

The New York State Attorney General Andrew M. Cuomo Announces Guilty Plea Of Process Server Company Owner Who Denied Thousands Of New Yorkers Their Day In Court

ALBANY, N.Y. (January 15, 2010) - Attorney General Andrew M. Cuomo today announced that William Singler, owner of Long Island based American Legal Process (ALP), has pled guilty to scheme to defraud for failing to provide proper legal notification to thousands of New Yorkers facing primarily debt related lawsuits.

The fraud caused many to default and have costly judgments entered against them without the chance to respond or defend themselves in court.

Singler pleaded guilty today in Nassau County Supreme Court to one count of Scheme to Defraud in the First Degree (class E felony). He is expected to be sentenced on March 24 by the Hon. Alan L. Honorof. A lawsuit filed by Cuomo against ALP and Singler earlier this year seeking damages, penalties and injunctive relief remains pending.

“Singler broke the law and then lied to cover it up,” said Attorney General Cuomo. “It is not a victimless crime, but one that impacted lives and caused financial hardship for thousands of New Yorkers. Many had their bank accounts frozen, their wages garnished, and liens put on their homes, all because they were denied their day in court.”

ALP was primarily hired by lawyers representing plaintiffs in debt collection lawsuits to serve court papers on defendants. However, Singler admitted that ALP process servers, with his knowledge, failed to properly serve the court papers on defendants named in the lawsuits. Further, Singler stated that even though he knew that many of the process servers had failed to properly serve the court papers in accordance with state law, he submitted false affidavits of service stating, under oath, that the court papers had indeed been served.

Attorney General Cuomo thanked the New York State Unified Court System, especially its Internal Audit Unit, for their help in the investigation, which included the review of hundreds of court files and more than 100,000 records of affidavits of service.

Carolyn Coffey, an attorney with MFY Legal Services, said: “MFY commends Attorney General Cuomo for prosecuting ALP and for taking actions to help protect the due process rights of New Yorkers. We hope that the Attorney General’s office will continue to investigate process servers and law firms that have made a mockery of our justice system by engaging in ‘sewer service.’ Thousands of New Yorkers are denied their day in court because of improper service. It’s an abuse that must end.”

Attorney General Cuomo has also filed a lawsuit against ALP and Singler. According to court papers, between January 2007 and October 2008, ALP claimed to have served 98,000 summons and complaints throughout New York State to residents alleged to owe debt. The Attorney General’s investigation revealed that thousands of legal documents were not properly served or served at all. Furthermore, the suit alleges that ALP attempted to cover up its unlawful business practices by filing false affidavits of service. According to the criminal and civil complaints, ALP’s conduct included:

- Instances in which ALP process servers claim to have made process-serving attempts in more than one place at the exact same time. In one particular case, a process server claimed to have been at four different addresses at precisely the same moment
- Instances in which an ALP process server claimed to have made process-serving attempts that would have required him to drive more than 10,000 miles in a single day
- Instances in which ALP process servers claim to have served individuals with the summons and complaint before they had even received those documents from Singler and ALP

Additionally, Cuomo is seeking have an estimated 100,000 default judgments against consumers who were not legally served by ALP thrown out. His office has filed suit against 35 law firms and two debt collectors that relied on ALP to notify consumers that

they faced debt-related lawsuits. In addition to seeking to vacate all of the default judgments where the sole evidence that the defendant received notice of the suit is an ALP affidavit, the lawsuit asks the court to:

- Order the law firms and debt collectors to inform the New York State Unified Court System of each action in which they used ALP to serve legal process and in which a default judgment was granted
- Notify all the parties in those actions of the existence of this lawsuit and their right to be heard
- Notify the court of the amount of any default judgments taken in any of the relevant actions, as well as whether the debtor paid any amount to satisfy the default judgment.

Additionally, where a default judgment is ultimately vacated, the lawsuit asks the court to direct that proper restitution be made to any debtor who made payment on an improperly obtained default judgment.

The criminal case is being prosecuted by Assistant Attorney General Cydney Kelly under the supervision of the Richard Ernst, Deputy Bureau Chief of the Criminal Prosecutions Bureau, and Gail Heatherly, Bureau Chief of the Criminal Prosecutions Bureau. The investigation was handled by Investigator Sandra Migaj, under the supervision of Deputy Chief Investigator James Domres. The pending civil lawsuits are being handled by Assistant Attorney General James Morrissey, in conjunction with Dennis Donnelly, George Danyluk, Aric Andrejko and Dan Johnson of the Internal Audit Bureau of the New York State Unified Court System.

Attorney General's Press Office: (212) 416-8060

nyag.pressoffice@ag.ny.gov

Press Release Archive

- [December 2018](#)
- [November 2018](#)
- [October 2018](#)
- [September 2018](#)
- [August 2018](#)
- [July 2018](#)
- [June 2018](#)
- [May 2018](#)
- [April 2018](#)
- [March 2018](#)
- [February 2018](#)
- [January 2018](#)

[VIEW ALL PRESS RELEASE ARCHIVES](#)

Search:

Please enter a search term...