IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 1:25cv23616

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIEVA BRICENO,
a/k/a Marieva Briceno de Sanchez,
a/k/a Marieva Briceno Betancourt,
a/k/a Marieva Briceno de Hernandez,

Defendant.

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT REVOKING NATURALIZATION

Plaintiff, the United States of America ("United States") and Marieva Briceno, a/k/a Marieva Briceno de Sanchez, a/k/a Marieva Briceno Betancourt, a/k/a Marieva Briceno de Hernandez ("Defendant"), jointly move this Court to enter the attached proposed Consent Judgment Revoking Naturalization. This motion is supported by Defendant's admission to, and acknowledgment of the truth of, the specific facts identified below.

FACTUAL BACKGROUND

Beginning in approximately May 2007, Defendant, together her brother (Henry Briceno), daughter (Karina Hernandez), and others, began operating three medical clinics in the Detroit, Michigan area: Bless MC, LLC, which later changed its name to Blessed MC, LLC, Alpha & Omega MC, LLC, and Manuel MC, LLC (collectively, the "Clinics").

On September 11, 2011, Defendant was charged with several crimes, including conspiracy to commit health care fraud, in violation of 18 U.S.C. §§ 1347 and 1349. *See* Second Superseding Indictment, *United States v. Karina Hernandez, et al.*, No. 11-cr-20076 (E.D. Mich.

Sept. 12, 2011), ECF No. 113. On March 14, 2012, Defendant pleaded guilty to Count I, Conspiracy to Comimt Health Care Fraud, 18 U.S.C. § 1349. *See* Transcript of Arraignment and Guilty Plea Hearing at 23:25-24:14, *United States v. Briceno*, No. 11-cr-20076-02 (E.D. Mich. Apr. 20, 2012), ECF No. 243. As part of her guilty plea, Defendant signed and filed with the court a Rule 11 Plea Agreement in which Defendant admitted to the criminal conspiracy described therein. Following her conviction, Defendant was sentenced to 60 months in prison followed by 24 months of supervised release, ordered to pay $2,998,321.94 in restitution to the Medicare Trust Fund, and ordered to forfeit $513,200.65.

On or about December 21, 2009, after the criminal conspiracy began but before her arrest and conviction, Defendant applied to naturalize and become a U.S. citizen by filing a Form N-400, Application for Naturalization ("Naturalization Application") with U.S. Citizenship and Immigration Services ("USCIS"). On her Naturalization Application, Defendant checked "No" in response to Part 10, Question 15, which asked, "Have you **ever** committed a crime or offense for which you were **not** arrested?" On or about November 9, 2009, Defendant signed the Naturalization Application under penalty of perjury, thereby certifying that her answers to the questions therein were true and correct.

On March 11, 2010, an officer with USCIS interviewed Defendant regarding her Naturalization Application to determine her eligibility for naturalization. At the beginning of the interview, the USCIS officer placed Defendant under oath. During the interview, the USCIS officer asked Defendant whether she had ever committed a crime or offense for which she was not arrested. In response, Defendant said no, confirming her written response to Part 10, Question 15 of her Naturalization Application. Defendant's testimony regarding her commission of a crime or offense was false because as of the date of her naturalization interview, she had been engaged in a criminal conspiracy to commit health care fraud.

Based upon the information Defendant supplied on her Naturalization Application and on the sworn answers she gave during her March 11, 2010 naturalization interview, USCIS approved the application. On March 19, 2010, Defendant took the Oath of Allegiance to become a U.S. citizen. She was issued Certificate of Naturalization No. [redacted].

STATUTORY BACKGROUND

The Immigration and Nationality Act provides for the revocation of an individual's naturalized U.S. citizenship for either of two independent grounds: (1) if the naturalization was illegally procured; or (2) if the naturalization was procured by concealment of a material fact or by willful misrepresentation. 8 U.S.C. § 1451(a). "Illegal procurement" has occurred where an applicant naturalized despite failing to comply with all congressionally-imposed prerequisites to the acquisition of citizenship. *Fedorenko v. United States*, 449 U.S. 490, 517 (1981). Where the government establishes that the defendant's citizenship was procured illegally or by willful misrepresentation of material facts, "district courts lack equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko*, 449 U.S. at 517.

Based on the agreed facts and law, Defendant's naturalized citizenship was illegally procured.

ANALYSIS

The parties agree that Defendant illegally procured her citizenship because she was not eligible for naturalization because she lacked the requisite good moral character, as alleged in Counts I and III of the Complaint in this action. Compl. ¶¶ 62-71, 84-93, ECF No. 1; *see* 8 U.S.C. § 1427(a)(3). Congress has mandated that an individual may not naturalize unless that person "during all periods referred to in the subsection has been and still is a person of good moral character." 8 U.S.C. § 1427(a)(3). An individual applying to naturalize as a U.S. citizen must be a person of good moral character for a period that begins five years before the date the individual applies for naturalization, and it continues until the individual takes the oath of allegiance and becomes a U.S. citizen. *Id.*; 8 C.F.R. § 316.10(a)(1). Defendant's statutory period thus ran from December 21, 2004, until the date she became a U.S. citizen, on March 19, 2010.

A person who commits crimes involving moral turpitude ("CIMT") during the statutory period and later admits to or is convicted of those crimes is statutorily barred from establishing good moral character. 8 U.S.C. § 1101(f)(3); 8 C.F.R. § 316.10(b)(2)(i). As set forth above, during her statutory period, Defendant committed conspiracy to commit health care fraud, in violation of 18 U.S.C. §1349, and was subsequently convicted of that crime. Conspiracy to commit health care fraud is a CIMT. *See Jordan v. De George*, 341 U.S. 223, 229 (1951) ("American courts have, without exception, included [fraud] crimes within the scope of moral turpitude."); *United States v. Prat*, No. 21-cv-20547, 2024 WL 2721881, at *3 (S.D. Fla. May 28, 2024) (finding violation of 18 U.S.C. §§ 1347 and 1349 to be a CIMT); *United States v. Merino*, No. 20-cv-24093, 2021 WL 4976248, at *3 (S.D. Fla. July 26, 2021) (finding conspiracy to commit health care fraud and wire fraud constitutes a CIMT because it involves deceit and runs contrary to accepted societal duties and involves dishonest or fraudulent activity), *rpt. & rec. adopted*, No. 20-CIV-24093, 2021 WL 4099055 (S.D. Fla. Sept. 9, 2021). Defendant's commission of a CIMT during her statutory period and subsequent conviction for that crime precluded her from establishing good moral character under § 1101(f)(3). Because Defendant was statutorily barred from establishing the requisite good moral character to naturalize, Defendant concedes that her naturalization was illegally procured and that this Court should enter an order of denaturalization.

A person who offers false testimony during the statutory period for the purpose of obtaining immigration benefit is also statutorily barred from establishing good moral character. 8 U.S.C. § 1101(f)(6). Defendant's false statements about crimes for which she had not been arrested, made under oath at her naturalization interview constitute false testimony and precluded her from establishing good moral character under § 1101(f)(6). Because Defendant was statutorily barred from establishing the requisite good moral character to naturalize, Defendant concedes that her naturalization was illegally procured and that this Court should enter an order of denaturalization.[1]

CONCLUSION

In light of the facts above which Defendant admits are true, and having fully discussed the case with her counsel, Defendant agrees with the United States that denaturalization is proper and, to avoid delay, uncertainty, inconvenience, and expense of further litigation, does not wish to further contest denaturalization. Accordingly, the United States and Defendant jointly move this Court for an order providing the relief requested in the attached proposed Consent Judgment Revoking Naturalization. The parties also jointly request the Court to set a hearing for approximately 21 days from the effective date of the Judgment at which Defendant, appearing in person with counsel, must demonstrate that she has complied with the Judgment, unless the United States provides notice that Defendant has fully complied and the Judgment is satisfied.

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[1] The parties note that because all four counts in the Government's Complaint seek the same relief, if the Court grants judgment in favor of the Government on Court I, III, or both, the remaining counts (Counts II and IV) will be rendered moot.

Respectfully submitted,

________________________ Dated: 11/12/25

MARIEVA BRICENO,
a/k/a Marieva Briceno de Sanchez,
a/k/a Marieva Briceno Betancourt,
a/k/a Marieva Briceno de Hernandez,

Defendant

/s/ Alexandra Friz-Garcia Dated: *11/12/25*

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