. Amankwaa's office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer...Ms. Kontoh claimed that Mr. Amankwaa, Mr. Boateng and herself were all members of the same firm...In September, 2023, I received notice that my travel documents arrived...Per Ms. Kontoh's instructions, my family and I reserved round-trip flights to Mexico so that my husband and I could re-enter the United States using the travel permits. After reviewing the travel permits, my son John discovered that my travel document included a disclaimer which warned that the document did not guarantee re-entry. The document also included a warning that unlawful re-entry could be grounds for inadmissibility...When my family and I asked Ms. Kontoh about the disclaimer on the document, she called Mr. Boateng for assistance...Mr. Boateng confirmed that my husband would be able to use his travel documents to re-enter the United States without any issues...Additionally, USCIS sent my husband and I a notice of a request for additional evidence. We were unsure why we received this notice. We later learned from our new attorney, Brad Glassman, that a request for additional evidence is customary when lawful permanent residence is sought pursuant to the Violence Against Women Act (VAWA). We never previously requested or discussed submitting an application on VAWA grounds with Ms. Kontoh or Mr. Boateng. Neither of them indicated that they would be submitting VAWA application on our behalf, nor did they explain the contents of the immigration applications they submitted...Mr. Glassman has since filed a Freedom of Information Act request for those applications. We received my husband's documents; an I-485 petition and an I-360 petition were filed on his behalf. The I-360 petition cites a VAWA provision with an allegation that my son was abusive, which is false. I am still awaiting my documents. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

In early November 2022, my wife Julia Reyes called Mr. Amankwaa's office located at 881 Gerard Avenue, Bronx, New York to inquire about his services. An English-speaking woman answered the phone...The woman who answered the phone assured my wife that because my deportation occurred over ten years ago, Mr. Amankwaa could "work it out". The woman then scheduled me for an appointment with Mr. Amankwaa a few weeks later. After this phone call, we received a message via Whatsapp from Sylvester Boateng providing us a list of documents we needed to present during our in-person appointment...We subsequently met a woman named Nana Adoma Kontoh ("Ms. Kontoh") who requested all of the personal identification documents we brought. Ms. Kontoh informed

us that she would file an I-131¹⁷, which I later learned was an application for a travel document...Ms. Kontoh further explained that once she files these documents, I would receive a visa which would allow me to return to my home country, Honduras, and subsequently re-enter the United States. She stated that securing these travel documents to establish lawful entry would overrule my deportation record...My wife contacted Ms. Kontoh several times throughout January, February, and March 2023, but did not receive a response. In March, my wife contacted Mr. Boateng via Whatsapp to express concern regarding Ms. Kontoh's lack of response. Mr. Boateng informed us that he would follow-up with Ms. Kontoh, and then contact us. A few days later, Mr. Boateng sent me information regarding the biometrics appointment...In April, 2023, I checked the status of my I-131 online. However, I was surprised to learn that I received a notice indicating that an I-360 application submitted on my behalf required more information. I did not know this at the time, but an I-360 application is a form of relief pursuant to the Violence Against Women Act (VAWA) which allows eligible victims of abuse to obtain lawful permanent residence...My wife contacted Mr. Boateng to ask about the online notice on my immigration application. Mr. Boateng informed us that the missing information was just an FBI background check that I needed to complete. Mr. Boateng did not mention anything regarding applying for VAWA relief...A few weeks later, a family friend sent me a news article about one of Mr. Amankwaa's clients, Ricardo Velasquez, whose father was deported when trying to re-enter the United States. The news article indicated that Mr. Velasquez was now being represented by another attorney, Brad Glassman. My wife contacted Mr. Glassman to provide him with details about my immigration application. Mr. Glassman agreed to represent me...Mr. Glassman also submitted a Freedom of Information Act (FOIA) request for my immigration application...The documentation revealed a VAWA based I-360 application that was filed that falsely claimed that my children had previously abused me in 2011. My children were two and four years old in 2011. I never intended to file an I-360 application. Neither Mr. Boateng nor Ms. Kontoh informed me that they would be submitting this type of application on my behalf, nor did they explain the contents of the application they submitted to USCIS.
(See the Affidavit of Mario Josue Reyes Manzanares, Exhibit A-12.)

40. In addition to submitting a fraudulent I-360 petition for complainant Samuel Seden, Respondent Boateng's preparation of the petition indicates that Mr. Seden can read and understand English, and that he has read and understands every question in the petition. (See

¹⁷ The I-131 petition is used to apply for a re-entry permit, refugee travel document, TPS travel authorization document, advance parole document (including parole into the United States for urgent humanitarian reasons or significant public benefit), or advance permission to travel for Commonwealth of the Northern Mariana Islands (CNMI) long-term residents.

Exhibit U, p. 15.) However, Mr. Sedeno’s affidavit indicates that he did not approve the I-360 filing and that he has very limited English reading comprehension:

Our attorney, Brad Glassman, has since filed a Freedom of Information Act for those applications. I received the documents filed on my behalf; they include an I-485 petition and an I-360 petition citing a VAWA provision with an allegation that my son John was abusive, which is false. I did not approve filing the I-360. Both forms also indicate that the applications were prepared by Mr. Boateng. The forms also indicate that I read and understand English. My reading comprehension of English is very limited. (See the Affidavit of Samuel Soriano Sedeno, Exhibit A-21 and the I-360 petition submitted on his behalf by Respondent Boateng, Exhibit U.)

iii. **Respondent Kontoh**

41. According to client affidavits, Respondent Kontoh informs them that she is an attorney. Respondents Kontoh and Smith distribute business cards for the law firm Boateng, Kontoh and Smith indicating that they are attorneys:

On November 7, 2022, my family and I visited Mr. Amankwaa’s office located at 881 Gerard Avenue, Suite 700, Bronx, New York... We initially spoke with a person named Betty Smith... She also provided us with business cards for two individuals, Sylvester Boateng and Nana Adoma Kontoh. (See enclosed). She informed us that Mr. Boateng would serve as the lead attorney on our case, and Ms. Kontoh would be working with him. On November 14, 2022, my family and I returned to Mr. Amankwaa’s office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer... Ms. Kontoh claimed that Mr. Amankwaa, Mr. Boateng and herself were all members of the same firm. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

Shortly thereafter, Ms. Kontoh asked me what I was there for and to enter the office. I explained that I wanted a consultation and that I was recommended by my friend Carlos. I asked her if she was a lawyer and she said yes and explained that they were all lawyers in the office. (See the Affidavit of AG Undercover Perez, Exhibit O.)

42. Ms. Kontoh’s business card identifies her as “Nana Adoma Kontoh, Esq., Snr. Associate” and provides the firm name “Boateng, Kontoh & Smith”. (See Exhibit E.)

43. Moreover, the security system at the business address for Respondents Amankwaa, Boateng Kontoh and Smith, 881 Gerard Avenue, Bronx, New York contains a listing for “Boateng, Kontoh and Smith”. (See the Affidavit of AG Undercover Perez, Exhibit O.)

44. As noted in ¶¶ 8, 28 and 29 above, Respondent Kontoh is not an attorney in the United States. Records maintained by the New York State Office of Court administration establish that there is no record of an individual with the name Nana Adomah Kontoh listed to practice law in New York State since 1920. (See OCA registration letter, Exhibit F.) A subpoena response letter provided by attorney Randy Tesser on behalf of Respondent Kontoh indicates that “there are no documents disclosing evidence of admission to a state bar association or office of attorney registration for Nana Adoma Kontoh, or licensure or credentials to engage in the practice of law in the United States”. (See Exhibit G.)

45. Despite distributing business cards for the law firm Boateng, Kontoh & Smith, Mr. Tesser’s letter further indicates that “there is no entity as Boateng, Kontoh & Smith”. (See Exhibit G.) The veracity of the information Mr. Tesser provided is supported by a Subpoena Compliance Affidavit attested to by Respondent Kontoh. (See Exhibit P.)

46. 8 C.F.R. § 1292.1(a)(4) authorizes non-attorney “accredited representatives” to represent undocumented immigrants before the Department of Homeland Security (DHS) and the Executive Office for Immigration Review (EOIR), which includes the immigration courts and the Board of Immigration Appeals (BIA).¹⁸ Accredited Representatives may only provide

¹⁸ These representatives are accredited through the Recognition and Accreditation (R&A) Program, which aims to increase the availability of competent immigration legal representation for low-income and indigent persons, thereby promoting the effective and efficient administration of justice. Accredited Representatives may only provide immigration legal services through Recognized

immigration legal services through Recognized Organizations; only non-profit, federally tax-exempt entities may apply to be recognized. *Id.* The accredited representative can only practice immigration law through their recognized organization; they are prohibited from leaving the organization and using their accreditation to practice immigration law outside of the organization.¹⁹ The EOIR maintains a roster of recognized organizations and accredited representatives in each state. The firm of Boateng, Kontoh and Smith is not listed as a recognized organization and Respondent Kontoh is not listed as an accredited representative in New York State. (See the EOIR roster for recognized organizations and accredited representatives in New York State, Exhibit V²⁰.)

47. Despite not being qualified as an attorney or an accredited representative, Respondent Kontoh provides immigration legal advice and services. Respondent Kontoh works with Respondent Boateng to submit petitions pursuant to I-360 citing the VAWA abusive child basis to secure immigration benefits without inquiring with her clients to determine whether they could establish that basis, or even inform them that she was filing for VAWA relief on their behalf:

We subsequently met a woman named Nana Adoma Kontoh (“Ms. Kontoh”) who requested all of the personal identification documents we brought. Ms. Kontoh informed us that she would file an I-131, which I later learned was an application for travel document. She explained that his document would allow me to remain in the United States if I were ever confronted by immigration authorities. Ms. Kontoh also informed us that she would file

Organizations. Only non-profit, federally tax-exempt entities may apply to be recognized. See <https://www.justice.gov/eoir/recognition-and-accreditation-program>.

¹⁹ See Representation and Appearances, C.F.R. § 1292.12 (2003).

²⁰ The listing for recognized organizations in New York starts on p. 90 and ends on p. 103. The listing of accredited representatives in New York starts on p. 144 through the end. The listings can also be found at <https://www.justice.gov/eoir/recognized-organizations-and-accredited-representatives-roster-state-and-city>.

a petition for my wife to establish our relationship. Ms. Kontoh further explained that once she filed these documents, I would receive a visa which would allow me to return to my home country, Honduras, and subsequently re-enter the United States. She stated that these travel documents to establish lawful entry would overrule my deportation record. My wife, who is a nurse, asked Ms. Kontoh to confirm that this process was legal because my wife was concerned about jeopardizing her job. Ms. Kontoh assured my wife and me that this process was legal, and there were no risks involved...I paid Ms. Kontoh \$3,000.00 in attorney's fees as well as an additional \$1,225.00 in filing fees... In April 2023, I checked the status of my I-131 online. However, I was surprised to learn that I received a notice indicating that an I-360 application submitted on my behalf required more information. I did not know this at the time, but an I-360 application is a form of relief pursuant to the Violence Against Women Act (VAWA) which allows eligible victims of abuse to obtain lawful permanent residence. At this time, I was still under the belief that Ms. Kontoh was applying for family-based lawful permanent residence on my behalf...Mr. Glassman also submitted a Freedom of Information Act (FOIA) request for my immigration application...The documentation revealed a VAWA based I-360 application was filed that falsely claimed that my child had previously abused me in 2011. My children were two and four years old in 2011. I never intended to file an I-360 application. Neither Mr. Boateng nor Ms. Kontoh informed me that they would be submitting this type of application on my behalf, nor did they explain the contents of the application they submitted to USCIS.

(See the Affidavit of Mario Josue Reyes Manzanares, Exhibit A-12.)

On November 14, 2022, my family and I returned to Mr. Amankwaa's office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer...During this meeting, my wife and I each paid \$3,000.00 for Ms. Kontoh's legal services. I did not receive a contract from Ms. Kontoh for her services. We each paid \$1,125.00 in filing fees which would be paid to the United States Citizenship and Immigration Service ("USCIS"). Ms. Kontoh informed us that she would contact us when it was time for us to send our biometrics appointment...Ms. Kontoh explained that she would contact us when our travel documents arrived...Per Ms. Kontoh's instructions, my family and I reserved round-trip flights to Mexico so that my husband and I could re-enter the United States using travel permits...Additionally, USCIS sent my husband and I a notice of a request for additional evidence. We were unsure why we received the notice. We later learned from our new attorney, Brad Glassman ("Mr. Glassman") that a request for additional evidence is customary when lawful permanent residence is sought pursuant to the Violence Against Women Act (VAWA).

(See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

48. Respondent Kontoh encourages clients to lie to immigration officials:

We initially spoke with a person named Betty Smith. Ms. Smith informed us that my husband and I would be eligible to apply for lawful permanent resident status because my son, John Soriana, was over the age of twenty-one... On November 14, 2022, my family and I returned to Mr. Amankwaa's office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer... At the end of the meeting, Ms. Kontoh stated, "God forbid something happens at JFK [airport] when you return." She then noted that if my husband were to encounter any issues, he can simply inform immigration authorities that he is seeking asylum, and he should be allowed entry. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

iv. **Respondent Amankwaa, Jr.**

49. Respondent Amankwaa, Jr. is not an attorney admitted to practice law in New York. (See OCA registration letter, Exhibit I.) Moreover, Respondent Amankwaa, Jr. is not listed as an accredited representative with the EOIR. (See Exhibit V.)

50. A client's Attorney General Complaint Form indicates that Respondent Amankwaa identifies Respondent Amankwaa, Jr. as a "legal assistant":

On Friday, December 1, 2023, I had attempted to obtain a copy of the applications that were submitted on our behalf by Kofi but Kofi refused to give us a copy, claiming he wasn't our "legal representation" and that we needed to wait for his son, Junior Amankwaa, who is a legal assistant at the office, to give us our copies. (See the Attorney General Complaint Form of Evelyn Villanueva Martinez, Exhibit A-13.)

51. Moreover, a business card for Respondents Amankwaa and Amanakwaa Jr. identify Amankwaa Jr. as a "Legal Assistant." (See Exhibit H.)

52. Despite not being qualified as an attorney or an accredited representative, Respondent Amankwaa, Jr. provides immigration legal advice to clients:

In 2021, my partner Odilon Perez and I visited Kofi Amankwaa ("Mr. Amankwaa") at his office located at 881 Gerard Avenue, Bronx, New York... My daughter Olga ("Olga"), who was over 21 years of age at the time of the consultation, and my youngest son, William Perez, also attended the consultation with us. We initially spoke

with a younger individual named Kofi Amankwaa, Jr. He told my husband and I that we qualified for “parole”, although he did not explain what parole means. Then, we spoke with Mr. Amankwaa, who explained that my husband and I would be able to use parole to leave the United States...Several months later, in June 22, Olga searched the USCIS website for the status of our applications and discovered that the ones Mr. Amakwaa submitted for me and my husband were denied. Olga informed us that he filed an I-360 form on our behalf without our knowledge or consent... In February 2023, Olga and my husband visited Mr. Amankwaa’s office to confronted him about the petition submissions. Kofi Amankwaa Jr. admitted that neither me nor my husband qualified for parole. (See the Affidavit of Esperanza Neri Angel, Exhibit A-1.)

v. **Respondent Smith**

53. Although Respondent Smith is an attorney who operates from her own office at 881 Gerard Avenue²¹, clients indicate that she collaborates with the other Respondents as a named partner of Boateng, Kontoh & Smith to provide fraudulent immigration services:

A family friend referred me and my family to Mr. Amankwaa for help in obtaining lawful permanent residence for my husband, Samuel Soriano Seden, and me... We initially spoke with a person named Betty Smith. Ms. Smith informed us that my husband and I would be eligible to apply for lawful resident status because my son, John Soriano, was over the age of twenty-one. She also informed us that while our application for lawful permanent residence were processed, my husband and I would be eligible for travel permits, social security cards, and work authorization. Ms. Smith provided us with a checklist of action items and documents we needed to bring for our next appointment, which included identification and money orders for payment. She also provided us with business cards for two individuals, Sylvester Boateng and Nana Adoma Kontoh. (See enclosed.) She informed us that Mr. Boateng would serve as the lead attorney on our case, and Ms. Kontoh would be working with him...Additionally, USCIS sent my husband and I a notice of a request for additional evidence. We were unsure why we received the notice. We later learned from our new attorney, Brad Glassman (“Mr. Glassman”) that a request for additional evidence is customary when lawful permanent residence is sought pursuant to the Violence Against Women Act (VAWA). We had never previously requested or discussed submitting an application on VAWA grounds with Ms. Kontoh or Mr. Boateng.

²¹ Respondent Smith’s website, www.smithlawspc.com indicates her office is located at 881 Gerard Avenue, Suite 250, Bronx, New York. (See homepage, Exhibit Y.) The security system at 881 Gerard Avenue lists the law firm Boateng, Kontoh and Smith, Suite 700. (See the Affidavit of AG Undercover Perez, Exhibit O.)

...Mr. Glassman, has since filed a Freedom of Information Act request for those applications. We received my husband's documents; an I-485 petition and an I-360 petition were filed on his behalf. The I-360 petition cites a VAWA provision with an allegation that my son was abusive, which is false. I am still awaiting my documents. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

Ms. Kontoh explained that they had six lawyers...She explained that "I am a lawyer that works with Sylvester" and that Betty is "also with us". (See the Affidavit of AG Undercover Perez, Exhibit O.)

C. Respondents fail to provide clients petition submissions despite requests in an effort to conceal the filing of I-360 VAWA abusive child basis petitions

54. Respondents repeatedly fail to provide clients a copy of the petition they submitted to USCIS on their behalf despite requests in an effort to conceal their submission of an I-360 VAWA abusive child basis petition:

Additionally, Mr. Amankwaa never provided us with a copy of our files. He always provided an excuse, or claimed that he was not able to share them. All the other clients we spoke to at this office also mentioned that they never received copies of their files, so we assumed this was the norm. (See the Affidavit of Manuel Garcia Flores, Exhibit A-4.)

Despite repeated requests, Mr. Amankwaa still has yet to provide me with a copy of my immigration application. Furthermore, Mr. Amankwaa never informed me about any incoming notifications from USCIS regarding my immigration status. (See the Affidavit of Carmen Salazar Guzman, Exhibit A-7.)

On Friday, December 1, 2023, I had attempted to obtain a copy of the applications that were submitted on our behalf by Kofi but Kofi refused to give us a copy, claiming that he wasn't our "legal representation" and that we needed to wait for his son, Junior Amankwaa, who is a legal assistant at the office, to give us our copies. Once again, we were refused a copy of our applications. (See the Attorney General Complaint Form of Evelyn Villanueva Martinez, Exhibit A-13.)

My wife and I did not know what to do, but we did not want to risk any potential issues, so we contacted Brad Glassman ("Mr. Glassman"), an immigration attorney, for guidance and support. Mr. Glassman instructed me and my wife to retrieve our records from Mr. Amankwaa's office. When my wife and I visited Mr. Amankwaa office, his receptionist tried

to assure us that everything was fine, and that we had nothing to worry about. Still, my wife and I insisted on speaking with Mr. Amankwaa. We waited for Mr. Amankwaa to arrive, but when he finally did, he refused to see us. My son Christopher confronted Mr. Amankwaa to request our files. Mr. Amankwaa provided us with a packet of documents...After reviewing the pack of documents, Christopher realized that Mr. Amankwaa falsely alleged that Christopher was abusing towards my wife and me. Neither my wife nor I ever mentioned abuse to Mr. Amankwaa...About a week later, my wife and I delivered the packet of documents Mr. Amankwaa provided us to Mr. Glassman. However, Mr. Glassman noted that the packet was incomplete, and there were still crucial documents missing from the files. My wife and I returned to Mr. Amankwaa's office several times in an attempt to retrieve our records, but we were never successful. Each visit required hours of waiting, and we never received answers. Eventually, Mr. Glassman was able to retrieve the rest of our records from Mr. Amankwaa's office. Thereafter, Mr. Glassman closed both of our immigration cases.

(See the Affidavit of Fernando Lazcano Ramirez, Exhibit A-19.)

We requested copies of our immigration applications from Ms. Kontoh, but she responded that she was busy, and would send them the following day. We never received them.

(See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

D. Violations of GBL Article-28-C, the Immigrant Assistance Service Enforcement Act

55. As noted above in ¶¶ 8, 28, 29 and 48, Respondents Kontoh and Amankwaa Jr. are not attorneys admitted to practice law in New York.

56. Moreover, as noted above in ¶ 45 above, 8 C.F.R. 1291.1(a)(4) authorizes non-attorney "accredited representatives" to represent undocumented immigrants before the Department of Homeland Security (DHS) and the EOIR. Accredited representatives may only provide immigration services through recognized organizations; only non-profit, federally tax-exempt entities may apply to be recognized. Both Respondents Nana Adoma Kontoh and Kofi Amankwaa Jr. are not listed on the EOIR roster of accredited representatives in New York State. (See Exhibit V.)

57. Pursuant to GBL Article 28-C, “immigrant assistance service” is defined as providing assistance, for a fee or other compensation to persons who have, or plan to, come to the United States from a foreign country, or their representatives, in relation to any proceeding, filing or action affecting the non-immigrant or citizenship status of a person which arises under the immigration and nationality law...(See GBL § 460-a(1).)

58. “Provider” means any person, including but not limited to a corporation, partnership, limited liability company, sole proprietorship or natural person, that provides immigrant assistance service, but shall not include (a) and person duly admitted to practice law in this state and any person working directly under the supervision of the person admitted; (b) any not-for-profit tax-exempt organization that provides immigration services for a fee or other payment from individuals or at nominal fees as defined by the federal board of immigration appeals, and the employees of such organization when acting in the scope of such employment; (c) any organization recognized by the federal board of immigration appeals that provides services via representatives accredited by such board to appear before the United States citizenship and immigration services and/or executive office for immigration review, that does not charge a fee or charges nominal fees as defined by the board of immigration appeals; (d) any authorized agency under subdivision ten of section three hundred seventy-one of the social services law and the employees of such organization when acting within the scope of such employment; or (e) any individual providing representation in an immigration-related proceeding under federal law for which federal law or regulation establishes such individual’s authority to appear. See GBL § 460-a (2).

59. Respondents Kontoh and Amankwaa Jr. offer and provide immigration services for a fee that includes filing applications for the adjustment of status, securing employment

authorization and travel permits, among other benefits. Therefore, Respondents Kontoh and Amankwaa are acting as immigrant assistance service providers (“providers”) as defined by GBL §460-a, and are required to comply with the provisions of GBL Article 28-C. However, Respondents Kontoh and Amankwaa Jr. flagrantly violate the provisions of Article 28-C.

i. Respondent Kontoh

a. Violations of GBL 460-b

60. GBL § 460-b provides that no immigrant assistance service shall be provided until the customer has signed a written contract, which shall be in the language understood by the customer, and if the language is not English, then an English language version of the contract must also be provided. Moreover, it provides that a copy of the contract must be given to the customer upon its execution, among other requirements. Client affidavits indicate that Respondent Kontoh fails to provide written contracts to her clients:

Ms. Kontoh informed my wife and I that the applications that will be submitted on our behalf were to secure lawful permanent resident status along with work authorization and a travel permit. She further advised that my wife and I would have to leave the United States and use Advance Parole to gain lawful re-entry. She did not explain what Advance Parole is. During this meeting, my wife and I each paid \$3,000.00 for Ms. Kontoh’s legal services. I did not receive a contract from Ms. Kontoh for her services. (See the Affidavit of Samuel Soriano Seden, Exhibit A-21.)

I inquired with Ms. Kontoh whether she provides contracts for her services, and she indicated that she does not. (See the Affidavit of AG Undercover Perez, Exhibit O.)

61. GBL § 460-c(1)(a) requires that every provider shall post signs²², at every location where such provider meets with customers, setting forth information in English and in every other language in which the person provides or offers to provide immigration assistant services indicating the following:

²² The sign shall be at least eleven inches by seventeen inches and shall have lettering in sixty-point type.

The individual providing assistance to you under this contract is not an attorney licensed to practice law or accredited by the Board of Immigration Appeals to provide representation to you before the United States Citizenship and Immigration Service, The Department of Homeland Security, The Executive Office for Immigration Review, The Department of Homeland Security, the Department of Labor, the Department of State or any Immigration Authorities and may not give legal advice or accept fees for legal advice...

62. GBL § 460-c(b) provides that providers must post a second sign shall be posted in a location visible to customers in conspicuous size type and which contains the schedule of fees for services offered and the statement:

You may cancel any contract within 3 business days and get back your documents and any money you paid.

63. According to AG Undercover Perez, Respondent Kontoh has failed to post signage in compliance with GBL § 460-c(1)(a) and (b):

I did not see signs or notices indicating that Ms. Kontoh is not an attorney licensed to practice law, or is an accredited representative, or indicating that a contract could be cancelled in three business days, or that a return of documents and any money paid must be returned. (See the Affidavit of AG Undercover Perez, Exhibit O.)

64. GBL § 460-d (1) prohibits providers from giving legal advice, or otherwise engaging in the practice of law. Client affidavits indicate that Respondent Kontoh violates § 460-d(1) by providing clients legal advice:

Ms. Kontoh informed my wife and I that the applications that will be submitted on our behalf were to secure lawful permanent resident status along with work authorization and a travel permit. She further advised that my wife and I would have to leave the United States and use Advance Parole to gain lawful re-entry. (See the Affidavit of Samuel Soriano Sedeno, Exhibit A-21.)

Shortly thereafter, Ms. Kontoh asked me what I was there for and to enter her office. I explained that I wanted a consultation and that I was recommended by my friend Carlos...I asked her about the process and explained that I had been in the United States a long time and wanted to get papers. She asked me how many times I had crossed the border and if I had ever been fingerprinted...Ms. Kontoh then asked me if I had ever been deported and if

I had ever been with any other lawyers...She then asked me whether I had a wife and kids. I explained that my wife was deceased and that I had two kids, one who is twenty-two and the other is twelve years old. She explained that in order to get a benefit someone has to get permission from immigration. She further explained that the person requesting permission could be my child if they are a U.S. citizen and at least twenty-one years old. I explained that my twenty-two year old daughter was not a citizen but my twelve-year old was. Ms. Kontoh explained that I would have to wait until she turned 21 years old in order to request permission from immigration...I then asked if that applied to papers for working and Ms. Kontoh explained that the sponsoring person still had to be 21 years old.

(See the Affidavit of AG Undercover Perez, Exhibit O.)

We subsequently met a woman named Nana Adoma Kontoh (“Ms. Kontoh”) who requested all of the personal identification documents we brought. Ms. Kontoh informed us that she would file an I-131, which I later learned was an application for a travel document. She explained that this document would allow me to remain the United States if I were ever confronted by immigration authorities. Ms. Kontoh also informed us that she would file a petition for my wife to establish our relationship. Ms. Kontoh further explained that once she filed these documents, I would receive a visa which would allow me to return to my home country, Honduras, and subsequently re-enter the United States. She stated that securing these travel documents to establish lawful entry would overrule my deportation record.

(See the Affidavit of Mario Josue Reyes Manzanares, Exhibit A-12.)

65. GBL § 460-d(2) prohibits providers from assuming the use or advertise the title of lawyer or attorney at law, or equivalent terms in the English language or any other language...that could cause a customer to believe that the person possesses special professional skills or is authorized to provide advice on an immigration matter. As discussed in ¶¶ 8, 28 and 29 above, Respondent Kontoh is not a registered attorney in New York State. (See Exhibit F.) Client affidavits indicate that Respondent Kontoh violates § 460-d(2) by falsely representing herself to be a lawyer:

On November 14, 2022, my family and I returned to Mr. Amankwaa’s office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer. Her business card indicates that she is an associate and includes the title “esquire” after her name.

(See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

She explained that “I am a lawyer that works with Sylvester”, and that Betty Smith is “also with us.”
(See the Affidavit of AG Undercover Perez, Exhibit O.)

66. Moreover, Respondent Kontoh’s business card expressly identifies her as “Nana Adoma Kontoh, Esq.” and “Sr. Associate”. (See Exhibit E.)

67. GBL § 460-d (6) prohibits providers from advising, directing or permitting a customer to answer a question on a government document, or in a discussion with a government official, in a specific way where the provider knows or has reasonable cause to believe that the answers are false or misleading. Client affidavits indicate that Respondent Kontoh violates § 460-d(6) by encouraging a client to lie should they be questioned by US Customs:

Ms. Kontoh informed my husband and I that the applications that will be submitted on our behalf were to secure lawful permanent resident status along with work authorization and a travel permit. She further advised that my husband and I would have to leave the United States and use Advance Parole to gain lawful re-entry...At the end of the meeting, Ms. Kontoh stated, “God forbid something happens at JFK [airport] when you return.” She then noted that if my husband were to encounter any issues, he can simply inform immigration authorities that he is seeking asylum, and he should be allowed entry.
(See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

68. GBL § 460-d (8) prohibits providers from failing to provide customers with copies of documents filed with a governmental entity or refusing to return original documents supplied by, prepared on behalf of, or paid for by the customer, upon the request of the customer, or upon termination of the contract. Client affidavits indicate that Respondent Kontoh violates § 460-d(8) by failing to provide customers with copies of documents filed with a governmental entity:

We requested copies of our immigration applications from Ms. Kontoh, but she responded that she was busy, and would send them the following day. We never received them.
(See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

ii. Respondent Amankwaa Jr.

a. Violations of 460-d

69. GBL § 460-d(1) prohibits providers from giving legal advice, or otherwise engaging in the practice of law. Client affidavits indicate that Respondent Kontoh violates § 460-d(1) by providing clients legal advice:

In 2021, my partner Odilon Perez and I visited Kofi Amankwaa (“Mr. Amankwaa”) at his office located at 881 Gerard Avenue, Bronx, New York...My daughter Olga (“Olga”), who was over 21 years of age at the time of the consultation, and my youngest son, William Perez, also attended the consultation with us. We initially spoke with a younger individual named Kofi Amankwaa, Jr. He told my husband and I that we qualified for “parole”, although he did not explain what parole means...Then, we spoke with Mr. Amankwaa, who explained that my husband and I would be able to use parole to leave the United States...Several months later, in June 22, Olga searched the USCIS website for the status of our application and discovered that the ones Mr. Amakwaa submitted for me and my husband were denied. Olga informed us that he filed an I-360 form on our behalf without our knowledge or consent...In February 2023, Olga and my husband visited Mr. Amankwaa’s office to confronted him about the petition submissions. Kofi Amankwaa Jr. admitted that neither me nor my husband qualified for parole.
(See the Affidavit of Esperanza Neri Angel, Exhibit A-1.)

D. Respondent Kontoh Operates in Violation of Judiciary Law § 478

70. Judiciary Law § 478 prohibits anyone from practicing or falsely holding themselves out to be able to practice law without first being duly licensed and admitted to practice law in New York State and without having taken the constitutional oath. It provides the following:

It shall be unlawful for any natural person to practice or appear as an attorney-at-law or as an attorney and counselor-at-law for a person other than himself or herself in a court of record in this state, or to furnish attorneys or counsel or an attorney and counsel to render legal services, or to hold himself or herself out to the public as being entitled to practice law as aforesaid, or in any other manner, or to assume to be an attorney or counselor-at-law or counselor-at-law, or to assume to be an attorney or counselor-at-law, or to assume, use, or advertise the title of lawyer, or attorney and counselor-at-law, or counselor, or attorney and counselor,

or equivalent items in any language, in such a manner to advertise that he or she either alone or together with any other persons or person has, owns, conducts or maintains a law office or law and collection office, or office of any kind for the practice of law, without having been duly and regularly licensed and admitted to practice law in the courts of this state, and without having taken the constitutional oath.

71. Judiciary Law § 478 provides several exceptions, as outlined below:

- 1) officers for societies for the prevention of cruelty to animals, duly appointed, when exercising the special powers conferred upon such corporations under section 1403 of the not-for-profit corporation law;
- 2) law students who have completed at least two semesters of law school or persons who have graduated from a law school, who have taken the examination for admittance to practice law in the courts of record in the state immediately available after graduation from law school...acting under the supervision of a legal aid organization when such students and person are acting under a program approved by the appellate division of the supreme court...and specifying the extent to which they may engage in activities otherwise prohibited by this statute;
- 3) law students who have completed at least two semesters of law school or to persons who have graduated from a law school approved pursuant to the rules of the court of appeals for the admission of attorneys and counselors-at-law who have taken the examination for admission to practice as an attorney and counselor-at-law and who have taken the examination for admission to practice as an attorney...after being notified by the board of examiners that they have failed to pass said exam...when such students are under the supervision of the state or a subdivision thereof or any officer or agency of the state or a subdivision thereof, pursuant to a program approved by the appellate division of the supreme court of the department within such activities are taking place and specifying the extent to which they may engage in activities otherwise prohibited by this statute and those powers of the supervising governmental entity or officer in connection with which they may engage in such activities; or
- 4) An attorney and counselor-at-law or the equivalent who is admitted to the bar in another state, territory, district or foreign country and who has been admitted pro hac vice in the state of New York within the limitations prescribed in the rules of the court of appeals; or
- 5) An attorney licensed as a legal consultant under rules adopted by the court of appeals pursuant to subdivision six of section 53 of this chapter and rendering legal services in the state within limitations prescribed in such rules.

72. An immigration attorney must be admitted to practice law in New York State or any other jurisdiction and be in good standing.²³ As noted above in ¶ 28 above, an OCA registration letter establishes that there is no attorney registered in New York State with the name Nana Adoma Kontoh. (See Exhibit F.)

73. Further, a letter provided to the Attorney General's office in response to a subpoena served upon Ms. Kontoh from Randy Tesser, Esq., indicates that "there is no entity as Boateng, Kontoh & Smith" and that "there are no documents disclosing evidence of admission to a state bar association or office of attorney registration for Nana Adoma Kontoh, or licensure or credentials to engage in the practice of law in the United States". (See Exhibit G.)

74. Despite not being an admitted attorney in New York or anywhere in the United States, a client and AG Undercover Perez' affidavits indicate that Respondent Kontoh falsely represents herself to be an attorney in violation of Judiciary Law § 478:

On November 14, 2022, my family and I returned to Mr. Amankwaa's office for a follow-up appointment. We were initially greeted by Ms. Kontoh, who represented that she was a lawyer. Her business card indicates that she is an associate and includes the title "esquire" after her name. (See enclosed.) Ms. Kontoh claimed that Mr. Amankwaa, Mr. Boateng and herself were all members of the same firm.
(See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

Shortly thereafter, Ms. Kontoh asked me what I was there for and to enter her office. I explained that I wanted a consultation and that I was recommended by my friend Carlos. I asked her if she was a lawyer and she said yes and explained that they were all lawyers in the office.
(See the Affidavit of AG Undercover Perez, Exhibit O.)

²³ Federal law provides that a member in good standing of the bar of the highest court of any state, who is not under suspension or otherwise restricted in his or her practice of law, may practice before a Federal Immigration Court. See 8 C.F.R. section 1001.1(f) and 1292.1(a)(1).

75. Respondent Kontoh provides legal advice in violation of Judiciary Law § 478:

Ms. Kontoh informed my wife and I that the applications that will be submitted on our behalf were to secure lawful permanent resident status along with work authorization and a travel permit. She further advised that my wife and I would have to leave the United States and use Advance Parole to gain lawful re-entry.

(See the Affidavit of Samuel Soriano Seden, Exhibit A-21.)

Shortly thereafter, Ms. Kontoh asked me what I was there for and to enter her office. I explained that I wanted a consultation and that I was recommended by my friend Carlos...I asked her about the process and explained that I had been in the United States a long time and wanted to get papers. She asked me how many times I had crossed the border and if I had ever been fingerprinted...Ms. Kontoh then asked me if I had ever been deported and if I had ever been with any other lawyers...She then asked me whether I had a wife and kids. I explained that my wife was deceased and that I had two kids, one who is twenty-two and the other is twelve years old. She explained that in order to get a benefit someone has to get permission from immigration. She further explained that the person requesting permission could be my child if they are a U.S. citizen and at least twenty-one years old. I explained that my twenty-two year old daughter was not a citizen but my twelve-year old was. Ms. Kontoh explained that I would have to wait until she turned 21 years old in order to request permission from immigration...I asked if that applied to working papers and Ms. Kontoh explained that the person requesting permission still had to be 21 years old.

(See the Affidavit of AG Undercover Perez, Exhibit O.)

76. Respondent Kontoh falsely uses the titles of “esquire” and “senior associate” to misrepresent her credentials on her business card for the law firm of Boateng, Kontoh & Smith in a manner that conveys the impression that she is a legal practitioner of law and advertises that she and others conducts a law office in violation of Judiciary Law § 478. (See Exhibit E.)

77. Respondent Kontoh advertises that she and others either have, own, conduct or maintain a law office by distributing business cards for the law firm Boateng, Kontoh & Smith.

(See Exhibit E.)

78. Respondent Kontoh does not meet any of the Judiciary Law § 478 exceptions.

E. Respondents Boateng, Kontoh and Smith violate Rules of Professional Conduct [22 NYCRR 1200.0] Rule 7.1 Advertising

79. Rules of Professional Conduct 22 NYCRR 1200.0(a)(1) provides that a lawyer or law firm shall not use or disseminate or participate in the use or dissemination of any advertisement that contains statements or claims that are false, deceptive or misleading.

80. As established above in ¶¶ 8, 28 and 29 above, Respondent Kontoh is not an attorney admitted to practice law in New York State or anywhere else in the United States.

81. Respondents Boateng and Smith violate Professional Conduct 22 NYCRR 1200.0(a)(1) by advertising through the dissemination of business cards naming Respondent Kontoh as a partner of the law firm Boateng Kontoh & Smith, and which contain the representations “Nana Adoma Kontoh, Esq.” and “Snr. Associate”. (See Exhibit E.)

F. Respondents Boateng and Smith violate Rules of Professional Conduct [22 NYCRR 1200.0] Rule 7.5 Professional Notices, Letterheads, and Names

82. Rules of Professional Conduct [22 NYCRR 1200.] Rule 7.5 (b)(2)(iii) provides that a lawyer or law firm in private practice may not include the name of a nonlawyer in its firm name. Respondents Boateng and Smith violate Rules of Professional Conduct [22 NYCRR 1200.] Rule 7.5 (b)(2)(iii) by including the name of Respondent Kontoh, who is not an attorney, in its firm name.

CONCLUSION

83. Through their fraudulent and illegal practices, Respondents have preyed upon undocumented immigrants who are seeking to adjust their immigration status in good faith. Impacted consumers relied on the integrity and professionalism of attorneys to assist them in attaining the security of lawful permanent residency in the United States. However, Respondents collaborated to repeatedly and persistently engage in fraudulent, deceptive and illegal conduct. Immigrant consumers who transacted with Respondent Kontoh were unaware that she falsely represented herself to be an attorney. Respondents lured consumers by representing that lawful permanent residence (or securing a “green card”) could be attained by simply having a child over the age of twenty-one who is a United States citizen serve as their sponsor. Respondents repeatedly and intentionally submitted fraudulent I-360 petitions on behalf of their undocumented immigrant clients citing the VAWA self-petitioning parent of an abusive U.S. citizen son or daughter who is 21 years old or older as the basis to secure immigration benefits. Respondents pursued this scam without inquiring with their clients to establish this basis or even informing them that they were seeking VAWA relief on their behalf. Consumers paid thousands of dollars for these fraudulent services only to learn with grave disappointment that their child was falsely accused of abusing them, their petitions were denied, and some suffered deportation as a result.

84. Therefore, Petitioner respectfully requests that this Court grant the relief requested in the Verified Petition.

Dated: New York, New York
January 22, 2024

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
PEOPLE OF THE STATE OF NEW YORK, by
LETITIA JAMES, Attorney General of the State of
New York,

IAS Part

Petitioner,

-against-

VERIFIED PETITION

Index No.

KOFI O. AMANKWAA; KOFI AMANKWAA, JR., a/k/a
JUNIOR AMANKWAA; SYLVESTER BOATENG d/b/a
BOATENG, KONTOH & SMITH; NANA ADOMA
KONTOH d/b/a BOATENG, KONTOH & SMITH; and
BETTY DANQUAH SMITH, d/b/a BOATENG, KONTOH
& SMITH,

Assigned to Justice

Respondents.
-----X

The People of the State of New York, by Letitia James, Attorney General of the State of
New York, respectfully allege, upon information and belief:

INTRODUCTION

1. Petitioner commences this summary proceeding to enjoin Respondents from
further engaging in deceptive, fraudulent and illegal practices in connection with their provision
of immigration legal services from their offices located at 881 Gerard Avenue, Bronx, New
York; to recover restitution and damages for customers victimized by their unlawful practices;
and to obtain civil penalties and costs, as authorized by statute, to be paid to the State of New
York.

2. From at least 2018 through 2023, Respondent Kofi O. Amankwaa (“Respondent
Amankwaa”) engaged in a deceptive and fraudulent scheme in which he induced immigrant

consumers¹ to pay him up to \$6,000.00 in legal fees to submit I-485 petitions on their behalf to adjust their status to lawful permanent resident. Unbeknownst to his clients, in addition to the I-485 petition, Respondent Amankwaa also submitted I-360 petitions on their behalf citing Violence Against Women Act (“VAWA”) violations and identifying them as a self-petitioning parent of an abusive United States citizen child without informing his clients or inquiring whether they qualify for this status. Respondents Kofi Amankwaa, Jr., a/k/a Junior Amankwaa (Respondent Amankwaa Jr.) Sylvester Boateng (“Respondent Boateng”), Nana Adomo Kontoh (“Respondent Kontoh”) and Betty Danquah Smith (“Respondent Smith”) also engaged in this deceptive and fraudulent scheme during various periods between 2020 through 2023.

JURISDICTION AND PARTIES

3. Petitioner is the People of the State of New York, by Letitia James, Attorney General of the State of New York (“NYAG”).

4. Petitioner commences this summary proceeding pursuant to a) Executive Law § 63(12) which empowers the Attorney General to seek injunctive relief, restitution, damages and costs when any person has engaged in, or otherwise demonstrated, repeated or persistent fraudulent or illegal acts in the transaction of business; b) General Business Law (GBL) §§ 349 and 350, which empower the Attorney General to seek injunctive relief, restitution and civil penalties when any person or entity has engaged in deceptive acts or practices, or false advertising in the conduct of any business; GBL Article 28-C, The Immigrant Assistance Service Enforcement Act §§ 460-b, 460-c, and 460-d; Judiciary Law §478; and Rules of Professional Conduct, 22 NYCRR 1200.0 Rules 7.1 and 7.5.

¹ The words consumers and clients are used interchangeably.

5. Respondent Amankwaa is an attorney admitted to practice law in New York² and has practiced immigration law from his office located at 881 Gerard Avenue, Suite 700, Bronx, New York since at least 2018.

6. Respondent Boateng is an attorney admitted to practice law in New York and has practiced immigration law from his office located at 881 Gerard Avenue Suite 700, Bronx, New York since at least 2022. Respondent Boateng conducts his law practice independently and as a member of the firm known as Boateng, Kontoh and Smith, located at 881 Gerard Avenue, Suite 700, Bronx, New York.

7. Respondent Kontoh is an individual who provides immigration services as a member of the firm known as Boateng, Kontoh and Smith from law offices located at 881 Gerard Avenue, Bronx, New York. Although Respondent Kontoh represents herself to clients as an attorney, she is not an attorney admitted to practice law in New York or elsewhere in the United States.

8. Respondent Amankwaa Jr. is an individual who has provided immigration services to immigrant consumers from offices located at 881 Gerard Avenue, Suite 700, Bronx, New York since at least 2020. Respondent Amankwaa Jr. is not an attorney admitted to practice law in New York State.

9. Respondent Smith is an attorney admitted to practice law in New York and has practiced from her office located at 881 Gerard Avenue, Suites 250 and 700, Bronx, New York since at least 2022.

10. Respondents Amankwaa, Boateng, Kontoh, Amankwaa Jr., and Smith are collectively referred to as “Respondents.”

² Respondent Amankwaa was suspended from the practice of law in the State of New York by the Supreme Court, Appellate Division, First Judicial Department on November 9, 2023. See Exhibit T.

11. Petitioner has served Respondents with a pre-litigation notice pursuant to GBL sections 349 (c) and 350-c. (See Exhibit K.)

FACTS

12. Respondents provide immigration services from law offices located at 881 Gerard Avenue, Suite 700, Bronx, New York.

13. Through the business cards that he distributes to clients, Respondent Amankwaa advertises himself as “Kofi O. Amankwaa, Esq.” or collectively with Respondent Amankwaa Jr. as “Law Office of Kofi Amankwaa, Esq., Junior Amankwaa, Legal Assistant.” (See Exhibit Q.)

14. Through the business cards they distribute to clients, Respondents Boateng, Kontoh and Smith advertise themselves individually or as members of Boateng, Kontoh & Smith by disseminating their respective business cards or the cards of one another. (See Exhibits D, and E.) Respondent Kontoh lists and advertises her professional credentials and qualifications online via LinkedIn and Facebook . (See Exhibits L and M, respectively.)

15. Immigrant consumers seek the services of Respondents by typically requesting assistance to adjust their immigration status to lawful permanent resident.

16. Respondents inform consumers that while their lawful permanent resident petition is pending, they are eligible for ancillary benefits, including work authorization, social security benefits and parole or advanced parole.³

³ Parole allows an individual, who may be inadmissible or otherwise ineligible for admission into the United States to be paroled into the United States for a temporary period. Advanced Parole allows an immigrant to travel back to the United States without applying for a visa. Securing an advance parole document does not guarantee that an immigrant will be allowed to re-enter the United States. At the airport or border, a U.S. Customs and Border Protection (“US Customs”) officer will make the final decision concerning whether to allow an immigrant to re-enter the United States.

17. Respondents advise consumers that once the United States Citizenship and Immigration Service (“USCIS”) approves parole, they should travel to their native country and return to the United States and that their re-entry to the United States triggers the process to secure lawful permanent resident status.

18. However, Respondents’ advisements to their clients concerning advance parole and that travel to their native country and returning triggers process to secure lawful permanent residence is false. Securing an advance parole document does not guarantee that an immigrant will be allowed to re-enter the United States.⁴ At the airport or border, a U.S. Customs and Border Protection (“US Customs”) officer will make the final decision concerning whether to allow an immigrant to re-enter the United States regardless of parole status.⁵

19. Respondents submit I-485 forms on behalf of their clients to apply for lawful permanent resident status.

20. Applicants for lawful permanent resident status typically complete two forms: an Immigrant Petition in addition to the I-485 lawful permanent resident status form.

21. Among the categories of Immigrant Petitions that can be filed in addition to the I-485 is the I-360 “Petition for Amerasian, Widow(er), or Special Immigrant” petition citing the VAWA as the basis for lawful permanent residence.

22. Respondents collaborate to repeatedly and intentionally cause the submission of I-360 petitions on behalf of their undocumented immigrant clients citing the VAWA self-petitioning parent of an abusive U.S. citizen son or daughter who is 21 years old or older as the basis (“VAWA abusive child basis”) for lawful permanent residence.

⁴ Id.

⁵ Id.

23. Respondents submit I-360 petitions on behalf of their clients to secure immigration benefits without inquiring of them to establish facts that support this basis or even informing them that they are seeking VAWA abusive child basis relief on their behalf.

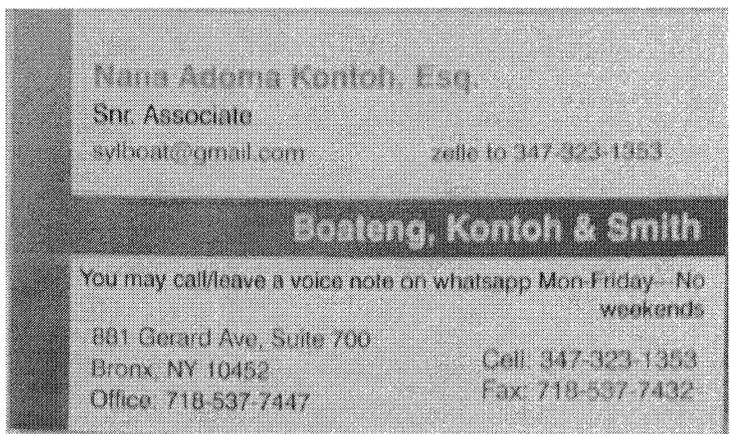
24. The petitions Respondents file citing the VAWA abusive child basis are consistently denied by the USCIS.

25. Several of Respondent Amankwaa's clients have been deported as a result of his submission of fraudulent and deceptive I-360 petitions.

False Advertising

26. Respondents Kontoh and Smith distribute business cards for the law firm Boateng, Kontoh & Smith.

27. Respondent Kontoh's Boateng, Kontoh & Smith business card identifies Respondent Kontoh as "Nana Adoma Kontoh, Esq." and "Snr. Associate":



(See Exhibit E.)

28. However, as set forth below, Respondent Kontoh's representations that she is an attorney and a member of the law firm Boateng, Kontoh & Smith are false.

B. Deceptive Business Practices

29. Although Respondents Amankwaa, Boateng, and Kontoh distribute personal business cards to promote their respective immigration practices, all of the Respondents conduct business as one single entity from the same business address and the services they provide involve significant professional collaboration.

30. The collaborative conduct of the Respondents establishes a firm pattern of repeated and persistent fraudulent and deceptive conduct.

31. Respondents typically charge \$6,000.00 for their immigration services, and \$1,225.00 for USCIS processing fees.

32. Respondents typically inform immigrant consumers that they can apply for parole, leave the United States, and return to the United States using their parole documents for re-entry.

33. In some instances, Respondents initially secured documentation⁶ that allowed their clients to leave the United States and re-enter.

34. Respondents Amankwaa and Boateng repeatedly and intentionally submitted I-360 petitions citing the VAWA abusive child basis to secure immigration benefits without inquiring of their clients to determine whether there were sufficient facts to establish that basis, or even informing them that they were filing for VAWA relief on their behalf.

35. Respondents failed to provide their clients with copies of the documents they submitted to USCIS on their behalf after they requested them in an effort to conceal the I-360 VAWA abusive child basis petitions they filed on their behalf without their consent or knowledge.

⁶ Respondents secure travel authorization/permits to secure parole or advanced parole benefits for their clients.

36. Respondents Amankwaa and Kontoh encouraged their clients to lie to immigration officials during their interviews, on their petition submissions, and to Customs and Border Protection officials if they were questioned upon arrival to the United States.

37. As a direct result of Respondent Amankwaa's fraudulent I-360 filings citing the VAWA abusive child basis, several of his clients were deported.

38. Respondent Amankwaa has been suspended from the practice of law⁷ as a result of his failure to respond to nine complaints registered with the Attorney Grievance Committee for the First Judicial Department concerning his submission of fraudulent I-360 VAWA abusive child basis petitions. (See Decision of the Supreme Court of the State of New York, Appellate Division, First Department for In the Matter of Kofi O. Amankwaa, an attorney and counselor at law, pp. 2, 4-5, Exhibit T.)

C. Violations of GBL Article-28-C, the Immigrant Assistance Service Enforcement Act

39. Pursuant to GBL Article 28-C, "immigrant assistance service" is defined as providing assistance, for a fee or other compensation to persons who have, or plan to, come to the United States from a foreign country, or their representatives, in relation to any proceeding, filing or action affecting the non-immigrant or citizenship status of a person which arises under the immigration and nationality law...(See GBL § 460-a(1).)

40. "Provider" means any person, including but not limited to a corporation, partnership, limited liability company, sole proprietorship or natural person, that provides immigrant assistance service, but shall not include (a) and person duly admitted to practice law in this state and any person working directly under the supervision of the person admitted; (b)

⁷ Respondent Amankwaa's suspension took effect on November 9, 2023 and remains until further notice of the Court. See Exhibit T.)

any not-for-profit tax-exempt organization that provides immigration services for a fee or other payment from individuals or at nominal fees as defined by the federal board of immigration appeals, and the employees of such organization when acting in the scope of such employment; (c) any organization recognized by the federal board of immigration appeals that provides services via representatives accredited by such board to appear before the United States citizenship and immigration services and/or executive office for immigration review, that does not charge a fee or charges nominal fees as defined by the board of immigration appeals; (d) any authorized agency under subdivision ten of section three hundred seventy-one of the social services law and the employees of such organization when acting within the scope of such employment; or (e) any individual providing representation in an immigration-related proceeding under federal law for which federal law or regulation establishes such individual's authority to appear. See GBL § 460-a(2).

41. Respondents Kontoh and Amankwaa Jr., are not attorneys admitted to practice law in New York State. Respondent Kontoh is not admitted to practice law in any jurisdiction in the United States.

42. Respondents Kontoh and Amankwaa Jr. offer and cause immigration services to be provided for a fee, which includes filing applications for the adjustment of status, securing employment authorization, and travel permits, among other benefits.

43. Based upon the provision of these services, Respondents Kontoh and Amankwaa Jr. are immigrant assistance service providers ("providers") as defined by GBL §460-a, and are required to comply with the provisions of GBL Article 28-C.

44. Respondents Kontoh and Amankwaa Jr. engage in conduct that flagrantly violates the provisions of Article 28-C.

a. **Violations of GBL 460-b**

45. GBL § 460-b provides that no immigrant assistance service shall be provided until the customer has signed a written contract, which shall be in the language understood by the customer, and if the language is not English, then an English language version of the contract must also be provided.

46. Moreover, it provides that a copy of the contract must be given to the customer upon its execution, among other requirements.

47. Respondent Kontoh fails to provide written contracts to her clients. (See the Affidavits of Mayrel Aguilar Fuentes and Attorney General Undercover Investigator Benito Santiago-Perez (“AG Undercover Perez”), Exhibits A-5 and O, respectively.)

b. **Violations of GBL § 460-c**

48. GBL § 460-c(1)(a) requires that every provider shall post signs⁸, at every location where such provider meets with customers, setting forth information in English and in every other language in which the person provides or offers to provide immigration assistant services indicating the following:

The individual providing assistance to you under this contract is not an attorney licensed to practice law or accredited by the Board of Immigration Appeals to provide representation to you before the United States Citizenship and Immigration Service, the Department of Homeland Security, the Executive Office for Immigration Review, the Department of Homeland Security, the Executive Office for Immigration Review, the Department of Labor, the Department of State or any Immigration Authorities and may not give legal advice or accept fees for legal advice...

49. GBL § 460-c(b) provides that providers must post a second sign that shall be posted in a location visible to customers in conspicuous size type and which contains the

⁸ The sign shall be at least eleven inches by seventeen inches and shall have lettering in sixty-point type.

schedule of fees for services offered and the statement “You may cancel any contract within 3 business days and get back your documents and any money you paid”.

50. Respondent Kontoh has failed to post signage in compliance with GBL § 460-c(1)(a) and (b). (See the Affidavit of AG Undercover Perez, Exhibit O.)

51. GBL § 460-d(1) prohibits providers from giving legal advice, or otherwise engaging in the practice of law. Respondents Kontoh and Amankwaa Jr. violate § 460-d(1) by providing clients legal advice. (See the Affidavits of Esperanza Neri-Angel, Samuel Soriano Seden, AG Undercover Perez, and Mario Josue Reyes Manzanares, Exhibits A-1, A-21, O and A-12, respectively.)

52. GBL § 460-d(2) prohibits providers from assuming the use or advertise the title of lawyer or attorney at law, or equivalent terms in the English language or any other language...that could cause a customer to believe that the person possesses special professional skills or is authorized to provide advice on an immigration matter. Respondent Kontoh has violated § 460-d(2) by falsely representing herself to be a lawyer. (See the Affidavits of Mayrel Aguilar Fuentes and AG Undercover Perez, Exhibits A-5 and O respectively, and Respondent Kontoh’s business card, Exhibit E.)

53. GBL § 460-d (6) prohibits providers from advising, directing or permitting a customer to answer a question on a government document, or in a discussion with a government official, in a specific manner that the provider knows or has reasonable cause to believe is false or misleading.

54. Respondent Kontoh has violated § 460-d(6) by encouraging a client to lie should he be questioned by United States Customs and Border Protection. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

55. GBL § 460-d (8) prohibits providers from failing to provide customers with copies of documents filed with a governmental entity or refusing to return original documents supplied by, prepared on behalf of, or paid for by the customer, upon the request of the customer, or upon termination of the contract. Respondent Kontoh violates § 460-d(8) by failing to provide customers with copies of documents filed on their behalf with a governmental entity. (See the Affidavit of Mayrel Aguilar Fuentes, Exhibit A-5.)

D. Respondent Kontoh Operates in Violation of Judiciary Law § 478

56. Judiciary Law § 487 (1) prohibits anyone from practicing or falsely holding themselves out to be able to practice law without first being duly licensed and admitted to practice law in New York State and without having taken the constitutional oath. It provides the following:

It shall be unlawful for any natural person to practice or appear as an attorney-at-law or as an attorney and counselor-at-law for a person other than himself or herself in a court of record in this state, or to furnish attorneys or counsel or an attorney and counsel to render legal services, or to hold himself or herself out to the public as being entitled to practice law as aforesaid, or in any other matter, or to assume to be an attorney or counselor-at-law or counselor-at-law, or attorney and counselor, or equivalent terms in any language, in such a manner as to convey the impression that he or she is a legal practitioner of the law or in any manner to advertise he or she either alone or together with any other person or persons has, owns, conducts or maintains a law office or law and collection office, or office of any kind for the practice of law, without first having been duly and regularly licensed and admitted to practice law in the courts of this state, and without having taken the constitutional oath.

57. Judiciary Law § 478 provides several exceptions, as outlined below:

- 1) officers for societies for the prevention of cruelty to animals, duly appointed, when exercising the special powers conferred upon such corporations under section 1403 of the not-for-profit corporation law;
- 2) law students who have completed at least two semesters of law school or persons who have graduated from a law school, who have taken the examination for admittance to practice law in the courts of record in the state immediately available after graduation from law school...acting under the supervision of a

legal aid organization when such students and person are acting under a program approved by the appellate division of the supreme court...and specifying the extent to which they may engage in activities otherwise prohibited by this statute;

3) law students who have completed at least two semesters of law school or to persons who have graduated from a law school approved pursuant to the rules of the court of appeals for the admission of attorneys and counselors-at-law who have taken the examination for admission to practice as an attorney and counselor-at-law and who have taken the examination for admission to practice as an attorney...after being notified by the board of examiners that they have failed to pass said exam...when such students are under the supervision of the state or a subdivision thereof or any officer or agency of the state or a subdivision thereof, pursuant to a program approved by the appellate division of the supreme court of the department within such activities are taking place and specifying the extent to which they may engage in activities otherwise prohibited by this statute and those powers of the supervising governmental entity or officer in connection with which they may engage in such activities; or

4) An attorney and counselor-at-law or the equivalent who is admitted to the bar in another state, territory, district or foreign country and who has been admitted pro hac vice in the state of New York within the limitations prescribed in the rules of the court of appeals; or

5) An attorney licensed as a legal consultant under rules adopted by the court of appeals pursuant to subdivision six of section 53 of this chapter and rendering legal services in the state within limitations prescribed in such rules.

58. An immigration attorney in New York must be admitted to practice law in New York State or any other jurisdiction in the United States and be in good standing.⁹

59. Records maintained by the New York State Attorney Registration Office, Office of Court Administration, confirm that there is no attorney registered to practice law in New York State with the name Nana Adoma Kontoh. (See Exhibit F.)

60. Moreover, a letter provided to the Attorney General's office in response to a subpoena served upon Ms. Kontoh from Randy Tesser, Esq., states that "there is no entity as

⁹ Federal law provides that a member in good standing of the bar of the highest court of any state, who is not under suspension or otherwise restricted in his or her practice of law, may practice before a Federal Immigration Court. See 8 C.F.R. section 1001.1(f) and 1292.1(a)(1).

Boateng, Kontoh & Smith” and that “there are no documents disclosing evidence of admission to a state bar association or office of attorney registration for Nana Adoma Kontoh, or licensure or credentials to engage in the practice of law in the United States”. (See Exhibit G.)

61. Despite not being an admitted attorney in New York or anywhere in the United States, Respondent Kontoh falsely holds herself to the public as being entitled to practice law and represents herself to be an attorney in violation of Judiciary Law § 478. (See the Affidavits of Mayrel Aguilar Fuentes and AG Undercover Perez, Exhibits A-5 and O, respectively.)

62. Moreover, Respondent Kontoh practices law as an attorney by providing legal advice in violation of Judiciary Law § 478: (See the Affidavits of Samuel Soriano Seden and AG Undercover Perez, Exhibits A-21 and O, respectively.)

63. Respondent Kontoh advertises the title of lawyer, or attorney and counselor-at-law, or attorney-at-law or counselor-at-law, or attorney, or counselor, or attorney and counselor, or equivalent terms in any language, in such manner as to convey the impression that she is a legal practitioner of law in violation of Judiciary Law § 478. Respondent Kontoh’s business card identifies her as Nana Adoma Kontoh, Esq. (See Exhibit E.)

64. Respondent Kontoh advertises that she and others has, owns, conducts or maintains a law office by distributing business cards for the law firm Boateng, Kontoh & Smith. (See Exhibit E.)

65. Respondent Kontoh does not satisfy any of the exceptions outlined in Judiciary Law § 478.

E. Respondents Boateng and Smith violate New York State Rules of Professional Conduct [22 NYCRR 1200.0] Rule 7.1 Advertising

66. The New York State Rules of Professional Conduct [22 NYCRR 1200.0] Rule 7.1 (a)(1) provides that a lawyer or law firm shall not use or disseminate or participate in the use or

dissemination of any advertisement that contains statements or claims that are false, deceptive or misleading.

67. As noted above in ¶¶ 58 and 59 above, Respondent Kontoh is not an attorney admitted to practice law in New York State or anywhere else in the United States.

68. Respondents Boateng and Smith violate the New York State Rules of Professional Conduct 22 NYCRR 1200.0(a)(1) by advertising through the distribution of business cards which identify Respondent Kontoh as a partner of the law firm Boateng Kontoh & Smith, and which identify Respondent Kontoh as “Nana Adoma Kontoh, Esq.” and “Snr. Associate”. (See Exhibit E.)

F. Respondents Boateng and Smith violate Rules of the New York State Professional Conduct [22 NYCRR 1200.0] Rule 7.5 Professional Notices, Letterheads, and Names

69. The New York State Rules of Professional Conduct [22 NYCRR 1200.] Rule 7.5 (b)(2)(iii) provides that a lawyer or law firm in private practice may not include the name of a nonlawyer in its firm name.

70. Respondents Boateng and Smith violate Rules of Professional Conduct [22 NYCRR 1200.] Rule 7.5 (b)(2)(iii) by including the name of Respondent Kontoh, who is not an attorney, in its firm name.

FIRST CAUSE OF ACTION PURSUANT TO EXECUTIVE LAW § 63(12): VIOLATION OF GBL § 350

71. Petitioner repeats and re-alleges paragraphs 1 through 27 above.

72. GBL § 350 states that false advertising in the conduct of business, trade or commerce or in the furnishing of any services in this state is unlawful.

73. By engaging in the acts and practices described above, Respondents Kontoh and Smith have repeatedly and persistently engaged in false advertising in violation of GBL § 350.

74. Respondents' violations of GBL § 350 constitute repeated and persistent illegal conduct in violation of Executive Law § 63(12).

**SECOND CAUSE OF ACTION PURSUANT TO
EXECUTIVE LAW § 63(12): VIOLATIONS OF GBL § 349**

75. Petitioner repeats and re-alleges paragraphs 1 through 37 above.

76. GBL § 349 provides that deceptive acts or practices in the conduct of business, trade or commerce or in the furnishing of any services in this state are unlawful.

77. By engaging in the acts and practices described above, Respondents have repeatedly and persistently engaged in deceptive business practices in violation of GBL § 349.

78. Respondents' violations of GBL § 349 constitute repeated and persistent illegal conduct in violations of Executive Law § 63(12).

**THIRD CAUSE OF ACTION PURSUANT TO
EXECUTIVE LAW § 63(12): VIOLATIONS OF GBL ARTICLE 28-C**

79. Petitioner repeats and re-alleges paragraphs 1 through 54 above.

80. GBL Article 28-c regulates the work of immigrant assistance service providers as defined by GBL § 460-a (1) and (2).

81. Respondents Kontoh and Amankwaa Jr. are immigrant assistance service providers who have violated GBL Article 28-C by engaging in the following conduct:

a. Respondent Kontoh has failed to provide written contract to consumers in violation of GBL § 460-b;

b. Respondent Kontoh has failed to post signs at every location where such provider meets with consumers, setting forth in English and in every other language in which the person provides or offers to provide immigrant assistant services indicating that the individual providing assistance is not an attorney or accredited by the Board of Immigration Appeals to provide representation before the United States Citizenship and Immigration Service, the Department of Homeland Security, The Executive Office for Immigration Review, the Department of Labor, the Department of State or any Immigration Authorities and may not give legal advice or accept fees for legal advice in violation of GBL § 460-d(1).

- c. Respondent Kontoh has falsely represents herself to be an attorney in violation of GBL § 460-d(2);
- d. Respondent Kontoh has advised at least one customer to lie to a United States Customs and Border Protection official in the event they be questioned in violation of GBL § 460-d(6);
- e. Respondent Kontoh has failed to provide customers with copies of documents filed with a governmental entity upon request of the customer in violation of GBL § 460-d(8); and
- f. Respondent Amankwaa, Jr. has provided clients legal advice in violation of § 460-d(1).

81. Respondents Kontoh's and Amankwaa Jr's violation of GBL Article 28-C constitute repeated and persistent illegal conduct in violation of Executive Law § 63(12).

**FOURTH CAUSE OF ACTION PURSUANT TO EXECUTIVE LAW § 63(12):
VIOLATIONS OF JUDICIARY LAW § 478**

82. Petitioner repeats and re-alleges paragraphs 1 through 64 above.

83. Judiciary Law § 478 provides that it shall be unlawful for anyone to practice law or to hold themselves out to the public as being entitled to practice law, or advertise in any manner that they, either alone or together with any other person or persons has, owns, conducts or maintains a law office without first being duly licensed and admitted to practice law in New York State and without having taken the constitutional oath.

84. By engaging in the acts and practices described above, Respondent Kontoh has repeatedly and persistently engaged in practicing law, holding herself out as being entitled to practice law, and advertised herself together with others as owning, conducting or maintaining a law office in violation of Judiciary Law § 478.

85. Respondent Kontoh's violations of Judiciary Law § 478 constitute repeated and persistent illegal conduct in violation of Executive Law § 63(12).

**FIFTH CAUSE OF ACTION PURSUANT TO EXECUTIVE LAW § 63(12):
VIOLATIONS OF THE RULES OF PROFESSIONAL CONDUCT,
[22 NYCRR 1200.00] Rule 7.1**

86. Petitioner repeats and re-alleges paragraphs 1 through 67 above.

87. The Rules of Professional Conduct, 22 NYCRR 1200.00, Rule 7.1 provides that a lawyer or law firm shall not use or disseminate or participate in the use or dissemination of any advertisement that contains statements or claims that are false, deceptive or misleading.

88. By engaging in the acts and practices described above, Respondents Boateng and Smith have repeatedly and persistently engaged in disseminating or participating in the use or dissemination of advertisements that are false.

89. Respondents Boateng and Smith's violations of the Rules of Professional Conduct 22 NYCRR 1200.00, Rule 7.1 constitute repeated and persistent illegal conduct in violation of Executive Law § 63(12).

**SIXTH CAUSE OF ACTION PURSUANT TO EXECUTIVE LAW § 63(12):
VIOLATIONS OF THE NEW YORK STATE RULES OF PROFESSIONAL CONDUCT,
[22 NYCRR 1200.00] Rule 7.5**

90. Petitioner repeats and re-alleges paragraphs 1 through 69 above.

91. The New York State Rules of Professional Conduct, 22 NYCRR 1200.00, Rule 7.5 provides that a lawyer or law firm in private practice may not include the name of a nonlawyer in its firm name.

92. By engaging in the acts and practices described above, Respondents Boateng and Smith have repeatedly and persistently engaged in disseminating or participating in the use or dissemination of advertisements that are false.

93. Respondents' violations of the Rules of Professional Conduct, 22 NYCRR 1200.00, Rule 7.5 constitute repeated and persistent illegal conduct in violation of Executive Law § 63(12).

**SEVENTH CAUSE OF ACTION PURSUANT TO
EXECUTIVE LAW § 63(12): FRAUDULENT CONDUCT**

94. By virtue of the conduct set forth above, Respondents have engaged in repeated and persistent fraudulent and illegal conduct pursuant to Executive Law § 63(12) in connection with the provision of immigration services to consumers during the period January 1, 2021 to the date of this petition.

WHEREFORE, Petitioner respectfully requests that a judgment and order be issued:

1. permanently enjoining Respondents, their employees, agents, successors, heirs and assigns, directly or indirectly, from engaging in the fraudulent or illegal practices alleged herein;
2. directing Respondents to provide Petitioner with a financial accounting of each consumer transaction;
3. directing Respondents to provide Petitioner a listing of every person employed by Respondents, including their titles and respective home addresses;
4. permanently enjoining Respondents from directly or indirectly destroying or disposing of any records pertaining to their business;
5. directing Respondents to pay restitution and damages to any to be identified by the Attorney General after her investigation of the information provided by Respondents pursuant to paragraph 2 above;

6. directing Respondents to pay civil penalties to the State of New York pursuant to GBL § 350-d for each false advertisement and each instance of deceptive business acts or practices;

7. awarding Petitioner \$2,000.00 in costs against each Respondent pursuant to CPLR § 8303(a)(6);

8. directing Respondents to notify Petitioner of any change of address within five days of such change; and

9. granting Petitioner such other and further relief as this court finds just and proper.

Dated: New York, New York
January 22, 2024

Yours truly,

LETITIA JAMES
Attorney General of the State of New York
Attorney for Petitioner
163 West 125th Street, 13th Floor
New York, New York 10027
(212) 364-6096

HARLEM REGIONAL OFFICE

ROBERTO G. LEBRON
Assistant Attorney General in Charge
of Counsel

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X

PEOPLE OF THE STATE OF NEW YORK, by
LETITIA JAMES, Attorney General of the State of
New York,

IAS Part

Petitioner,

-against-

NOTICE OF PETITION

Index No.

KOFI O. AMANKWAA; KOFI AMANKWAA, JR., a/k/a
JUNIOR AMANKWAA; SYLVESTER BOATENG d/b/a
BOATENG, KONTOH & SMITH; NANA ADOMA
KONTOH d/b/a BOATENG, KONTOH & SMITH; and
BETTY DANQUAH SMITH, d/b/a BOATENG, KONTOH
& SMITH,

Assigned to Justice

Respondents.

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PLEASE TAKE NOTICE that upon the verified petition dated January 22, 2024,
and the affirmation of Assistant Attorney General Roberto G. Lebron, with accompanying
exhibits annexed thereto, Petitioners will move the Motion Support Office, Submissions Part,
Room 217 of this Court at 851 Grand Concourse, Bronx, New York, on the 21st day of February,
2024 at 9:30 in the forenoon, or as soon thereafter as counsel can be heard, for an order and
judgment made pursuant to Executive Law section 63(12); New York State General Business
Law (“GBL”) Articles 22-A (§§ 349 and 350) and 28-C (§§ 460-b, 460-c and 460-d; New York
Judiciary Law § 487; and 22 NYCRR 1200.0 Rules 7.1 and 7.5:

1. permanently enjoining Respondents, their employees, agents, successors, heirs
and assigns, directly or indirectly, from engaging in the fraudulent or illegal practices alleged
herein;

2. directing Respondents to provide Petitioner with a financial accounting of each consumer transaction;
3. directing Respondents to provide Petitioner a listing of every employee employed by Respondents, including their titles and respective home addresses;
4. permanently enjoining Respondents from directly or indirectly destroying or disposing of any records pertaining to their business;
5. directing Respondents to pay restitution and damages to any injured consumers to be identified by the Attorney General after his investigation of the information provided by Respondents pursuant to paragraph 2 above;
6. directing Respondents to pay civil penalties to the State of New York pursuant to GBL § 350-d for each false advertisement and each instance of deceptive business acts or practices;
7. awarding Petitioner \$2,000.00 in costs against each Respondent pursuant to CPLR § 8303(a)(6);
8. directing Respondents to notify Petitioner of any change of address within five days of such change; and
9. granting Petitioner such other and further relief as this court finds just and proper.

This proceeding charges Respondents with engaging in fraudulent, deceptive and unlawful acts and practices in violation of GBL sections 349, 350, 460-b, 460-c and 460-d; the Judiciary Law section 478; 22 NYCRR 1200.0 Rules 7.1 and 7.5; and Executive Law section 63(12).

PLEASE TAKE FURTHER NOTICE that in accordance with CPLR section 403(b), Respondents' answer and supporting affidavits, if any, shall be served at least seven (7) days before the return date of this petition.

Dated: New York, New York
January 22, 2024

Yours truly,

LETITIA JAMES
Attorney General of the State of New York

By: 

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