

Cause No. _____

THE STATE OF TEXAS,
Plaintiff,

v.

DE'AI POSTPARTUM CARE CENTER;
LIN SULING, AND LAI WAN LIN-
CHAN,
Defendants.

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IN THE DISTRICT COURT

FORT BEND COUNTY, TEXAS

____ JUDICIAL DISTRICT

STATE OF TEXAS'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY
INJUNCTION



For nearly twenty (20) years, Defendants have operated an illegal, dangerous, and dishonest “birth tourism” business to import Chinese nationals to the United States for the sole purpose of birthing children and obtaining “birthright citizenship.” To date, Defendants boast that they have facilitated the birth of “1,000+” American-born babies.

But this is not tourism. Tourist visas cannot be issued for this purpose. This is an unlawful scheme that perpetuates fraud on the government and violates Texas law. And Defendants know this. Indeed, just last week, Defendants posted a video to TikTok acknowledging that the federal government is “strictly” policing birth tourism and alerting Chinese women that “applying after pregnancy can easily lead to [] refusal.” To overcome this prohibition, and avoid detection, Defendants recommended that women apply for their tourist visas “before pregnancy.”

Defendants' conduct violates the Texas Penal Code, Texas Deceptive Trade Practices Act, and constitutes a public nuisance. Accordingly, and for the reasons set forth herein, the Attorney General, in the name of the State of Texas, and in the public interest, brings this suit. In support hereof, the State of Texas respectfully shows as follows:

DISCOVERY CONTROL PLAN

1. Discovery in this case is intended to be conducted under Level 3 pursuant to Texas Rule of Civil Procedure 190.4.
2. Pursuant to Rule 47(c) of the Texas Rules of Civil Procedure, the State of Texas seeks monetary relief over \$1,000,000 and non-monetary relief. The relief sought is within the jurisdiction of this Court.

PARTIES

3. Plaintiff, the State of Texas, is a sovereign entity that “has an intrinsic right to enact, interpret, and enforce its own laws.” *State v. Naylor*, 466 S.W.3d 783, 790 (Tex. 2015). The State brings this action by and through Texas Attorney General Ken Paxton.

4. Defendant De'ai Postpartum Care Center (the Center) is a general partnership in Texas that ostensibly offers services related to birth tourism, prenatal and postpartum care, medical care, nursing care, and travel and immigration-related services to foreign nationals seeking to obtain birthright citizenship for their children in the United States. The Center can be served through its general partners, Defendant Lai Wan Lin-Chan (Vivian Lin) and/or Defendant Lin Suling (Danny Lin), at 211 Birch Hill Dr, Sugar Land, TX 77479, or wherever a general partner may be found. A citation is requested at this time.

5. Defendant Lai Wan Lin-Chan (Vivian Lin) is a resident of Fort Bend County, Texas. Ms. Lin is a partner, operator, and the “NICU & OB-GYN head nurse” at, De'ai Postpartum Care Center. Upon a search of the Texas Board of Nursing License Verification Portal, no results for any individual by the name of Vivian Lin appear. Nor do search results return for Lai Wan Lin-Chan. The same results occur with a search of the Texas Medical Board's online database. Ms. Lin can

be served at 211 Birch Hill Dr, Sugar Land, TX 77479, or wherever she may be found. A citation is requested at this time.

6. Defendant Lin Suling (Danny Lin) is a resident of Fort Bend County, Texas. Mr. Lin is a partner and operator of De'ai Postpartum Care Center. Like Defendant Vivian Lin, no results returned on a search of the Texas Board of Nursing License Verification Portal for any individual by the name of Danny Lin. Nor do search results return for Lin Suling. Likewise, no results populate with a search of the Texas Medical Board's online database. Mr. Lin can be served at 211 Birch Hill Dr, Sugar Land, TX 77479, or wherever he may be found. A citation is requested at this time.

VENUE

7. Venue is proper in Fort Bend County because a substantial part of the events or omissions giving rise to the State's claims occurred in Fort Bend County, and because Defendants have conducted business in Fort Bend County. Tex. Civ. Prac. & Rem. Code § 15.002(a)(1), Tex. Bus. & Com. Code § 17.47 (b).

ACTS OF AGENTS

8. Whenever it is alleged herein that Defendants engaged in any act, it is meant that Defendants performed or participated in the act, or the named Defendant's officers, agents, partners, trustees, or employees performed, or participated in, the act on behalf of and under the authority of such Defendants.

FACTUAL BACKGROUND

The Birth Tourism Industry

9. For decades, the Fourteenth Amendment has been incorrectly applied to grant birthright citizenship to almost any child born on United States soil. And, in turn, this misinterpretation has "demean[ed] the priceless and profound gift of American citizenship,"¹ rewarding people for violating our immigration laws.

¹ Transcript of Oral Argument at 4, *Trump v. Barbara*, No. 25-365 (U.S. Apr. 1, 2026).

10. Alongside this misinterpretation of birthright citizenship, birth tourism—the practice of entering the United States for the purpose of giving birth to, and obtaining U.S. birthright citizenship for, an unborn child—has become a “sprawling industry.”² Although the practice is not confined to any single nationality, Chinese nationals have positioned themselves as the industry’s largest beneficiary.³

11. The industry typically houses expectant families in purpose-built maternity “hotels” and residential properties that are designed to cater to specific target-nationalities and largely exist in major-metropolitan neighborhoods with relatively high immigrant populations and easy access to international travel.⁴

12. Although the industry operates mostly underground in the United States, in countries like China, organized operators have developed a sophisticated and lucrative commercial industry that engages international networks to provide end-to-end services, including visa coaching and preparation, travel coordination, housing, medical care, and document processing. Depending on the level of service, location, and amenities, birth tourism packages can regularly cost expectant families tens of thousands of dollars. The investment, however, can have significant upside for entire families seeking residency in the United States, as once a child turns 21, they can petition for permanent residency of their parents and siblings.⁵

13. Marketing for the industry is typically accomplished through social media platforms, on private-messaging applications, through word-of-mouth, and online on Chinese websites or behind private and state-sponsored firewalls.

² *Id.* at 5.

³ Trump Admin Tells Supreme Court Birth Tourism is Evidence Birthright Citizenship Needs to End, CNBC (Apr. 1, 2026), <https://www.cnbc.com/2026/04/01/supreme-court-birthright-citizenship-birth-tourism.html>.

⁴ See e.g., Feds Raid California “Maternity Hotels” for Birth Tourists, NBC (Mar. 3, 2015), https://www.nbcnews.com/news/us-news/feds-raid-california-maternity-hotels-birth-tourists-n315996?cid=par-time-article_20141002.

⁵ Birth Tourism: Facts and Recommendations, Center for Immigration Studies (Jan. 23, 2020), <https://cis.org/CIS/Birth-Tourism-Facts-and-Recommendations>; Birth Tourism in the United States: Minority Staff Report, S. Comm. on Homeland Sec. & Governmental Affs., U.S. Senate (2026), *available at* https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/2022.12.20-%20Final_Birth%20Tourism%20Report.pdf; Pawel Styrna, Birth Tourism, Federation for American Immigration Reform (2020), <https://www.fairus.org/issue/birth-tourism>.

14. The birth tourism industry, however, is a dangerous one. It is “rife with criminal activity,”⁶ U.S. visa fraud, and can pose serious and underappreciated medical dangers for mothers and their children. In fact, not only do 14+ hour flights present known medical dangers and physiological stresses on pregnant women, but these conditions are also frequently made worse by the fact that the industry’s residential housing operations typically lack licensed professionals and proper clinical oversight.⁷

15. And, when obstetric and neonatal emergencies do happen, these conditions can put families and babies in dire circumstances, as mothers typically lack medical insurance, are already stretching themselves financially, and may avoid seeking unanticipated medical care both as a cost-savings measure and for fear of the legal consequences.⁸

16. For the Chinese families that seek to utilize birth tourism, the immigration process typically includes completion of a Form DS-160 (certified and subject to perjury) as an application for a tourism visa, payment of an application fee, and attendance at an in-person interview under oath at a U.S. Consulate in China, wherein a consular officer will *inter alia* assess the purpose and duration of the visit. As a part of the Form DS-160, applicants must disclose the purpose of their travel and answer whether they have “ever sought to obtain or assist others to obtain a visa... by fraud or willful misrepresentation...”⁹

17. Critically, since January 24, 2020, the United States has expressly denied tourist travel “for the primary purpose of giving birth in the United States to obtain citizenship for the child,” and has maintained that all birth-tourism visa applications “will be denied.”¹⁰

⁶ Pawel, *supra* note 5.

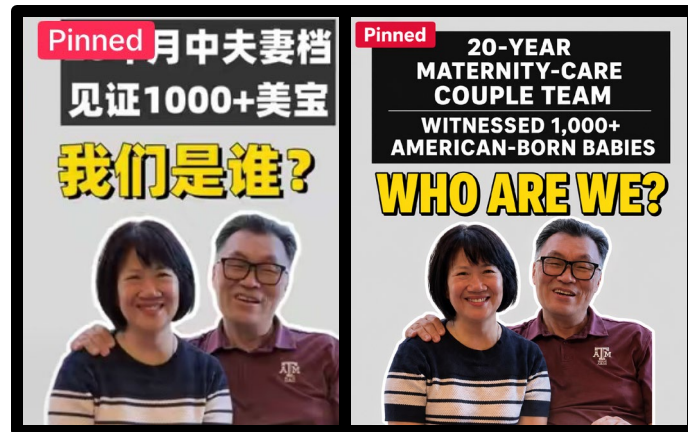
⁷ See e.g., Travel During Pregnancy, Every Stage Health – American College of Obstetricians & Gynecologists (2026), <https://www.acog.org/womens-health/faqs/travel-during-pregnancy>.

⁸ See *id.*

⁹ DS-160: Online Nonimmigrant Visa Application, U.S. Department of State (2026), <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/forms/ds-160-online-nonimmigrant-visa-application.html>; DS-160, Columbia University (2026), <https://dlc.library.columbia.edu/catalog/ldpd:535090/bytestreams/content/content?filename=DS+160.doc>.

¹⁰ Travel Gov, X (Apr. 24, 2025), <https://x.com/TravelGov/status/1915508444326490382>; 22 CFR Part 41.

The De'ai Postpartum Care Center



(Original Thumbnail of TikTok posted by Defendants on December 18, 2025 (left) and Translated Version of Thumbnail of TikTok posted by Defendants on December 18, 2025 (right))¹¹

18. 德愛月子中心 referred to in English¹² as the “De’ai Postpartum Care Center,” (“Mom Baby Center” or “the Center”) is a full-service luxury birth tourism business for Chinese-nationals seeking to exploit birthright citizenship in the United States. The Center bills itself as an “elegant” “first-class” environment and experience that offers “prenatal and postnatal care facility that combines the experience and characteristics of Chinese and American postpartum care,” and has facilitated the birth of “1,000+ American-born babies.”¹³

19. Defendants’ operation began in 2008, when they operated a single residential property in Fort Bend County. According to an article published in the World Journal, at that time, the Center was processing up to five (5) new babies per day.¹⁴

¹¹ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Dec. 18, 2025), https://www.tiktok.com/@user2530417061851/video/7585409379575368991?is_from_webapp=1&sender_device=pc&web_id=7633863415890560525.

¹² All English quotations included herein are based on third party, independent certified translations of the literal text unless otherwise noted.

¹³ *Infra*, ¶ 21.

¹⁴ De’ai Confinement Center Professional Nursing, World Journal (July 9, 2009), <http://bit.ly/3ORA8J8>.



**211 Birch Hill Dr
Sugar Land, Texas 77479**



**9201 Clarewood Dr, Unit 5
Houston, Texas 77036**



**1903 Granite Field Ln
Richmond, Texas 77469**



**7506 Summer Night Ln
Rosenberg, Texas 77469**

20. But, in light of the “sprawling industry” that has developed surrounding Defendants’ business, the Center has since increased its capacity to host additional expectant families. Today, the Center operates across at least four (4) residential properties, typically hosting multiple families in each property at any given time. Based on the Center’s 2009 capacity, the Center is currently believed to have the capacity to facilitate up to twenty (20) new births per day.¹⁵

21. The Center’s primary source of clientele comes from online advertising across various websites and platforms, including Meipian (a popular Chinese social media platform),

¹⁵ *Cf. id*; see *supra*, ¶ 19.

WeChat (a Chinese app that combines social media, private messaging, and payment), 51fumeishengzi.com (an online Chinese forum that translates to “going to the U.S. to Give Birth”), Facebook,¹⁶ and its own current and former websites: www.mombabycenter.com¹⁷ and www.texasbabycare.com.¹⁸

22. Other sources of clientele include word-of-mouth referrals and referrals from various China-based travel and birth tourism businesses, who, at times, act as Defendants’ agents.¹⁹



(Photo of One of Defendants’ Properties that was Posted Online by Defendants)²⁰

23. At the Center, expectant families are promised “24-hour care” by “experienced OB/GYN nurses” and an “elegant residential environment that includes Wi-Fi and Chinese television channels, as well as a DVD player, CD player, radio, dressing table, alarm clock, thermos, and central air conditioning.”²¹

¹⁶ Defendants have a Meipian Social Media Page Named after the Center, *available at* <https://www.meipian.cn/c/8274730>; Defendants maintain a WeChat account registered under the username US3TX8; Defendant Vivian Lin has a Facebook page registered under the username “mombabycenter” and lists the same two phone numbers that are present on the De’ai Postpartum Care Center’s website, further stating that that Vivian Lin is from Guangzhou, China but now lives in Sugar Land, Texas.

¹⁷ Homepage, Mom Baby Center (2008), <https://bit.ly/3QzKAph>.

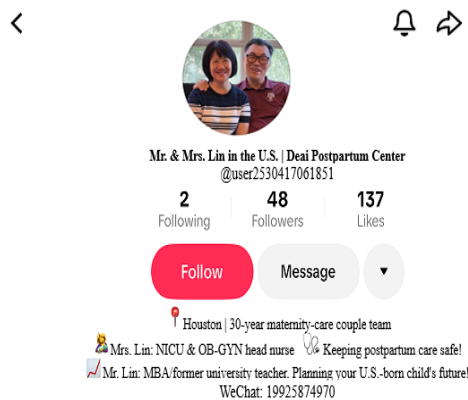
¹⁸ Homepage, Texas Baby Care (2026), <https://texasbabycare.com/Service.aspx>; Homepage, Mom Baby Center (2007), <https://mombabycenter.com>.

¹⁹ *See supra*, ¶ 21.

²⁰ Social Media Post: “A Cozy Cottage Filled with Love” | De’ai Postpartum Care Center, Meipian, (Feb. 10, 2017), <https://www.meipian.cn/d4i8obw>.

²¹ Service: Let Your Whole Family Easily Enjoy the Joy of Welcoming a New Life, Texas Baby Care (2007), <https://texasbabycare.com/Service.aspx>.

24. The Center also claims to offer a variety of options for tourism while expectant families await the birth of their child.²² In particular, the Center advertises a luxury chauffeured black-car service across the Houston area for its high-paying guests, purportedly to visit the variety of different locales advertised on its social media page, including the spring bluebonnets in Brenham, Texas,²³ the Houston Rodeo,²⁴ Christmas light shows in Houston,²⁵ and the Louvre Couture exhibition at the Museum of Fine Arts.²⁶



(Defendants' TikTok Profile Homepage)²⁷

25. As for medical care, Defendant Vivian Lin is referenced as the Center's "NICU & OB/GYN head nurse."²⁸ What's more, the Center also claims to be affiliated with licensed physicians²⁹ and The Women's Hospital of Texas. For example, in one online post, Defendants prominently display photographs of The Women's Hospital of Texas alongside Defendant's private

²² Service: Let Your Whole Family Easily Enjoy the Joy of Welcoming a New Life, Texas Baby Care (2007), <https://texasbabycare.com/Service.aspx>.

²³ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (March 29, 2026), https://www.tiktok.com/@user2530417061851/video/7622638333566422303?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

²⁴ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (March 14, 2026), https://www.tiktok.com/@user2530417061851/video/7617309859821751583?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

²⁵ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (December 24, 2025), https://www.tiktok.com/@user2530417061851/video/7587397535518559518?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

²⁶ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (March 7, 2026), https://www.tiktok.com/@user2530417061851/video/7614734196795247903?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

²⁷ Profile of Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (last accessed on Apr. 22, 2026), <https://www.tiktok.com/@user2530417061851>.

²⁸ See *id.*

²⁹ See e.g., Doctors, Texas Baby Care (2007), <https://texasbabycare.com/Doctors.aspx>.

car-service vehicles and pregnant women, and urge women that, “if you want to experience world-class medical services together with your baby, please contact Mrs. Lin for details.”³⁰

26. To bolster its advertisements, the Center frequently posts photographs of its clients and newborn babies in the hospital. For example, in one post, the Center congratulated Mr. and Mrs. Zhang from the Chinese province of Anhui. The post states that the couple’s daughter contacted Mrs. Lin to give their “child one more option for the future[.]”³¹

27. But Defendants’ services do not end here. From the inception of each new client relationship, Defendants steer clients and potential clients to private WeChat, text, phone, and email conversations. Through those channels, Defendants consult clients regarding the travel process, develop personalized immigration strategies, and coach clients on how to navigate immigration procedures and minimize legal and immigration scrutiny.³²

28. These private conversations typically involve an individualized assessment of topics covered by Defendants’ public TikTok videos, such as the following:

- “[D]o I have to buy a return [airline] ticket? Will a one-way ticket be refused entry?”³³
- “[D]oes going to the United States to have children with insurance effect the next entry?”³⁴
- “Entering the US, how much cash should you bring to avoid trouble?”³⁵

³⁰ Social Media Post: “The Woman’s Hospital of Texas” | De’ai Postpartum Care Center, (Feb. 14, 2017), <https://www.meipian.cn/dcxwOsp>.

³¹ Social Media Post: “I ♥ adorable U.S.-born babies!” | De’ai Postpartum Care Center, Meipian, (Feb. 17, 2017), <https://www.meipian.cn/crxt0p1>.

³² See *supra*, ¶ 12, 21.

³³ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (March 11, 2026), https://www.tiktok.com/@user2530417061851/video/7615949806367673630?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

³⁴ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Jan. 24, 2026), https://www.tiktok.com/@user2530417061851/video/7598896917472365854?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

³⁵ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Feb. 27, 2026), https://www.tiktok.com/@user2530417061851/video/7611513632970558751?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

- “If I give birth in a red state, can the baby get a US passport?”³⁶
- “If Meibao doesn’t return to China for two years, will her identity be cancelled?”³⁷
- “[I]s it legal for Chinese to go to the United States to have children?” (and promising to “directly explain it [] with facts + law”)³⁸
- “Many pregnant moms ask: Is entering the U.S. earlier always safer?” (and recommending between 28-32 weeks of pregnancy to avoid suspicions by customs authorities regarding immigration intent).³⁹
- “Many pregnant moms are struggling with this question: Should they conceal anything when entering the country?”⁴⁰
- “[W]hat is the difference between American citizenship and green card?”⁴¹

29. Defendants use the captions of these videos to solicit comments and lead prospective clients into private conversations with promises to “send [] a strategy” and provide the “complete legal process.”⁴²

30. One theme that is pervasive throughout the videos—and which goes to the core of Defendants’ business model—is the claim that Defendants’ birth tourism service can provide an

³⁶ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Jan. 7, 2026), https://www.tiktok.com/@user2530417061851/video/7592844519717145887?is_from_webapp=1&sender_device=pc&web_id=7633506950336710175.

³⁷ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Jan. 21, 2026), https://www.tiktok.com/@user2530417061851/video/7597813992995769631?is_from_webapp=1&sender_device=pc&web_id=7633506950336710175.

³⁸ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (March 25, 2026), https://www.tiktok.com/@user2530417061851/video/7621180978379148574?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

³⁹ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Feb. 25, 2026), https://www.tiktok.com/@user2530417061851/video/7610771457152388382?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

⁴⁰ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (March 4, 2026), https://www.tiktok.com/@user2530417061851/video/7613369323024862495?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

⁴¹ Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Feb. 23, 2026), https://www.tiktok.com/@user2530417061851/video/7610029244780940575?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

⁴² Video: Mr. and Mrs. Lin in the United States | De’ai Maternity Center, TikTok, (Mar. 25, 2026), https://www.tiktok.com/@user2530417061851/video/7621180978379148574?is_from_webapp=1&sender_device=pc&web_id=7633504052399130143.

expedient legal process, in comparison to green cards, which Defendants frame as slow, difficult to obtain, and expensive.⁴³

31. But, as the topics of Defendants' TikTok videos demonstrate, there is one central concern that repeats itself with almost every client: understanding the legal and practical pathways to entering the United States to give birth.

32. To ease these concerns, Defendants coach expectant families through the visa process, including the preparation of visa applications and interviews with the U.S. Consulate in China. Defendants go further too, even assisting in the preparation of visa applications and paperwork on behalf of clients. Once a child is born, Defendants promise to "handle all necessary certificates and licenses for newborns on clients' behalf," including all necessary paperwork relating to birth certificates, travel documents, social security numbers, a U.S. passport, and birth certificate verification.⁴⁴

33. To this end, Defendants represent themselves as subject-matter experts on these matters by emphasizing that Defendant Vivian Lin "went to the United States twice to give birth,"⁴⁵ offering themselves as a resource to help mothers avoid the detours Defendant Vivian Lin took back then.

34. Importantly, Defendants are aware that U.S. visas are prohibited for birth tourism purposes. In fact, Defendants recently referenced the Department of State's prohibition on issuing tourism visas for the primary purpose of having a child in the United States.⁴⁶ And, in order to avoid this prohibition, Defendants encouraged women to apply for a visa before becoming pregnant

⁴³ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (Apr. 10, 2026), https://www.tiktok.com/@user2530417061851/video/7627017966894255390?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

⁴⁴ Welcome to De'ai Confinement Care Center, Texas Baby Care (last accessed on April 22, 2026), <https://texasbabycare.com/Service.aspx>.

⁴⁵ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (Dec. 30, 2025), https://www.tiktok.com/@user2530417061851/video/7589878419563842847?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

⁴⁶ Video: Mr. and Mrs. Lin in the United States | De'ai Maternity Center, TikTok, (April 24, 2026), https://www.tiktok.com/@user2530417061851/video/7632308174095191327?is_from_webapp=1&sender_device=pc&web_id=7633507601166976543.

in order to avoid detection, warning that “if you wait until after you are pregnant, it may truly be too late.”⁴⁷

CAUSES OF ACTION

Information in the Nature of Quo Warranto⁴⁸

35. The State incorporates the foregoing legal and factual allegations as if set forth fully herein.

36. Under Texas law, a domestic entity, including a general partnership, may not engage in a business or activity that is (a) expressly unlawful or prohibited by a law of this state, or (b) cannot lawfully be engaged in by that entity under State law. Tex. Bus. Orgs. Code § 2.003. The Texas Constitution charges the Attorney General with preventing commercial actors from engaging in such prohibited conduct. *See* Tex. Const. art. IV, § 22.

37. Where, however, “a person... unlawfully... executes a franchise,” the Attorney General may bring an action in the nature of quo warranto and may seek to enjoin the unlawful operations. *See* Tex. Civ. Prac. & Rem. Code § 66.001(1).

38. Among the laws that domestic entities and individuals alike must comply with are those set forth in the Texas Penal Code, including the following:

Count I: Tampering with a Governmental Record

39. According to § 37.10 of the Texas Penal Code, a person commits an offense if he “knowingly makes a false entry in... a government record,” or “possess a governmental record with knowledge that it was obtained unlawfully.”

40. In the present matter, Defendants have engaged in an unlawful conspiracy to violate § 37.10 by preparing visa applications and supporting documentation, and otherwise coaching Chinese nationals to prepare such applications and materials, falsely claiming tourism as the primary purpose of their travel to the United States when completing Form DS-160, when, in fact,

⁴⁷ *See id.*

⁴⁸ This legal claim is the subject of a contemporaneously filed (or immediately forthcoming) Motion for Leave.

Defendants know that the primary purpose of such travel is to give birth to a child in the United States, in order to secure citizenship for the child.

41. Defendants have further engaged in an unlawful conspiracy in violation of § 37.10, by assisting and advising Chinese nationals to secure tourist visas with knowledge that such tourist visas were obtained unlawfully.

Count II: Unlawful Concealment and Harboring in Violation of Federal Law

42. The Texas Penal Code further prohibits a person from knowingly “encourage[ing] or induc[ing] a person to enter or remain in this country in violation of federal law by concealing, harboring, or shielding that person from detection.” Tex. Pen. Code § 20.05(a)(2).

43. As relevant to this provision, federal law makes it a crime to (1) knowingly “use, attempt[] to use, possess[], obtain[], accept[], or receive[]” a visa “knowing it to... have been procured by means of any false claim or statement,” and (2) to “knowingly make[] under oath... any false statement with respect to a material fact in any application [] or other document... required by [] immigration laws or regulations.” 18 U.S.C. § 1546.

44. In the present matter, Defendants have violated § 20.05(a)(2) by encouraging and inducing Chinese nationals to enter or remain in this country in violation of 18 U.S.C. § 1546 by conspiring with, and coaching, such persons to unlawfully obtain tourism visas through material misrepresentations, and under false pretenses, and through such materially false representations, have concealed, harbored, and shielded such persons from detection.

Public Nuisance

45. The State incorporates the foregoing legal and factual allegations as if set forth fully herein.

46. Texas law defines a “combination” as “three or more persons who collaborate in carrying on criminal activities.” Tex. Pen. Code § 71.01

47. Any combination that continuously or regularly associates in “gang activities” constitutes a public nuisance. Tex. Civ. Prac. & Rem. Code § 125.062 *et. seq.* “Gang activities” include “organized criminal activity,” as described by section 71.02 of the Penal Code.

48. As relevant here, “organized criminal activity” occurs where, with intent to establish, maintain, or participate in a combination or in the profits of a combination, a person commits or conspires to commit violations of sections 37.10 (tampering with a governmental record) and/or 20.05 of the Texas Penal Code (unlawful concealment and harboring). Tex. Pen. Code § 71.02.

49. Where such a public nuisance exists, the Attorney General is authorized to bring suit to abate and enjoin the public nuisance. Tex. Civ. Prac. & Rem. Code § 125.064.

50. In the present matter, and as further described above, Defendants’ conduct constitutes a public nuisance. Specifically, Defendants have engaged in a combination that continuously and regularly associates in organized criminal activity, namely violations of the sections 37.10 and 20.05 of the Texas Penal Code.

Violations of the Texas Deceptive Trade Practices Act (DTPA)

51. The State incorporates the foregoing legal and factual allegations as if set forth fully herein.

52. The Texas Deceptive Trade Practices Act authorizes the State to bring an action for a temporary and permanent injunction whenever it has reason to believe that any person is engaged in, has engaged in, or is about to engage in any act or practice declared unlawful under the Act. Tex. Bus. & Com. Code § 17.46.

53. The State is not required to plead or prove an injury to bring claims under the Texas Deceptive Trade Practices Act. *See* Tex. Bus. & Com. Code § 17.47(a); *see also e.g. Holzman v. State*, No. 13-11-00168-CV, 2013 WL 398935, at *3 (Tex. App. — Corpus Christi -Edinburg [13th Dist.] 2013, subsequent history omitted) (“Moreover, it is not necessary for the State to allege any injury

to a [consumer] to recover the civil penalties it seeks in its live petition.”); *see also Texas v. Colony Ridge, Inc.*, Civil Case No.: CV-H-24-0941, 2024 WL 4553111, at *8 (S.D. Tex. 2024).

54. An act is false, misleading, or deceptive under the Texas Deceptive Trade Practices Act even if it “has the capacity to deceive an ignorant, unthinking, or credulous person.” *Doe v. Boys Clubs of Greater Dallas, Inc.*, 907 S.W.2d 472, 479–80 (Tex. 1995) (quoting *Spradling v. Williams*, 566 S.W.2d 561, 562 (Tex. 1978)); *see also Streber v. Hunter*, 221 F.3d 701, 728 (5th Cir. 2000) (same).

55. The State is entitled to recover penalties up to \$10,000 for each violation of the Texas Deceptive Trade Practices Act. *See* Tex. Bus. & Com. Code § 17.47(c)(1).

Count I: Violations of Tex. Bus. & Comm. Code § 17.46(b)(2)

56. Section 17.46(b)(2) of the Texas Deceptive Trade Practices Act prohibits a person from “causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services.” Defendants have violated this provision by:

- a. Causing confusion and misunderstanding as to Defendants’ legal ability to offer medical and nursing services;
- b. Causing confusion and misunderstanding as to Defendants’ legal ability to provide experienced obstetric and gynecological care;
- c. Causing confusion and misunderstanding as to Defendant Vivian Lin’s legal ability to provide obstetric and neonatal nursing services;
- d. Causing confusion and misunderstanding as to the source of medical and nursing services that Defendants advertise; and
- e. Causing confusion and misunderstanding as to Defendants’ legal ability to assist in securing tourism visas for the primary purpose of giving birth in the United States and obtaining citizenship for such a child.

57. Accordingly, and for the reasons expressed herein, Defendants have, in the course of trade and commerce, engaged in false, misleading, and deceptive acts and practices, as declared unlawful by section 17.46(b)(2) of the Texas Deceptive Trade Practices Act.

Count II: Violations of Tex. Bus. & Comm. Code § 17.46(b)(3)

58. Section 17.46(b)(3) of the Texas Deceptive Trade Practices Act prohibits a person from “causing confusion or misunderstanding as to the affiliation, connection, or association with, or certification by, another.” Defendants have violated this provision by:

- a. Causing confusion or misunderstanding as to Defendants’ affiliation, connection, association with, and certification by, The Woman’s Hospital of Texas; and
- b. Causing confusion or misunderstanding as to Defendants’ affiliation, connection, association with, and certification by licensed doctors, nurses, other medical professionals.

59. Accordingly, for the reasons expressed herein, Defendants have, in the course of trade and commerce, engaged in false, misleading, and deceptive acts and practices, as declared unlawful by section 17.46(b)(3) of the Texas Deceptive Trade Practices Act.

Count III: Violations of Tex. Bus. & Comm. Code § 17.46(b)(5)

60. Section 17.46(b)(5) of the Texas Deceptive Trade Practices Act prohibits a person from “representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which the person does not.” Defendants have violated this provision by:

- a. Representing that Defendants can assist in obtaining a tourism visa for the primary purpose of giving birth in the United States and obtaining citizenship for such a child, when, in fact, tourism visas cannot be obtained for such purpose;
- b. Representing that Defendants can secure legal certificates and documents on behalf of their clients’ newborns, when, in fact, Defendants cannot legally provide such services;
- c. Representing that Defendants can legally provide medical and nursing services, when, in fact, Defendants cannot legally provide such services;
- d. Representing that Defendants are qualified to provide medical and nursing services, when, in fact, Defendants are not qualified to provide such services;

- e. Representing that Defendants can legally provide experienced obstetric and gynecological care, when, in fact, Defendants cannot legally provide such services;
- f. Representing that Defendants are qualified to provide experienced obstetric and gynecological care, when in fact, Defendants are not qualified to provide such care;
- g. Representing that Defendant Vivian Lin can legally provide obstetric and neonatal nursing services, when, in fact, Defendant Vivian Lin cannot legally provide such services;
- h. Representing that Defendant Vivian Lin is qualified to provide obstetric and neonatal nursing services, when, in fact, Defendant Vivian Lin is not qualified to provide such services;
- i. Representing that Defendants provide “24-hour professional care” by specialized obstetric and gynecological nurses, when, in fact, Defendants do not provide such care;
- j. Representing that Defendants have an affiliation, connection, association with, and certification by, The Woman’s Hospital of Texas, when Defendants have no such relationship with The Woman’s Hospital of Texas;
- k. Representing that Defendants have an affiliation, connection, association with, and certification by licensed doctors, nurses, other medical professionals.

61. Accordingly, for the reasons expressed herein, Defendants have, in the course of trade and commerce, engaged in false, misleading, and deceptive acts and practices, as declared unlawful by section 17.46(b)(5) of the Texas Deceptive Trade Practices Act.

Count IV: Violations of Tex. Bus. & Comm. Code § 17.46(b)(9)

62. Section 17.46(b)(9) of the Texas Deceptive Trade Practices Act prohibits a person from “advertising goods or services with intent not to sell them as advertised.” Defendants have violated this provision by:

- a. Advertising that Defendants provide “world-class medical services,” with the intent not to provide such services; and

- b. Advertising that Defendants provide “24-hour professional care,” and experienced obstetric and gynecological services with the intent not to provide such services.

63. Accordingly, for the reasons expressed herein, Defendants have, in the course of trade and commerce, engaged in false, misleading, and deceptive acts and practices, as declared unlawful by section 17.46(b)(9) of the Texas Deceptive Trade Practices Act.

Count V: Violations of Tex. Bus. & Comm. Code § 17.46(b)(12)

64. Section 17.46(b)(12) of the Texas Deceptive Trade Practices Act prohibits a person from “representing that an agreement confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law.” Defendants have violated this provision by:

- a. Representing that an agreement with Defendants confers or involves a right to receive medical care from specific doctors, nurses, other medical professionals, when, in fact, it does not;
- b. Representing that an agreement with Defendants confers or involves a right to receive medical care at The Woman’s Hospital of Texas, when, in fact, it does not.

65. Accordingly, for the reasons expressed herein, Defendants have, in the course of trade and commerce, engaged in false, misleading, and deceptive acts and practices, as declared unlawful by section 17.46(b)(12) of the Texas Deceptive Trade Practices Act.

Count VII: Violations of Tex. Bus. & Comm. Code § 17.46(a)

66. Defendants’ conduct, as alleged herein, violates section 17.46(a), which prohibits “[f]alse, misleading, or deceptive acts or practices in the conduct of any trade or commerce.”

APPLICATION FOR TEMPORARY INJUNCTION

67. The State incorporates the foregoing allegations as if set forth fully herein.

68. The State has an “intrinsic right to enact, interpret, and enforce its own laws.” *State v. Naylor*, 466 S.W.3d 783, 790 (Tex. 2015). This includes the right to “enforce existing policy” as declared by the Texas Legislature. *City of El Paso v. Heinrich*, 284 S.W.3d 366, 372 (Tex. 2009). Injuries to this right are sufficient to both create standing to sue and show irreparable harm. *See*,

e.g., *Valentine v. Collier*, 956 F.3d 797, 803 (5th Cir. 2020); *Texas v. EEOC*, 933 F.3d 433, 447 (5th Cir. 2019); *Texas Ass’n of Bus. v. City of Austin*, 565 S.W.3d 425, 441 (Tex.App.—Austin 2018, pet. denied).

69. Traditionally, a temporary injunction is warranted where an applicant proves: (1) a cause of action against the adverse party; (2) a probable right to the relief sought; and (3) a probable, imminent, and irreparable injury in the interim. *Butnaru v. Ford Motor Co.*, 84 S.W.3d 198, 204 (Tex. 2002). For the reasons addressed herein, each of these elements are satisfied here.

70. More specifically, as set forth above, Defendants are engaged in systemic and commercial violations of sections 20.05(a)(2) and 37.10 of the Texas Penal Code and conduct that constitutes a public nuisance.

71. Accordingly, the State is entitled to, and seeks, temporary and permanent injunctive relief pursuant to chapters 65 and 125 of the Texas Civil Practice and Remedies Code.⁴⁹ Tex. Civ. Prac. & Rem. Code § 6.001 (generally providing that the State of Texas is exempt from bond requirements).

72. Further, under the Texas Deceptive Trade Practices Act, whenever the State “[(1) has reason to believe that any person is engaging in, [(2)] has engaged in, or [(3)] is about to engage in any act or practice declared to be unlawful” and that the “proceedings would be in the public interest” the State “may bring an action ... to restrain by . . . temporary injunction, or permanent injunction the use of such method, act, or practice.” Tex. Bus. & Com. Code § 17.46(a).

73. “When an applicant relies upon a statutory source for injunctive relief, such as the DTPA, the statute’s express language supersedes the common law injunctive relief elements such as imminent harm or irreparable injury and lack of an adequate remedy at law.” *West v. State*, 212 S.W.3d at 519 (“when an applicant relies upon a statutory source for injunctive relief . . . the statute’s express language supersedes the common law injunctive relief elements such as imminent harm or irreparable injury and lack of an adequate remedy at law.”); see *White Lion Holdings, L.L.C.*

⁴⁹ Tex. Civ. Prac. & Rem. Code § 6.001 (generally providing that the State of Texas is exempt from bond requirements).

v. State, No. 01-14-00104-CV, 2015 WL 5626564, at *9 (Tex. App.—Houston [1st Dist.] Sept. 24, 2015, pet. denied) (mem. op.). The Texas Supreme Court has held that “when it is determined that [a] statute is being violated, it is within the province of the district court to restrain it” so “[t]he doctrine of balancing the equities has no application to this statutorily authorized injunctive relief.” *State v. Texas Pet Foods, Inc.*, 591 S.W.2d 800, 805 (Tex.1979).

74. Under the Texas Deceptive Trade Practices Act, the State need only prove the following to obtain a temporary injunction against Defendants: (1) that the Attorney General has reason to believe that Defendants are engaging in, have engaged in, or are about to engage in any act or practice declared to be unlawful by the Texas Deceptive Trade Practices Act, and (2) that the relevant proceedings would in fact be brought in the public interest, such as here. *See Office of Attorney Gen. v. PFLAG, Inc.*, No. 24-0892, 2026 WL 706010, at *9 (Tex. Mar. 13, 2026) (noting that “the Attorney General’s statutory [] authority is triggered not by demonstration or proof []. It is instead triggered by mere *belief*.” (emphasis in original)).

75. The Attorney General has reason to believe that Defendants are engaging in, have engaged in, or are about to engage in an act or practice declared to be unlawful by the Texas Deceptive Trade Practices Act and that a temporary injunction would be in the public interest.

PRAYER FOR RELIEF

76. The State incorporates by reference the preceding paragraphs as if set forth herein. As explained above, Defendants have engaged in unlawful conduct, conduct that constitutes a public nuisance, and violations of the Deceptive Trade Practices Act in violation of state law. Accordingly, and for the reasons set forth herein, the State respectfully prays that the Court enter judgment in its favor and order the following:

- a. Civil penalties in favor of the State in an amount of not more than \$10,000 per DTPA violation;
- b. Temporary and permanent injunctive relief;
- c. Forfeiture of Defendants’ franchise rights and privileges;

- d. Attorneys' fees and all costs and expenses; and
- e. Any and all further relief to which the State may be entitled.

April 29, 2026

Respectfully submitted.

KEN PAXTON
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/s/ Jacob E. Przada
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DECLARATION OF CHRISTOPHER ELMORE

Pursuant to Tex. Civ. Prac. & Rem. Code § 132.001(f), I, Christopher Elmore, submit this unsworn declaration in lieu of a written sworn declaration, verification, certification, oath, or affidavit.

My name is Christopher Elmore. I am over 18 years of age, of sound mind, and capable of making this declaration.

The facts stated within this declaration are within my personal knowledge and are true and correct.

I work as a Research Specialist in the Office of the Texas Attorney General. In my capacity as a Research Specialist, I have read the foregoing document titled “State of Texas’s Original Petition and Application for Temporary Injunction,” and the factual allegations stated therein are true and correct.

My name is Christopher Elmore, and I am an employee of the following governmental agency: Texas Office of the Attorney General. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the factual statements in the foregoing are true and correct.

Executed in Travis County, State of Texas, on the 29th day of April 2026.

/s/ Christopher Elmore