

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**FILED** N  
MAY 02 2022 P

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF HUMBOLDT

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

Karen Paz Dominguez, County of Humboldt

RECEIVED

MAY 01 2022

Clerk  
Board of Supervisors

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

People of the State of California, State Controller Betty T. Yee

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

Humboldt County Superior Court, 825 5th Street, Eureka, CA 95501

CASE NUMBER: (Número del Caso):

CV2200584

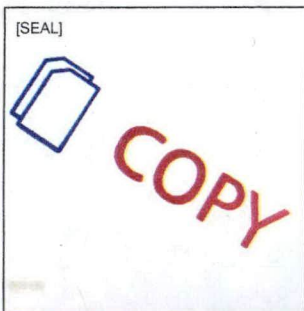
The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Julianne Mossler, SBN 243749, Office of the Attorney General, 1515 Clay Street, 20th Fl., Oakland CA 94612 (510) 879-1349

DATE: MAY 02 2022  
(Fecha)

Clerk, by Natasha P. KIM M. BARTLESON  
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED: You are served**

- 1.  as an individual defendant.
- 2.  as the person sued under the fictitious name of (specify):
- 3.  on behalf of (specify):  
 under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
- 4.  by personal delivery on (date):

FAX FILE



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Julianne Mossler, SBN 243749, Office of the Attorney General, 1515 Clay Street, 20th Floor, P.O. Box 70550, Oakland, CA 94612-0550  
TELEPHONE NO.: (510) 879-1349 FAX NO. (Optional): (510) 622-2270  
E-MAIL ADDRESS: julianne.mossler@doj.ca.gov  
ATTORNEY FOR (Name): Plaintiffs People of the State of CA. State Controller Bettv T. Yee

FOR COURT USE ONLY  
**FILED** N  
MAY 02 2022 P  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF HUMBOLDT

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF Humboldt**  
STREET ADDRESS: 825 5th Street  
MAILING ADDRESS:  
CITY AND ZIP CODE: Eureka 95501  
BRANCH NAME:

CASE NAME:  
People of the State of California, et al. v. Karen Paz Dominguez, et al.

**CIVIL CASE COVER SHEET**  
 **Unlimited** (Amount demanded exceeds \$25,000)  
 **Limited** (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 Counter  Joinder  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:  
**CV2200584**

JUDGE:  
DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:
- Auto Tort**  
 Auto (22)  
 Uninsured motorist (46)
  - Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**  
 Asbestos (04)  
 Product liability (24)  
 Medical malpractice (45)  
 Other PI/PD/WD (23)
  - Non-PI/PD/WD (Other) Tort**  
 Business tort/unfair business practice (07)  
 Civil rights (08)  
 Defamation (13)  
 Fraud (16)  
 Intellectual property (19)  
 Professional negligence (25)  
 Other non-PI/PD/WD tort (35)
  - Employment**  
 Wrongful termination (36)  
 Other employment (15)
  - Contract**  
 Breach of contract/warranty (06)  
 Rule 3.740 collections (09)  
 Other collections (09)  
 Insurance coverage (18)  
 Other contract (37)
  - Real Property**  
 Eminent domain/Inverse condemnation (14)  
 Wrongful eviction (33)  
 Other real property (26)
  - Unlawful Detainer**  
 Commercial (31)  
 Residential (32)  
 Drugs (38)
  - Judicial Review**  
 Asset forfeiture (05)  
 Petition re: arbitration award (11)  
 Writ of mandate (02)  
 Other judicial review (39)
  - Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)**  
 Antitrust/Trade regulation (03)  
 Construction defect (10)  
 Mass tort (40)  
 Securities litigation (28)  
 Environmental/Toxic tort (30)  
 Insurance coverage claims arising from the above listed provisionally complex case types (41)
  - Enforcement of Judgment**  
 Enforcement of judgment (20)
  - Miscellaneous Civil Complaint**  
 RICO (27)  
 Other complaint (not specified above) (42)
  - Miscellaneous Civil Petition**  
 Partnership and corporate governance (21)  
 Other petition (not specified above) (43)

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- a.  Large number of separately represented parties
  - b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
  - c.  Substantial amount of documentary evidence
  - d.  Large number of witnesses
  - e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
  - f.  Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive

4. Number of causes of action (specify): 3

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: May 2, 2022

Julianne Mossler  
(TYPE OR PRINT NAME)

*Julianne Mossler*  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

FAX FILE

**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**CM-010**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**CASE TYPES AND EXAMPLES**

<p><b>Auto Tort</b>                  Auto (22)–Personal Injury/Property Damage/Wrongful Death                  Uninsured Motorist (46) (<i>if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>)</p> <p><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b>                  Asbestos (04)                  Asbestos Property Damage                  Asbestos Personal Injury/Wrongful Death                  Product Liability (<i>not asbestos or toxic/environmental</i>) (24)                  Medical Malpractice (45)                  Medical Malpractice–Physicians &amp; Surgeons                  Other Professional Health Care Malpractice                  Other PI/PD/WD (23)                  Premises Liability (e.g., slip and fall)                  Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)                  Intentional Infliction of Emotional Distress                  Negligent Infliction of Emotional Distress                  Other PI/PD/WD</p> <p><b>Non-PI/PD/WD (Other) Tort</b>                  Business Tort/Unfair Business Practice (07)                  Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08)                  Defamation (e.g., slander, libel) (13)                  Fraud (16)                  Intellectual Property (19)                  Professional Negligence (25)                  Legal Malpractice                  Other Professional Malpractice (<i>not medical or legal</i>)                  Other Non-PI/PD/WD Tort (35)</p> <p><b>Employment</b>                  Wrongful Termination (36)                  Other Employment (15)</p>	<p><b>Contract</b>                  Breach of Contract/Warranty (06)                  Breach of Rental/Lease                  Contract (<i>not unlawful detainer or wrongful eviction</i>)                  Contract/Warranty Breach–Seller Plaintiff (<i>not fraud or negligence</i>)                  Negligent Breach of Contract/Warranty                  Other Breach of Contract/Warranty                  Collections (e.g., money owed, open book accounts) (09)                  Collection Case–Seller Plaintiff                  Other Promissory Note/Collections Case                  Insurance Coverage (<i>not provisionally complex</i>) (18)                  Auto Subrogation                  Other Coverage                  Other Contract (37)                  Contractual Fraud                  Other Contract Dispute</p> <p><b>Real Property</b>                  Eminent Domain/Inverse Condemnation (14)                  Wrongful Eviction (33)                  Other Real Property (e.g., quiet title) (26)                  Writ of Possession of Real Property                  Mortgage Foreclosure                  Quiet Title                  Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>)</p> <p><b>Unlawful Detainer</b>                  Commercial (31)                  Residential (32)                  Drugs (38) (<i>if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>)</p> <p><b>Judicial Review</b>                  Asset Forfeiture (05)                  Petition Re: Arbitration Award (11)                  Writ of Mandate (02)                  Writ–Administrative Mandamus                  Writ–Mandamus on Limited Court Case Matter                  Writ–Other Limited Court Case Review                  Other Judicial Review (39)                  Review of Health Officer Order                  Notice of Appeal–Labor Commissioner Appeals</p>	<p><b>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)</b>                  Antitrust/Trade Regulation (03)                  Construction Defect (10)                  Claims Involving Mass Tort (40)                  Securities Litigation (28)                  Environmental/Toxic Tort (30)                  Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41)</p> <p><b>Enforcement of Judgment</b>                  Enforcement of Judgment (20)                  Abstract of Judgment (Out of County)                  Confession of Judgment (<i>non-domestic relations</i>)                  Sister State Judgment                  Administrative Agency Award (<i>not unpaid taxes</i>)                  Petition/Certification of Entry of Judgment on Unpaid Taxes                  Other Enforcement of Judgment Case</p> <p><b>Miscellaneous Civil Complaint</b>                  RICO (27)                  Other Complaint (<i>not specified above</i>) (42)                  Declaratory Relief Only                  Injunctive Relief Only (<i>non-harassment</i>)                  Mechanics Lien                  Other Commercial Complaint Case (<i>non-tort/non-complex</i>)                  Other Civil Complaint (<i>non-tort/non-complex</i>)</p> <p><b>Miscellaneous Civil Petition</b>                  Partnership and Corporate Governance (21)                  Other Petition (<i>not specified above</i>) (43)                  Civil Harassment                  Workplace Violence                  Elder/Dependent Adult Abuse                  Election Contest                  Petition for Name Change                  Petition for Relief From Late Claim                  Other Civil Petition</p>
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Yee*

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COUNTY OF HUMBOLDT

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Clerk  
Board of Supervisors

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF HUMBOLDT

**PEOPLE OF THE STATE OF CALIFORNIA, AND  
CALIFORNIA STATE CONTROLLER BETTY T.  
YEE,**  
  
Plaintiffs,  
  
v.  
  
**KAREN PAZ DOMINGUEZ, IN HER PERSONAL  
CAPACITY, AND IN HER OFFICIAL CAPACITY AS  
AUDITOR-CONTROLLER FOR THE COUNTY OF  
HUMBOLDT, AND COUNTY OF HUMBOLDT,**  
  
Defendants.

Exempt from Filing and Reporter Fees --  
Gov. Code § 6103

Case No. **CV2200584**

**COMPLAINT FOR FAILURE TO  
COMPLY WITH FINANCIAL  
REPORTING REQUIREMENTS, AND  
PETITION FOR WRIT OF MANDAMUS**

[Gov. Code, §§ 29093 and 53891, et seq.;  
Code Civ. Proc., § 1085]

Plaintiffs, the People of the State of California and California State Controller Betty T. Yee,  
file this Complaint and Petition, and complain and allege as follows. Code of Civil Procedure  
section 446, subdivision (a) requires any answer to this Complaint and Petition to be verified.

**INTRODUCTION**

1. This is an action brought by the People of the State of California (People) and State  
Controller Betty T. Yee (Controller) (collectively, plaintiffs) seeking monetary forfeitures for  
defendant Karen Paz Dominguez's (Paz Dominguez) failure to timely file copies of County of

1 Humboldt's (County) adopted budgets by December 1, 2020, and December 1, 2021, in violation  
2 of Government Code section 29093, and failure to timely file her Financial Transactions Reports  
3 (FTR) for fiscal years 2019/2020 and 2020/2021, in violation of Government Code section 53891.

4 2. As County's Auditor-Controller, Paz Dominguez is required to file a copy of  
5 County's adopted budget in the State Controller's Office (SCO) not later than December 1 of  
6 each year. Failure to timely file the adopted budget subjects County to a forfeiture in the amount  
7 of \$1,000.00, for each year that the adopted budget is not filed by the statutory deadline. (Gov.  
8 Code, § 29093, subs. (a) and (b).)

9 3. As County's Auditor-Controller, Paz Dominguez is also required to file an FTR with  
10 SCO within seven months of the close of County's fiscal year on June 30. Failure to file the FTR  
11 by the statutory deadline subjects Paz Dominguez to forfeitures in the amount of \$5,000.00, for  
12 each year that the FTR is not filed in the time, form, and manner prescribed by the State  
13 Controller. (Gov. Code, §§ 12464, subd. (a), 53891; subd. (a) and 53895, subd. (a)(3).)

14 4. Paz Dominguez failed to timely file County's adopted budgets that were due on  
15 December 1, 2020, and December 1, 2021, and failed to timely file her FTRs for fiscal years  
16 2019/2020 and 2020/2021 with the SCO in the time, form, and manner prescribed by the State  
17 Controller.

18 5. Plaintiffs seek an order for payment of forfeitures as set out in Government Code  
19 sections 29093 and 53895.

20 6. Plaintiffs also seek a writ under Code of Civil Procedure section 1085 compelling Paz  
21 Dominguez to perform her ministerial duties under Government Code sections 29093 and 53891,  
22 et seq., in the time, form, and manner prescribed by the State Controller.

23 **PARTIES**

24 7. Plaintiffs are the People of the State of California and California State Controller  
25 Betty T. Yee.

26 8. Attorney General Rob Bonta is the Attorney General of the State of California and  
27 has the primary responsibility of serving as legal counsel for the People, state officers, and state  
28 agencies.



1 County's adopted budget for 2020/2021 was not received by the December 1, 2020 due date. The  
2 letter warned that County would be subject to a \$1,000.00 forfeiture if Paz Dominguez failed to  
3 file the missing budget by March 21, 2022.

4 17. On February 28, 2022, the SCO sent a letter to Paz Dominguez advising that  
5 County's adopted budget for 2021/2022 was not received by the December 1, 2021 due date. The  
6 letter warned that County would be subject to a \$1,000.00 forfeiture if Paz Dominguez failed to  
7 file the missing budget by March 21, 2022.

8 18. On March 21, 2022, the SCO received incomplete budget schedules for County's  
9 fiscal years 2020/2021 and 2021/2022. Both sets of schedules were missing information required  
10 by Government Code section 29006, including but not limited to: Appropriations Limit and Total  
11 Annual Appropriations Subject to Limitation, and the fiscal year 2021/2022 schedules were  
12 missing Beginning Fund Balances. Additionally, the schedules for both fiscal years did not meet  
13 the requirement under Government Code section 29009 that funding sources equal financing uses.  
14 SCO rejected the incomplete schedules.

15 19. Paz Dominguez failed to file adopted budgets for fiscal years 2020/2021 and  
16 2021/2022 that comply with statutory requirements by the March 21, 2022 deadline set out in  
17 SCO's February 28, 2022 letters, nor have they been filed since then.

18 20. The State Controller now seeks an order requiring County to pay the forfeitures  
19 provided in Government Code section 29093, subdivision (b).

20 **SECOND CAUSE OF ACTION**

21 **Failing To Comply With Financial Transactions Reporting Requirement**  
22 **(Government Code section 53891, et seq.)**  
23 **(Against defendant Paz Dominquez)**

24 21. Plaintiffs re-allege and incorporate by reference each of the allegations of paragraphs  
25 1 through 12 of this Complaint.

26 22. Government Code section 53891, subdivision (a) states in relevant part:

27 The officer of each local agency who has charge of the financial records shall furnish  
28 to the Controller a report of all the financial transactions of the local agency during the  
preceding fiscal year. The report shall contain underlying data from audited financial  
statements prepared in accordance with generally accepted accounting principles, if this  
data is available. The report shall be furnished within seven months after the close of each

1 fiscal year or within the time prescribed by the Controller, whichever is later, and shall be in  
2 the form and manner required by the Controller.

3 23. Government Code section 53895 states in relevant part:

4 (a) An officer of a local agency who fails or refuses to make and file his or her report  
5 within 20 days after receipt of a written notice of the failure from the Controller shall forfeit  
6 to the state:

6 ...

7 (3) Five thousand dollars (\$5,000) in the case of a local agency with total revenue, in  
8 the prior year, of at least two hundred fifty thousand dollars (\$250,000), as reported in the  
9 Controller's annual financial reports.

10 (b)(1) Upon the request of the Controller, the Attorney General shall prosecute an  
11 action for the forfeiture in the name of the people of the State of California.

11 ...

12 **The 2019/2020 FTR**

13 24. On November 6, 2020, the SCO sent a letter to Paz Dominguez, in her capacity as  
14 County Auditor-Controller, reminding her of her responsibility to file her 2019/2020 FTR by the  
15 February 1, 2021 due date. The letter also included instructions for the submission of the FTR.

16 25. On February 26, 2021, the SCO sent a letter to Paz Dominguez, in her capacity as  
17 County Auditor-Controller, advising that her FTR for 2019/2020 was delinquent, and providing  
18 20 additional days to comply. The letter warned of a forfeiture up to \$5,000.00, if Paz  
19 Dominguez failed to file her report by March 18, 2021. Paz Dominguez did not file her  
20 2019/2020 FTR by the March 18, 2021 deadline, and from that time forward, has been subject to  
21 the forfeiture provisions of Government Code section 53895.

22 26. On June 1, 2021, the SCO sent an email to Paz Dominguez following up on the  
23 February 26, 2021 letter. Paz Dominguez responded on June 14, 2021, stating that the County's  
24 audit for fiscal year 2019/2020 was underway, but not yet complete. Paz Dominguez offered to  
25 complete the report using unaudited information and indicated it would take two weeks. The  
26 SCO said that it would accept the report with unaudited data in the agreed upon two-week  
27 timeframe. On June 21, 2021, Paz Dominguez represented to the SCO that "[w]e exported our  
28 data from Finance Enterprise and are sorting it following some paperwork from last year" and



1 that “[w]e are all on high alert that this is an urgent priority.” Paz Dominguez did not file her  
2 2019/2020 FTR by the two-week deadline.

3 27. Nearly nine months later, on February 24, 2022, the Attorney General’s Office sent a  
4 Final Demand letter to Paz Dominguez giving her 20 days to file her 2019/2020 FTR.

5 28. On March 16, 2022, Paz Dominguez submitted her FTR with unaudited data, and  
6 falsely stated that it was prepared by the “AG”, and “Under the Direction of the AG.”

7 29. On March 21, 2022, the SCO returned the 2019/2020 FTR to Paz Dominguez along  
8 with an email that said, in relevant part:

9 We received the financial transactions data for Humboldt County’s 2019-20 Financial  
10 Transactions Report submitted by your office. So far, we have identified some items  
11 requiring immediate revision, and therefore have returned the report. The General  
12 Information page, under ‘Report Prepared By’ requires the first name, last name, and title of  
13 the person who input the data but instead reads “Under the Direction of the AG”, “N/A”,  
and “AG”, respectively. Please log into the LGRS Online system using the account and  
password previously provided and input an accurate first and last name and title of the  
report preparer and resubmit by clicking “Submit Data” right away, but no later than close  
of business, Wednesday, March 23, 2022.

14 30. Paz Dominguez did not respond to the SCO’s email and did not correct her FTR.

15 31. FTRs must be filed in the time, form, and manner required by the State Controller.  
16 (Gov. Code, §§ 12464, subd. (a) and 53891, subd. (a).) By failing to make and file her 2019/2020  
17 FTR within 20 days after receipt of a written notice of the failure from the Controller, and by  
18 refusing to disclose the name of the person who prepared her 2019/2020 FTR, Paz Dominguez  
19 failed or refused to file her report in the time, form, and manner required by the State Controller,  
20 and failed to file her report by the demand date set out in the SCO’s March 21, 2022 email.

21 32. Use of unaudited data is allowed if audited data is not available, to enable timely  
22 filing of an FTR. (Gov. Code, § 53891, subd. (a).) Paz Dominguez’s FTR for 2019/2020 is more  
23 than a year overdue. Submission of the deficient 2019/2020 FTR on March 16, 2022, is  
24 inexcusable and does not satisfy Paz Dominguez’s statutory obligation.

25 33. Paz Dominguez failed to file her 2019/2020 FTR in the time, form, and manner  
26 required by the State Controller, and she is subject to a forfeiture in the amount of \$5,000.00,  
27 under Government Code section 53895, subdivision (a)(3).

28 ///



1 Dominguez, as the Auditor-Controller for County, to furnish to the Controller a report of all of  
2 County's financial transactions during the preceding fiscal year within seven months of County's  
3 fiscal year-end.

4 43. Plaintiffs lack a plain, speedy, and adequate remedy at law.

5 44. Plaintiffs are entitled to issuance of a writ of mandate compelling Paz Dominguez to  
6 perform her mandatory statutory duties.

7 **RELIEF REQUESTED**

8 WHEREFORE, plaintiffs pray for judgment as follows:

9 1. For an order requiring County to pay a forfeiture in the amount of \$1,000.00, for Paz  
10 Dominguez's failure to timely file County's adopted 2020/2021 budget in violation of  
11 Government Code section 29093.

12 2. For an order requiring County to pay a forfeiture in the amount of \$1,000.00, for Paz  
13 Dominguez's failure to timely file County's adopted 2021/2022 budget in violation of  
14 Government Code section 29093.

15 3. For an order requiring Paz Dominguez to pay a forfeiture in the amount of \$5,000.00,  
16 for her failure to timely file her FTR for fiscal year 2019/2020 in the time, form, and manner  
17 required by the State Controller, in violation of Government Code sections 12464, subdivision  
18 (a), and 53891, et seq.

19 4. For an order requiring Paz Dominguez to pay a forfeiture in the amount of \$5,000.00,  
20 for her failure to timely file her FTR for fiscal year 2020/2021 in the time, form, and manner  
21 required by the State Controller, in violation of Government Code sections 12464, subdivision  
22 (a), and 53891, et seq.

23 5. For issuance of a writ under Code of Civil Procedure sections 1085 and 1086  
24 requiring Paz Dominguez to perform her mandatory statutory duties under Government Code  
25 sections 29093 and 53891, et seq., in the time, form, and manner required by the State Controller.

26 6. For issuance of a writ under Code of Civil Procedure sections 1085 and 1086  
27 requiring Paz Dominguez to correct the 2019/2020 FTR to include the name of the person who  
28 prepared the report.



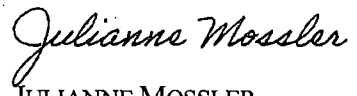
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7. For such other and further relief as the Court may deem just and proper.

Dated: May 2, 2022

Respectfully submitted,

ROB BONTA  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General



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