Advancing Law for Animals
because animals need lawyers

August 25, 2026

The Honorable Rob Bonta
Attorney General of California
California Department of Justice
Office of the Attorney General
Attn: Registry of Charitable Trusts
1300 I Street
Sacramento, CA 95814

VIA U.S. MAIL AND COMPLAINT PORTAL

Re: Request to Institute Action for Involuntary Dissolution of Miranda's Rescue (EIN 68-0417389) and Appointment of Receiver to Protect Animals Still in Its Possession and Preserve Assets for Defrauded Members of the Public

Dear Attorney General Bonta:

This office represents Jennifer Raymond, a longtime Humboldt County animal rescuer who uncovered deeply disturbing criminal animal abuse and fraud perpetrated by Miranda's Rescue for Large & Small Animals, located at 1603 Sandy Prairie Road, Fortuna, Humboldt County, California 95540, and its principal, Shannon Miranda.

Acting on my clients' evidence, over the past two months, various law enforcement agencies have excavated at least 138 dogs who Mr. Miranda seemingly shot in the head and then buried as part of his fraudulent rescue and money-making scheme. The evidence suggests that is a small fraction of the total animals he killed over the past two decades. Public shelter records show roughly 700 dogs delivered to Miranda's Rescue since January 2025 remain missing. Ms. Raymond is gravely concerned for the remaining approximately 40 dogs in Mr. Miranda's custody, as well as the unknown numbers of cats, equines, and birds.

As set forth below, to protect both remaining animals and members of the public, Ms. Raymond respectfully requests the Attorney General immediately institute proceedings to

dissolve Miranda's Rescue due to its illegal operations as a 501(c)(3) nonprofit organization, and to appoint a receiver to take possession of all animals remaining on the property and halt the dissipation/transfer of corporate assets, given the multitudes of people who are owed compensation.

Ms. Raymond came forward at great personal and legal risk after law enforcement failed to act on this issue over many years. She is prepared to cooperate fully with your office, to provide the underlying public-records data, correspondence, and photographic and video evidence referenced below, and to make herself available for interview at your convenience.

The record now assembled — independent of, and corroborated by, the pending criminal investigation — more than supports the exercise of the Attorney General's civil enforcement authority to permanently end Mr. Miranda's control over this organization and its charitable assets, and to ensure that the animals and donors who relied on Miranda's Rescue's representations are finally protected.

To assist the Attorney General in this matter, my office has prepared a proposed civil complaint seeking such relief, attached as Exhibit A and available in editable Word format here.

I. Ms. Raymond's Role in Uncovering the Scheme

My client, Ms. Raymond, is an experienced animal rescuer who has founded and operated two spay/neuter clinics in Humboldt County, and has long worked on the side of the Humboldt County animal-welfare community. Not only is she neighbors with Mr. Miranda, but she has known him since 2003. Since then, she has directly witnessed multiple unethical and illegal business practices conducted by him and Miranda's Rescue.

For example, although Miranda's Rescue holds itself out to the public, to donors, and to more than a dozen municipal and county animal shelters across California as a "*no-kill rescue*, adoption & sanctuary facility" for large and small animals,[1] in 2004, Ms. Raymond learned that Mr. Miranda was slaughtering rescue pigs on his property. When confronted, he stated his brother accidentally killed them without permission.

Over the years, Ms. Raymond's suspicion of fraud and abuse increased. For example, she knew individuals from whom Mr. Miranda demanded money for rescue cats, only to effectively release the cats without care or food. As another example, in September 2023, Ms. Raymond was contacted by a local rescuer who had transferred three dogs to Miranda's Rescue after paying for their spay/neuter and vaccinations, and who paid Mr. Miranda's requested $500-per-dog fee to his personal Zelle account. When she later attempted to check on the dogs' welfare, Mr. Miranda denied any knowledge of her or the dogs, then became aggressive when she pressed the issue.

Such experiences — *plus the number of dogs she knew other shelters had delivered over the years*, coupled with complaints she heard from other rescuers — led her to conclude that

[1] (*See* https://mirandasrescue.org/about-us, last accessed August 14, 2026.)

something was seriously wrong at Miranda's Rescue. So Ms. Raymond began her own investigation and spent more than a year gathering evidence. This included submitting public-records requests to shelters across the state to document the true scale of animals transferred to Miranda's Rescue. Records my client obtained through this process show that between 2020 and 2025 alone, more than 2,100 dogs were transferred to Miranda's Rescue from public shelters statewide, with intake accelerating sharply in 2024 and 2025 (761 dogs in 2024; 626 in 2025).

Ms. Raymond was struck by the volume of dogs moving through Miranda's Rescue, especially viewed in combination with the substantial per-animal "surrender" or intake fees — typically $400 to $1,500, and based on evidence this office obtained, in at least one instance potentially $5,000. Ms. Raymond understood Miranda's Rescue claimed that, in exchange for these fees, the animals would either be adopted into new homes or live out their lives at the sanctuary. But these numbers did not make sense, so Ms. Raymond began monitoring activity on the Rescue's property using motion-activated trail cameras placed near a shared fence line.

On April 26, 2026, that camera recorded Mr. Miranda using a tractor to bury what its footage showed to be animal carcasses concealed under a load of straw in a large pit on the property. My client seized on that opportunity. That same night, Ms. Raymond and a colleague exhumed eight deceased dogs their cameras caught Mr. Miranda burying. The dogs had several apparent gunshot wounds to the head, *and two were puppies*. Ms. Raymond scanned the animals for microchips and were able to identify seven of the eight, tracing them back to specific out-of-county shelters that had transferred them to Miranda's Rescue — including one dog, Zora, whom Mr. Miranda had, just days before her death, texted a shelter employee a photograph representing that Zora had been adopted.

While disturbing, visual imagery is telling. Below are some of the adoptable dogs Mr. Miranda killed (apparently shooting them through their eye cavity), that our client uncovered.

Ms. Raymond reported this evidence to the Humboldt County Sheriff's Office, which subsequently took custody of the recovered remains and, on May 1, 2026, executed the first of two search warrants at the property. A second, far broader search warrant executed on June 23, 2026, authorized excavation of various burial sites and resulted in the recovery of 117 additional intact dog remains and 21 sets of skeletal remains (138 dogs in total), along with firearms, ammunition, and business records.

This office does not represent the Sheriff's Office or any other law-enforcement agency; the search warrants and related law-enforcement records are cited in this letter solely as independently sworn, court-filed corroboration of the facts Ms. Raymond already uncovered and reported, and to demonstrate that a judge has already found probable cause to believe Mr. Miranda committed the underlying predicate offenses.

III. Grounds for Attorney General Action

The Attorney General has independent statutory authority — separate from, and broader than, any criminal prosecution — to protect charitable assets and the public that relies on them. (*See, e.g.,* Gov. Code, § 12598; *see also Holt v. College of Osteopathic Physicians & Surgeons* (1964) 61 Cal.2d 750, 753–756 [“the Attorney General has been empowered to oversee charities as the representative of the public . . . .”].)

We respectfully submit that the following facts, drawn from Ms. Raymond’s own investigation and corroborated in sworn law-enforcement affidavits, provide ample grounds for the Attorney General to immediately (1) move to dissolve Miranda’s Rescue, and (2) appoint a receiver to protect the animals stranded and endangered on the property and to preserve Miranda Rescue’s remaining assets for the multitudes of defrauded shelters and individuals it owes money.

- **Charitable solicitation by false representation.** Miranda's Rescue's public marketing — including its website's claim to be a "no-kill rescue, adoption & sanctuary facility" — has induced public shelters, rescues, and private citizens to pay substantial fees based on representations the organization's own founder does not honor. This implicates, among other laws, Government Code § 12599.6 (misrepresentations by charitable

organizations), Civil Code § 1572 (fraud in the inducement of contracts), Business & Professions Code § 17510 et seq. (charitable solicitations), and Corporations Code § 5231 (duty of care owed by directors of a nonprofit corporation).

- **Animal cruelty**. Shooting adoptable dogs in general, and shooting them in the eye with a small caliber bullet (0.22), often requiring several shots to kill, all amount to criminal animal cruelty. Miranda's Rescue must be shuttered and dissolved for using charitable funds to violate California's robust anti-cruelty laws. Abundant evidence shows that Mr. Miranda has used Miranda's Rescue to abuse hundreds of animals in this fashion over the years.
- **Diversion and waste of charitable assets**. An organization soliciting hundreds of thousands of dollars annually in donations, grants, bequests, and per-animal fees for humane sheltering has, on the sworn record of law enforcement, been unable to account for several hundred animals it accepted funds to care for. Mr. Miranda has meanwhile personally benefited — including the 2024 purchase of a $1,050,000 Las Vegas residence with his husband — while claiming a modest personal income. This raises serious questions of private inurement and breach of the duty of loyalty under Corporations Code § 5233 and Government Code § 12586.
- **Breach of fiduciary and trust obligations**. As founder, President, and the person with sole and unilateral authority over the disposition of animals in the Rescue's care, Mr. Miranda occupies a position of trust with respect to donors, partner shelters, surrendering owners, and the charitable assets (including the animals themselves) held by the corporation. His admitted practice of killing animals, while representing to the public that the Rescue does not euthanize to create space, to generate continuous income is a fundamental breach of that trust.

Taken together, we submit that Mr. Miranda's conduct as an officer and director of Miranda's Rescue constitutes precisely the kind of persistent, self-dealing mismanagement of charitable assets that the Attorney General's charitable trust enforcement authority — and the involuntary dissolution remedy in particular — exists to address.

IV. Requested Relief

On behalf of Ms. Raymond, we respectfully request that the Attorney General:

- Petition the Superior Court for involuntary dissolution of Miranda's Rescue for Large & Small Animals pursuant to Corporations Code §§ 6510–6514, on the ground that its assets have been and continue to be misapplied and wasted, and that the corporation has been conducted in a manner substantially inconsistent with its charitable purposes;
- Immediately request the Superior Court for appointment of a receiver to care for, and oversee adoption of, the approximately 40 dogs and other remaining animals on site at Miranda's Rescue. These animals are currently in real danger. That receiver should also

secure and redirect as necessary any remaining charitable assets to protect creditors defrauded by Miranda's Rescue and Mr. Miranda;

- Seek removal of Shannon Miranda as an officer, director, and trustee of any California charitable corporation, and an order barring him from future service in such a capacity, pursuant to Corporations Code § 5223 and the Attorney General's equitable authority over charitable fiduciaries;
- Seek disgorgement and an accounting of any assets improperly diverted for Mr. Miranda's personal benefit;
- Assert all other applicable civil claims for damages; and
- Coordinate as appropriate with the Humboldt County District Attorney's Office and the Humboldt County Sheriff's Office, whose ongoing criminal investigation (Case No. 202601876) has already resulted in two search warrants and substantial physical and documentary evidence that may inform the Attorney General's civil enforcement action.

To assist the Attorney General in this matter, my office has prepared a proposed civil complaint seeking such relief, attached as Exhibit A and available in editable Word format here.

V. Conclusion

We welcome the opportunity to discuss this matter further and to provide any additional documentation your office requires. Thank you for your attention to this urgent matter.

Respectfully submitted,

Sincerely,

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EXHIBIT A

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF HUMBOLT

THE PEOPLE OF THE STATE OF CALIFORNIA,

PLAINTIFF,

v.

MIRANDA'S RESCUE FOR LARGE & SMALL ANIMALS, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION; SHANNON MIRANDA, AN INDIVIDUAL, AND DOES 1 THROUGH 20, INCLUSIVE,

DEFENDANTS.

CASE NO.:

COMPLAINT FOR DAMAGES AND EQUITABLE RELIEF FOR:

(1) INVOLUNTARY DISSOLUTION AND APPOINTMENT OF A RECEIVER (Corp. Code §§ 6510, 6511, 6513)

(2) BREACH OF FIDUCIARY DUTY (Corp. Code § 5231; Bus. & Prof. Code § 17510.8)

(3) BREACH OF CHARITABLE TRUST (Corp. Code § 5142)

(4) DECEPTIVE AND MISLEADING SOLICITATIONS (Gov. Code § 12599.6; Bus. & Prof. Code § 17510.8)

(5) UNFAIR AND FRAUDULENT BUSINESS PRACTICES (Bus. & Prof. Code § 17200 et seq.)

(6) SELF-DEALING AND PRIVATE INUREMENT (Corp. Code § 5233)

(7) UNJUST ENRICHMENT (Civ. Code § 2224)

(8) FAILURE TO MAINTAIN ADEQUATE BOOKS AND RECORDS (Corp. Code § 6320)

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Plaintiff, the People of the State of California ("Plaintiff" or "the People"), by and through the Attorney General of California, files this Complaint against Miranda's Rescue For Large & Small Animals ("MIRANDA'S RESCUE"), its principal, Shannon Gene Miranda ("MIRANDA"), and Does 1 through 20 (collectively, "DEFENDANTS"), and alleges as follows:

1. The Attorney General of California has the primary responsibility for supervising charitable trusts, "for ensuring compliance with trusts and articles of incorporation, and for protecting assets held by charitable trusts and public benefit corporations." (Gov. Code, § 12598.) The Attorney General is authorized to enforce, in the name of the People, the provisions of the Supervision of Trustees and Fundraisers for Charitable Purposes Act (Gov. Code, § 12580 et seq.), the Nonprofit Corporation Law (Corp. Code, § 5000 et seq.), and those provisions of the Business and Professions Code that prohibit unlawful, unfair, and fraudulent business practices (Bus. & Prof. Code, § 17200 et seq. and § 17510 et seq.).

PARTIES

2. Plaintiff, the People of the State of California, are the true beneficiaries of the assets held in charitable trust by MIRANDA'S RESCUE, which includes the animals placed in the custody of MIRANDA'S RESCUE.

3. Defendant Shannon Gene Miranda ("MIRANDA") is an individual believed to reside in Humboldt County, California and/or Clark County, Nevada. At all times relevant herein, MIRANDA was the founder, President, a director, and President of the board of directors, of MIRANDA'S RESCUE, and owed fiduciary duties of care and loyalty to MIRANDA'S RESCUE and its charitable beneficiaries.

4. Defendant Miranda's Rescue For Large & Small Animals ("MIRANDA'S RESCUE") is a nonprofit public benefit corporation organized under the laws of California and exempt from federal income tax under 26 U.S.C. § 501(c)(3), EIN 68-0417389. MIRANDA'S RESCUE operates at 1603 Sandy Prairie Road, Fortuna, Humboldt County, California 95540, on approximately 37 contiguous acres, and also operates four thrift stores in Humboldt County under its nonprofit status, although two of the stores may have recently closed. MIRANDA'S RESCUE's stated charitable purpose, as represented on its website and to the public, is to operate as "a no-kill rescue, adoption & sanctuary

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facility that brings relief to hundreds of distressed, neglected, abused & discarded animals, large & small, every year." (*See* https://mirandasrescue.org/about-us, last accessed August 14, 2026.)

5. As a nonprofit public benefit corporation, MIRANDA'S RESCUE is required by law to hold all its assets — including funds donated or paid to it, and the animals placed in its custody — in trust for its charitable purposes.

6. DOES 1-20, inclusive, are the fictitious names of DEFENDANTS who have acted as directors, officers, trustees, agents or employees of MIRANDA'S RESCUE, MIRANDA and DEFENDANTS, or who have participated or acted in concert with one or more DEFENDANTS, or who have acted on behalf or as an agent, servant, employee or co-conspirator of one or more of the DEFENDANTS, but whose name and capacities, whether individual, corporate or otherwise, are presently unknown to Plaintiff. Plaintiff is informed and believes that DEFENDANTS DOES 1-20 have directly or indirectly participated in and are responsible for the acts and omissions that are more specifically described in this Complaint. Because Plaintiff is presently uninformed as to the true names and capacities of these DEFENDANTS, Plaintiff sues them by their fictitious names but will seek leave to amend the Complaint when their true names are discovered.

JURISDICTION AND VENUE

7. At all times relevant herein, Defendants and each of them transacted business in the County of Humboldt and elsewhere in the State of California. The violations of law described in this Complaint have been, and are being, carried out, in part, within Humboldt County. This Court has jurisdiction pursuant to article VI, section 10 of the California Constitution and Code of Civil Procedure section 393.

GENERAL ALLEGATIONS

A. MIRANDA'S RESCUE's Public Representations and Charitable Solicitations

8. Since at least 2001, and continuing to the present, MIRANDA and MIRANDA'S RESCUE have solicited placement fees, donations, grants, and bequests from members of the public and from public and private animal shelters throughout California, based on representations that MIRANDA'S RESCUE is a "no-kill" sanctuary that will either find animals loving adoptive homes or allow them to live out the remainder of their lives on the property.

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9. In reliance on these representations, public shelters in at least Alameda, Contra Costa, Del Norte, Mendocino, Monterey, Napa, Sacramento, San Joaquin, Santa Clara, and Solano Counties, the cities of Ferndale, Fortuna, and Rio Dell, out-of-state shelters, and numerous private individuals, transferred or surrendered animals to MIRANDA'S RESCUE and paid MIRANDA fees ranging from approximately $500 to $5,000 per animal, depending on the animal's condition and history.

10. Records obtained from California public animal shelters pursuant to the California Public Records Act show that more than 2,100 dogs were transferred to MIRANDA'S RESCUE between 2020 and 2025 alone, with intake accelerating sharply in 2024 (761 dogs) and 2025 (626 dogs). Law enforcement investigation has since documented that MIRANDA'S RESCUE took in more than 918 additional dogs between January 2025 and April 2026.

11. On information and belief, MIRANDA and MIRANDA'S RESCUE have solicited and collected hundreds of thousands of dollars annually in placement fees, donations, and grants, and MIRANDA has personally received cash (including electronic transfers such as Zelle), vehicles, real property, and bequests from members of the public who believed they were supporting a legitimate no-kill sanctuary.

B. MIRANDA Has Killed Large Numbers of Animals for Financial Gain While Representing MIRANDA'S RESCUE as "No-Kill"

12. On information and belief, for decades DEFENDANTS have wrongfully shot and killed hundreds of dogs on their property for which they accepted funds to care for over the duration of their lives. This was/is animal cruelty in violation of Penal Code §§ 597, et seq., particularly because dogs suffered through being shot multiple times. DEFENDANTS then buried the dogs to hide the evidence.

13. On information and belief, several rescues have provided hundreds of thousands of dollars in donations to DEFENDANTS, earmarked for the care of hundreds of specific dogs – dogs which are currently nowhere to be found.

14. During the execution of the June 23, 2026 search warrant, investigators excavated a burial field on the property and recovered the remains of 117 intact dogs and 21 additional sets of skeletal remains, in addition to eight dogs previously recovered by private citizens in April 2026, as alleged below. Many of the recovered remains showed evidence of gunshot wounds to the head.

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15. Those dogs were only a fraction of the animals killed. Records seized from MIRANDA'S RESCUE pursuant to search warrants executed by the Humboldt County Sheriff's Office ("HCSO") on May 1, 2026, and June 23, 2026, show that, of the several hundred dogs taken into MIRANDA'S RESCUE's custody between approximately January 2025 and April 2026, only approximately 116 were adopted, and only approximately 70 dogs remained on the property at the time of the search. MIRANDA'S RESCUE and MIRANDA cannot account for the disposition of several hundred animals during this period.

16. MIRANDA has admitted to law enforcement that he personally shoots and kills dogs at the rescue — by his own account, on occasion as often as ten dogs per month — using a .22 caliber rifle, and that he buries the dogs, together with deceased livestock, in large pits on the property. MIRANDA's account of this practice shifted materially over the course of two law enforcement interviews and was repeatedly contradicted by objective evidence, including that:

a. MIRANDA initially represented that dogs at the rescue are euthanized by a licensed veterinarian, and that he uses a firearm only in rare exigent circumstances, but investigators determined that no local veterinarian has a regular working relationship with MIRANDA or provides him euthanasia services on any regular basis;

b. MIRANDA represented that he sedates dogs with the veterinary drug Acepromazine (a controlled substance) before shooting them, then admitted he does not always do so, and has access to the drug only when it is donated to him;

c. MIRANDA represented that he shoots dogs only in the back of the head to minimize suffering, but when shown photographs of dogs recovered from his property with wounds to the eye socket, stated that the animals had moved during the shooting; and

d. MIRANDA represented that he kills only "unadoptable" dogs with behavioral or medical problems, yet admitted to killing at least one dog, Zora, whom the transferring shelter had described as healthy and non-aggressive.

17. MIRANDA has admitted to sending shelters and private individuals who surrendered animals to MIRANDA'S RESCUE fabricated messages — including photographs — representing that

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specific animals had been adopted, when MIRANDA knew at the time that the animals had already been killed. MIRANDA sent one such message regarding the dog "Zora" to an employee of the shelter that had transferred her, days before Zora was found among a group of deceased dogs recovered from a burial pit on MIRANDA'S RESCUE property.

18. On information and belief, MIRANDA has made similar false representations to numerous other shelters and private individuals over a period of years, including in an April 2025 transaction in which a private individual paid MIRANDA $3,500 to surrender two dogs, was later told by MIRANDA that both dogs had been adopted, and for which no adoption record exists among the files seized from MIRANDA'S RESCUE.

19. MIRANDA'S RESCUE's practice of accepting placement fees and donations on the representation that it operates a "no-kill" sanctuary, while killing substantial numbers of animals to create capacity for additional paying intakes, is not a recent or isolated development. Individuals who have interacted with MIRANDA'S RESCUE over more than two decades have raised similar, unresolved concerns, including:

a. in 2001, a Humboldt County resident who surrendered a tame cat to MIRANDA'S RESCUE was told the following day that the cat had already been adopted — an implausible timeline — and was refused any information about the purported adopter;

b. in 2004, a witness observed pigs being slaughtered on MIRANDA'S RESCUE property, despite the organization's public representation that it operates as a no-kill sanctuary for farm animals as well as cats and dogs;

c. beginning in approximately 2006, individuals affiliated with MIRANDA'S RESCUE relocated and abandoned domestic cats to a remote, unmonitored ranch property without adequate food, water, or shelter, the subject of an unresolved complaint filed with HCSO in December 2006;

d. in September 2023, an individual who transferred three dogs to MIRANDA'S RESCUE and paid a $500-per-dog fee was told by MIRANDA that he had no record of her or the dogs when she later attempted to follow up on their welfare, and filed

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a complaint with HCSO (HCSO Case No. 202401716) alleging that MIRANDA'S RESCUE was fraudulently euthanizing animals received under a surrender fee; and

e. MIRANDA'S RESCUE has, over a period of years, failed to spay or neuter animals prior to adoption as required by law, including under Food and Agricultural Code section 30503.

20. Beginning in early 2024, Jennifer Raymond, the owner of property adjoining MIRANDA'S RESCUE, independently investigated the disposition of animals at MIRANDA'S RESCUE, submitted public-records requests to shelters throughout California documenting the scale of transfers to MIRANDA'S RESCUE, and installed motion-activated cameras near a shared property line.

21. On April 26, 2026, a camera installed by Ms. Raymond recorded MIRANDA using a tractor to bury what its footage showed to be animal remains, concealed beneath a load of straw, in a pit on MIRANDA'S RESCUE property. That night, the two recovered eight deceased dogs from the pit. The dogs bore apparent gunshot wounds to the head, *and two were puppies*. Seven of the eight dogs bore embedded microchips that were traced to shelters that had transferred the dogs to MIRANDA'S RESCUE, including the dog "Zora" described above.

22. This evidence was reported to HCSO, which executed a search warrant on MIRANDA'S RESCUE and MIRANDA's residence on May 1, 2026, and a second, broader search warrant — including excavation of the burial field — on June 23, 2026.

C. MIRANDA Has Personally Profited from MIRANDA'S RESCUE's Charitable Assets

23. MIRANDA'S RESCUE's property, as a nonprofit public benefit corporation, is irrevocably dedicated to charitable purposes, and no part of its net income or assets may inure to the benefit of any director, officer, member, or private person. (Rev. & Tax Code, § 23701, subd. (d).)

24. On information and belief, several rescues have provided hundreds of thousands of dollars in donations to DEFENDANTS and the total amounts donated by third parties for the care of specific dogs is between $1.5 to $2 million.

25. On information and belief, MIRANDA has represented his personal annual income to be approximately $100,000. Notwithstanding this represented income, in February 2024, MIRANDA

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and his spouse purchased a residence in Las Vegas, Nevada, for approximately $1,050,000. On information and belief, MIRANDA has also received vehicles, real property, and bequests from members of the public who donated to MIRANDA'S RESCUE believing their gifts would support MIRANDA'S RESCUE's stated charitable mission.

26. On information and belief, MIRANDA'S RESCUE's own records, at the time of the May 2026 search, were poorly organized and insufficient to account for the intake, treatment, and disposition of the animals in MIRANDA'S RESCUE's custody, and MIRANDA acknowledged to investigators that recordkeeping "was not a strong area for him."

FIRST CAUSE OF ACTION

INVOLUNTARY DISSOLUTION AND APPOINTMENT OF A RECEIVER

(Against Defendant MIRANDA'S RESCUE)

27. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 23 above.

28. The Attorney General is authorized to file a complaint for the involuntary dissolution of a nonprofit public benefit corporation pursuant to Corporations Code section 6510, subdivision (a)(5).

29. MIRANDA'S RESCUE is subject to involuntary dissolution pursuant to Corporations Code section 6510, subdivision (b)(5), and section 6511, in that MIRANDA and Does 1 through 20 have knowingly and persistently mismanaged MIRANDA'S RESCUE, including by: (a) misapplying and misappropriating charitable assets — including animals held in trust for adoption or lifetime sanctuary — by killing substantial numbers of those animals while continuing to solicit placement fees on the representation that MIRANDA'S RESCUE does not do so; (b) fraudulently and persistently misrepresenting the disposition of specific animals to the shelters and individuals who surrendered them; (c) failing to account for and protect the charitable assets of MIRANDA'S RESCUE, including several hundred animals whose disposition cannot be determined from its records; (d) engaging in self-dealing and private inurement of charitable assets for MIRANDA's personal benefit; and (e) persistently breaching MIRANDA's fiduciary duties as founder, President, and sole director of MIRANDA'S RESCUE.

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30. Because MIRANDA'S RESCUE has been subject to persistent abuse and mismanagement by MIRANDA, this Court should dissolve MIRANDA'S RESCUE pursuant to Corporations Code section 6511 et seq., and should issue a permanent ban against MIRANDA and Does 1 through 20 from operating any charitable corporation, organization, or trust in California, pursuant to Corporations Code section 5223.

31. Pending resolution of this action, the Attorney General seeks the appointment of a receiver pursuant to Corporations Code section 6513 to take custody of and manage MIRANDA'S RESCUE's assets — including the animals presently in its care — to secure appropriate placement and veterinary care for those animals, to preserve MIRANDA'S RESCUE's financial and business records, and to prevent further dissipation, destruction, or loss of charitable assets and evidence during the pendency of this action.

SECOND CAUSE OF ACTION

BREACH OF FIDUCIARY DUTY

(Against Defendant MIRANDA and Does 1–20)

32. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 28 above.

33. As founder, President, and sole director of MIRANDA'S RESCUE, MIRANDA owed fiduciary duties of care, loyalty, and good faith to MIRANDA'S RESCUE and its charitable beneficiaries, and a duty to ensure MIRANDA'S RESCUE's compliance with all applicable law, pursuant to Corporations Code section 5231.

34. MIRANDA breached his duties of care and loyalty to MIRANDA'S RESCUE by, among other things:

a. accepting placement fees and donations on the representation that MIRANDA'S RESCUE operates as a no-kill sanctuary while personally killing substantial numbers of animals to create capacity for additional paying intakes;

b. sending shelters and private individuals fabricated representations that specific animals had been adopted when MIRANDA knew the animals had been killed;

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c. failing to maintain records sufficient to account for the intake, treatment, and disposition of animals entrusted to MIRANDA'S RESCUE's care;

d. using MIRANDA'S RESCUE's charitable assets, including donations and placement fees, in a manner that personally benefited MIRANDA rather than furthering MIRANDA'S RESCUE's stated charitable purposes; and

e. failing to ensure MIRANDA'S RESCUE's compliance with state law governing the humane treatment, adoption, and sterilization of animals in its custody, including Food and Agricultural Code section 30503.

35. MIRANDA failed to act in good faith, failed to act in MIRANDA'S RESCUE's best interests, and failed to use the due care required of a director under Corporations Code section 5231.

36. The acts alleged in this cause of action were willful, wanton, and undertaken with the intent to defraud MIRANDA'S RESCUE's charitable beneficiaries and donors, and thus justify the imposition of a constructive trust, an accounting, and an award of damages against MIRANDA.

THIRD CAUSE OF ACTION

BREACH OF CHARITABLE TRUST

(Against All Defendants)

37. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 36 above.

38. As a public benefit corporation, MIRANDA'S RESCUE holds all its funds, donations, placement fees, and other assets — including the animals placed in its custody — in trust for the charitable purposes represented to its donors, partner shelters, and the public. Pursuant to Corporations Code section 5142, the Attorney General may bring an action to enjoin, correct, obtain damages for, or otherwise remedy a breach of charitable trust.

39. DEFENDANTS accepted charitable contributions, placement fees, and animals on behalf of MIRANDA'S RESCUE's charitable beneficiaries. Once accepted, a charitable trust was impressed on those funds and animals, and DEFENDANTS had a fiduciary duty to use them for the purposes represented — namely, the humane adoption or lifetime sheltering of the animals, consistent with MIRANDA'S RESCUE's public "no-kill" representations.

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40. DEFENDANTS breached this charitable trust by killing substantial numbers of animals entrusted to MIRANDA'S RESCUE's care, by using donated funds and placement fees for MIRANDA's personal benefit, and by failing to account for the disposition of the charitable assets — including the animals themselves — entrusted to MIRANDA'S RESCUE.

FOURTH CAUSE OF ACTION

DECEPTIVE AND MISLEADING SOLICITATIONS

(Against All Defendants)

41. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 40 above.

42. A charity, or any person soliciting on behalf of a charity, has a fiduciary relationship with any person from whom a charitable contribution is solicited, and the acceptance of a charitable contribution establishes a charitable trust and a duty to use the contribution for the declared charitable purposes for which it was sought. (Bus. & Prof. Code, § 17510.8.)

43. DEFENDANTS violated Government Code section 12599.6, subdivisions (a), (f)(2), and (f)(4), by: (a) misrepresenting to the public, to partner shelters, and to individuals surrendering animals that MIRANDA'S RESCUE operates as a "no-kill" sanctuary and that specific surrendered animals would be adopted or sheltered for life, when in fact MIRANDA killed substantial numbers of those animals; and (b) sending shelters and individuals fabricated messages, including photographs, representing that specific animals had been adopted when MIRANDA knew they had been killed.

44. DEFENDANTS' abusive and misleading representations have resulted in damages to MIRANDA'S RESCUE's charitable beneficiaries and the donating public, and, pursuant to Government Code section 12591.1, Plaintiff is entitled to civil penalties in an amount to be proven at trial.

FIFTH CAUSE OF ACTION

UNFAIR AND FRAUDULENT BUSINESS PRACTICES

(Against All Defendants)

45. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 44 above.

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46. By engaging in the conduct described above, DEFENDANTS have engaged in unlawful, unfair, and fraudulent business practices in violation of Business and Professions Code section 17200 et seq., including but not limited to violations of Penal Code section 597 (animal cruelty), Penal Code section 532 (obtaining property by false pretenses), Food and Agricultural Code section 30503, and Government Code section 12599.6.

47. DEFENDANTS' conduct is likely to, and did, deceive members of the public, partner shelters, and individuals surrendering animals to MIRANDA'S RESCUE.

48. Plaintiff is entitled to injunctive relief and civil penalties pursuant to Business and Professions Code sections 17203, 17206, and 17536.

SIXTH CAUSE OF ACTION

SELF-DEALING AND PRIVATE INUREMENT

(Against Defendant MIRANDA)

49. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 45 above.

50. MIRANDA'S RESCUE's property is irrevocably dedicated to charitable purposes, and no part of its net income or assets may inure to the benefit of any director, officer, member, or private person. (Rev. & Tax Code, § 23701, subd. (d).)

51. MIRANDA, as founder, President, and sole director of MIRANDA'S RESCUE, had a material financial interest in the disposition of MIRANDA'S RESCUE's charitable assets, and used those assets, including placement fees and donations, for his personal benefit, in violation of Corporations Code section 5233.

52. On information and belief, MIRANDA's personal acquisition of real property, vehicles, and other assets substantially exceeding his represented income was made possible, in whole or in part, through the diversion of MIRANDA'S RESCUE's charitable assets for MIRANDA's personal benefit.

53. As a result of this self-dealing, MIRANDA'S RESCUE and its charitable beneficiaries have been damaged in an amount to be proven at trial, and Plaintiff is entitled to an accounting and disgorgement of all profits and benefits MIRANDA received.

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SEVENTH CAUSE OF ACTION

UNJUST ENRICHMENT

(Against Defendant MIRANDA)

54. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 49 above.

55. MIRANDA'S RESCUE, as an organization granted tax-exempt status under 26 U.S.C. section 501(c)(3), is prohibited from allowing its net earnings to inure to the benefit of any person having a personal and private interest in its activities.

56. MIRANDA has been unjustly enriched by his diversion of MIRANDA'S RESCUE's charitable assets for his personal benefit, in an amount presently unknown to Plaintiff but believed to substantially exceed $250,000 per year.

57. By virtue of this breach of trust, MIRANDA holds all such diverted assets as a constructive trustee for the benefit of MIRANDA'S RESCUE and its charitable beneficiaries, and must make full restitution.

EIGHTH CAUSE OF ACTION

FAILURE TO MAINTAIN ADEQUATE BOOKS AND RECORDS

(Against Defendant MIRANDA and Does 1–20)

58. Plaintiff re-alleges and incorporates by reference each of the allegations of paragraphs 1 through 57 above.

59. MIRANDA'S RESCUE is required to keep adequate and correct books and records of account reflecting the intake, care, and disposition of the animals and funds entrusted to it, pursuant to Corporations Code section 6320 and Food & Agriculture Code section 32003.

60. MIRANDA and Does 1 through 20 violated Corporations Code section 6320, subdivision (a), by failing to maintain records sufficient to account for the disposition of several hundred animals taken into MIRANDA'S RESCUE's custody, and by maintaining records that were, in MIRANDA's own words, disorganized to the point of being unable to support MIRANDA'S RESCUE's representations to shelters, donors, and the public.

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61. This failure to maintain adequate books and records was not in the best interests of MIRANDA'S RESCUE, violated MIRANDA's obligation to act in good faith and with the due care required under Corporations Code section 5231, and has obstructed the ability of Plaintiff and MIRANDA'S RESCUE's partner shelters to determine the true disposition of the animals and funds entrusted to MIRANDA'S RESCUE.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

1. For the removal of Defendant Shannon Gene Miranda, and Does 1 through 20, as officers and/or directors of MIRANDA'S RESCUE, pursuant to Corporations Code section 5223, and an order directing them to surrender all assets of MIRANDA'S RESCUE, including all animals in its custody, and enjoining them, their employees, agents, servants, representatives, successors, and assigns from: (a) expending, disbursing, transferring, encumbering, withdrawing, or otherwise exercising control over any funds or other assets received or held by or on behalf of MIRANDA'S RESCUE; (b) conducting any business on behalf of, or relating to, MIRANDA'S RESCUE, other than as necessary to comply with discovery requests and orders and as permitted by the Court; and (c) controlling or directing the operations and affairs of any California nonprofit public benefit corporation, animal rescue, or shelter;

2. For the appointment of a receiver, pursuant to Corporations Code section 6513, to take custody of and manage the affairs of MIRANDA'S RESCUE, secure appropriate placement and veterinary care for the animals in its custody, preserve MIRANDA'S RESCUE's remaining assets and records, and establish a procedure for determining the disposition of MIRANDA'S RESCUE's remaining assets in a manner consistent with its charitable purposes, pending resolution of this Complaint;

3. For the involuntary dissolution of MIRANDA'S RESCUE pursuant to Corporations Code section 6510 et seq.;

4. For an order permanently prohibiting Defendant Shannon Gene Miranda, and Does 1 through 20, from acting as a founder, officer, director, trustee, agent, or employee of, or otherwise

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participating in the management or control of, any charitable corporation, charitable association, charitable organization, or charitable trust within the State of California;

5. For an order directing Defendants and each of them to render to the Court and to the Attorney General a full and complete accounting of the financial activities of MIRANDA'S RESCUE, and of the intake, treatment, and disposition of all animals received by MIRANDA'S RESCUE, from its inception to the present, including the locations of all the remains of all animals killed by its operations;

6. For damages due to MIRANDA'S RESCUE and its charitable beneficiaries resulting from Defendants' breaches of fiduciary duty and charitable trust, in an amount to be determined following an accounting, plus interest at the legal rate;

7. For disgorgement of all profits, property, and other benefits Defendant Shannon Gene Miranda received as a result of the self-dealing and unjust enrichment alleged herein, plus interest at the legal rate;

8. That the Court assess civil penalties against DEFENDANTS pursuant to Government Code section 12591.1 for violations of the Supervision of Trustees and Fundraisers for Charitable Purposes Act (Gov. Code, § 12580 et seq.), and pursuant to Business and Professions Code sections 17206 and 17536 for violations of the Unfair Competition Law, in amounts to be proven at trial;

9. For a declaration and order that all property of MIRANDA'S RESCUE, and the proceeds thereof, in whatever form and in whosoever's hands they may now be, are impressed with a trust for charitable purposes, and that DEFENDANTS are constructive trustees of all such charitable funds and assets in their possession, custody, or control;

10. For Plaintiff's costs of suit and reasonable attorneys' fees pursuant to Government Code sections 12597 and 12598, subdivision (b), and as otherwise permitted by law; and

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

THIS COMPLAINT IS DEEMED VERIFIED UNDER THE PROVISIONS OF CODE OF CIVIL PROCEDURE SECTION 446.

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Date:

Respectfully Submitted

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ROB BONTA Attorney General of California
TANIA M. IBANEZ Senior Assistant Attorney General
JOSEPH N. ZIMRING Supervising Deputy Attorney

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