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**BEFORE THE
CALIFORNIA BOARD OF ACCOUNTANCY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. AC-2010-26

**WILLIAM RUSSELL MURRAY;
3620 Fair Oaks Blvd., Suite 200
Sacramento, CA 95864**

DEFAULT DECISION AND ORDER

**Certified Public Accountant Certificate No.
CPA 31758**

[Gov. Code, §11520]

And

**MURRAY & CO.;
3620 Fair Oaks Blvd., Suite 200
Sacramento, CA 95864
Corporation License No. COR 3097**

And

**MURRAY & YOUNG
3620 Fair Oaks Blvd., Suite 200
Sacramento, CA 95864
Corporation License No. COR 4969**

Respondents.

FINDINGS OF FACT

1. On or about May 26, 2010, Complainant Patti Bowers, in her official capacity as the Executive Officer of the California Board of Accountancy, Department of Consumer Affairs,

1 filed Accusation No. AC-2010-26 against William Russell Murray, Murray & Co., and Murray
2 & Young (Respondents) before the California Board of Accountancy.

3 2. On or about March 6, 1981, the California Board of Accountancy (Board) issued
4 Certified Public Accountant Certificate No. CPA 31758 to Respondent William Russell Murray.
5 The Certified Public Accountant Certificate expired on January 12, 2010, and has not been
6 renewed.

7 3. On or about August 20, 1986, the California Board of Accountancy issued
8 Corporation License No. COR 3097 to Respondent Murray & Co.. The Corporation License was
9 in full force and effect at all times relevant to the charges brought herein and will expire on
10 August 31, 2010, unless renewed.

11 4. On or about May 29, 2001, the California Board of Accountancy issued Corporation
12 License No. COR 4969 to Respondent Murray & Young. The Corporation License was in full
13 force and effect at all times relevant to the charges brought herein and will expire on May 31,
14 2011, unless renewed.

15 5. On or about June 8, 2010, Constance Ward, an employee of the Department of
16 Justice, served by Certified and First Class Mail a copy of the Accusation No. AC-2010-26,
17 Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code
18 sections 11507.5, 11507.6, and 11507.7 to Respondent William Russell Murray's address of
19 record with the Board, which was and is:

20 3620 Fair Oaks Blvd., Suite 200
21 Sacramento, CA 95864.

22 And at his current custodial location which was:

23 William Russell Murray, Inmate #14873

24 c/o Butte County Jail
25 33 County Center Drive,
26 Oroville, California 95965.

27 6. On or about June 3, 2010, Constance Ward, an employee of the Department of
28 Justice, served by Certified and First Class Mail a copy of the Accusation No. AC-2010-26,
Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code

1 sections 11507.5, 11507.6, and 11507.7 to Respondent William Russell Murray's criminal
2 attorney Donald Heller, Esq. at:

3 655 University Avenue, Suite 215
4 Sacramento, CA 95825.

5 7. On or about June 24 , 2010, Constance Ward, an employee of the Department of
6 Justice, served by Certified and First Class Mail a copy of the Accusation No. AC-2010-26,
7 Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code
8 sections 11507.5, 11507.6, and 11507.7 to Respondents Murray & Co., and Murray & Young at
9 their address of record which was and is:

10 3620 Fair Oaks Boulevard, Suite 200
11 Sacramento, CA 95864.

12 Service of the Accusation was effective as a matter of law under the provisions of
13 Government Code section 11505, subdivision (c).

14 A copy of the Accusation is attached as exhibit A, and is incorporated herein by reference.

15 8. On and between June 26 and July 1, 2010 all of the documents served at all
16 respondents' addresses of record were returned by the U.S. Postal Service marked "Moved left no
17 address", "Box closed", "Unable to forward" and "Return to sender".

18 9. Business and Professions Code section 118 states, in pertinent part:

19 (b) The suspension, expiration, or forfeiture by operation of law of a license
20 issued by a board in the department, or its suspension, forfeiture, or cancellation by
21 order of the board or by order of a court of law, or its surrender without the written
22 consent of the board, shall not, during any period in which it may be renewed,
23 restored, reissued, or reinstated, deprive the board of its authority to institute or
24 continue a disciplinary proceeding against the licensee upon any ground provided by
25 law or to enter an order suspending or revoking the license or otherwise taking
26 disciplinary action against the license on any such ground.

27 10. Government Code section 11506 states, in pertinent part:

28 (c) The respondent shall be entitled to a hearing on the merits if the respondent
files a notice of defense, and the notice shall be deemed a specific denial of all parts
of the accusation not expressly admitted. Failure to file a notice of defense shall
constitute a waiver of respondent's right to a hearing, but the agency in its discretion
may nevertheless grant a hearing.

1 one count of violation of 26 U.S.C. § 7212---Interference with Tax Administration. The
2 circumstances are as follows:

3 b. Between the dates of 2001 and 2009 respondent William Russell Murray
4 schemed to make false representations to some of his clients to obtain their money and convert it
5 to his own use. He induced clients to give him \$13,357,133 in at least two different ways:

6 i. Respondent used "the tax scheme" to induce fifty-two clients to write their
7 tax payment checks to his trust account instead of to the IRS or the FTB. Respondent
8 subsequently used the money for his own personal expenses.

9 ii. Respondent used the "investment scheme" to induce thirteen clients to write
10 checks to his account, thereafter converting the money to his own use.

11 ORDER

12 IT IS SO ORDERED that Certified Public Accountant Certificate No. CPA 31758,
13 heretofore issued to Respondent William Russell Murray; Corporation License No. COR 3097
14 issued to Murray & Co.; and Corporation License No. COR 4969 issued to Murray & Young; are
15 revoked.

16 Pursuant to Government Code section 11520, subdivision (c), Respondent(s) may serve a
17 written motion requesting that the Decision be vacated and stating the grounds relied on within
18 seven (7) days after service of the Decision on Respondent(s). The agency in its discretion may
19 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

20 This Decision shall become effective on Aug. 4, 2010.

21 It is so ORDERED Aug. 4, 2010

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23 
24 FOR THE CALIFORNIA BOARD OF ACCOUNTANCY
DEPARTMENT OF CONSUMER AFFAIRS

25 default decision_LIC.rtf
26 DOJ docket number:SA2010101041

27 Attachment:

28 Exhibit A: Accusation No.AC-2010-26

Exhibit A
Accusation No. AC-2010-26

1 EDMUND G. BROWN JR.
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KENT D. HARRIS
Deputy Attorney General
4 State Bar No. 144804
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-7859
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF ACCOUNTANCY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. AC-2010-26

13 **WILLIAM RUSSELL MURRAY**
3620 Fair Oaks Blvd., Suite 200
Sacramento, CA 95864

A C C U S A T I O N

14 **Certified Public Accountant Certificate No.**
15 **CPA 31758**

16 **AND**

17 **MURRAY & CO. an accountancy**
corporation
3620 Fair Oaks Blvd., Suite 200
18 Sacramento, CA 95864

19 **Corporation License No. COR 3097**

20 **AND**

21 **MURRAY & YOUNG, an accountancy**
corporation
22 3620 Fair Oaks Blvd., Suite 200
Sacramento, CA 95864

23 **Corporation License No. COR 4969**

24 Respondents.

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27 Complainant alleges:
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PARTIES

1. Patti Bowers (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the California Board of Accountancy (Board).

2. On or about March 6, 1981, the Board issued Certified Public Accountant Certificate Number CPA 31758 to William Russell Murray (Respondent). The Certified Public Accountant Certificate expired on March 31, 2010, and has not been renewed. Certificate Number CPA 31758 was suspended pursuant to a stipulated Interim Suspension Order (ISO) on January 13, 2010 and will remain suspended during the pendency of that stipulation.

3. On or about August 20, 1986, the Board issued Corporation License Number COR 3097 to Murray and Donovan, an accountancy corporation. On April 25, 1996, Murray and Donovan changed its name to Murray & Company, an accountancy corporation. The stock in said corporation is wholly owned by Respondent William Russell Murray. The Corporation License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2010, unless renewed.

4. On or about May 29, 2001, the Board issued Corporation License Number COR 4969 to Murray & Young, an accountancy corporation. The stock in said corporation is wholly owned by Respondent William Russell Murray. The Corporation License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2011, unless renewed.

JURISDICTION

5. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

6. Section 5100 states in pertinent part:

"After notice and hearing the board may revoke, suspend, or refuse to renew any permit or certificate granted under Article 4 (commencing with Section 5070) and Article 5 (commencing with Section 5080), or may censure the holder of that permit or certificate for unprofessional conduct that includes, but is not limited to, one or any combination of the following causes:

- 1 2. Revoking or suspending or otherwise imposing discipline upon Corporation License
2 Number COR 3097, issued to Murray & Co., an accountancy corporation;
3 3. Revoking or suspending or otherwise imposing discipline upon Corporation License
4 Number COR 4969, issued to Murray & Young, an accountancy corporation;
5 4. Ordering William Russell Murray to pay the Board the reasonable costs of the
6 investigation and enforcement of this case, pursuant to Business and Professions Code section
7 5107;
8 5. Taking such other and further action as deemed necessary and proper.

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DATED: May 26, 2010 Patti Bowers

Patti Bowers
Executive Officer
California Board of Accountancy
State of California
Complainant

SA2010101041
accusation.rtf