

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:25-CV-01519-D-KS**

UNITED STATES OF AMERICA	)	
	)	
v.	)	ANSWER TO COMPLAINT TO
	)	REVOKE NATURALIZATION
HECTOR DANERI REGALADO	)	

NOW COMES the Defendant, Hector Regalado (“Regalado” or “Defendant”) through undersigned counsel and answering the Complaint in the instant action filed on September 24, 2025 says and asserts as follows:

**I.
INTRODUCTORY FACTS AND LAW AND RESPONSE TO PLAINTIFF’S
PRELIMINARY STATEMENT**

1. On November 3, 2025 Defendant filed a Motion to Dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure [DE 6]. On January 27, 2026 the Court denied the Motion to Dismiss [DE 11]. Defendant hereby renews said Motion requesting reconsideration for the reasons set forth hereafter.
2. Regalado submitted his naturalization application to the United States Citizenship and Immigration Services in April of 2010 and on August 13, 2010 was issued a Certification of Naturalization.
3. On July 2, 2012 Defendant was indicted in Sampson County, North Carolina for a statutory sexual offense of a person, 13, 14 and 15 years old and taking indecent liberties with a child. He denied and continues to deny the accusations in the indictments but on advice of counsel decided it was in his best interest to take an “Alford plea”. See Exhibit

“A” hereto. On September 19, 2012 Superior Court Judge John Nobles accepted the “Alford plea” but suspended the sentence of imprisonment.

4. In 2013, Defendant was charged with and subsequently pled guilty to possession of a firearm by a felon. From 2013 until October of 2020 Regalado had only minor encounters with law enforcement. During a portion of this time he was a tenant of the late Senator Lauch Faircloth and according to Anne Faircloth was a “good citizen and respectable business person”. See Exhibit “B” hereto.
5. In October of 2020 he pled guilty in this Court for failure to register as a sex offender for which he was placed on three (3) years probation on February 9, 2021. Hence, from 2013 until 2020 Regalado was a law-abiding citizen and member of the community. So, from 2003 when he became a lawful permanent resident of the United States until 2025 he had three (3) adjudicated violations of law (the one in 2012 which he disputed but for which he reluctantly took an “Alford plea”, the 2013 charge of felon in possession and the failure to register as a sex offender in 2020). Thus, basically for twenty two (22) years Regalado has, in the main, demonstrated good moral character. For his defense to the instant Complaint, Defendant relies, at least in part, on the Supreme Court holding in *Schneiderman v. United States*, 320 U.S. 118 (1943) standing for the long established proposition that in an action to deprive “one of the precious right of citizenship previously conferred.... the facts and the law should be construed as far as is reasonably possible in favor of the citizen [perhaps explaining the heightened burden of proof on the government to prove its allegations by clear, convincing and unequivocal evidence which does not leave the veracity of the allegations in doubt]. Especially is this so when the attack is made long after the time when the certificate of citizenship was granted and the

citizen has meanwhile met his obligations and has committed no acts of lawlessness.”

Schneiderman at 122, 123. Assuming that the “obligations” included the need to register as a sex offender, the attack on Regalado’s citizenship comes more than a decade after he was issued a Certificate of Naturalization (2010 – 2025). And while “lawlessness” certainly includes possession of a firearm, it surely does not encompass the inadvertent failure to register as a sex offender. In sum, from 2013 until 2025 Defendant has three (3) criminal transgressions as set forth above.

II. ANSWERS TO SPECIFIC ALLEGATIONS

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted as to attachment, otherwise Denied.
7. Admitted.
8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.
13. Admitted.
14. Admitted.

15. Admitted.
16. Admitted.
17. Admitted.
18. Admitted.
19. Admitted.
20. Admitted.
21. Admitted.
22. Admitted.
23. Admitted.
24. Admitted.
25. Admitted.
26. Admitted subject to explanation that the pleas were reluctantly entered under *North Carolina v. Alford*, 400 U.S. 25 (1970) and, in fact, Defendant has denied the accusations in the indictments.
27. Admitted.
28. Admitted.
29. Denied.
30. Denied.
31. Denied.
32. Denied.
33. Denied.
34. Denied.
35. Denied.

36. Denied.

37. – 48. The contents of ¶¶ 37. – 48. do not contain allegations to which answers are required, but to the extent they inculcate Defendant, they are Denied.

49. The previous Answers set forth herein are reasserted and incorporated by reference.

50. Admitted.

51. Denied.

52. Denied.

53. Denied.

54. Denied.

55. Denied.

56. Denied.

57. Denied.

58. The previous Answers set forth herein are reasserted and incorporated by reference.

59. Admitted.

60. Denied.

61. Denied.

62. Denied.

63. Denied.

64. Denied.

65. Denied.

66. The previous Answers set forth herein are reasserted and incorporated by reference.

67. Denied.

68. Denied.

69. Denied.

70. Denied.

71. Denied.

72. Denied.

III.

RESPONSE TO PLAINTIFF'S PRAYER FOR RELIEF AND DEFENDANT'S PRAYER FOR RELIEF

1. – 7. of Plaintiff's Prayer for Relief should be denied and rejected *in toto*.

DEFENDANT'S PRAYER FOR RELIEF

Defendant, Hector Daneri Regalado, requests:

1. A trial on all issues of relevant fact and applicable law requiring the Plaintiff to prove its case by clear, convincing and unequivocal evidence; and
2. Adjudication that the failure to register as a sex offender in 2020 was not material; and
3. Adjudication that Defendant's citizen's certificate of citizenship was not illegally procured; and
4. Adjudication that Defendant's citizen's certificate of citizenship was not procured by concealment of a material fact or by willful misrepresentation; and
5. Adjudication that no statements or representations of Defendant during the naturalization process were false or willful misrepresentations; and
6. Adjudication that the attack on Defendant's Naturalization (Complaint to Revoke Naturalization) is made indefensibly long after the time when he received a Certificate of Naturalization and, hence, the facts and the law must be construed as far as possible in favor of Defendant and the Denaturalization action denied. *Schneiderman, supra*; and

7. Denial of Plaintiff's action to revoke Defendant's Naturalization based on his alleged lack of good moral character.

Respectfully submitted this 25th day of February, 2026.

EDMISTEN & WEBB LAW

/s/ William Woodward Webb
WILLIAM WOODWARD WEBB
N.C. State Bar No. 4624
Attorney for Defendant
118 St. Mary's Street
2nd Floor
Raleigh, North Carolina 27605
(919) 831-8700
woodywebb@ew-law.com

CERTIFICATE OF SERVICE

This is to certify that the undersigned attorney has served a copy of the *Answer to Complaint to Revoke Naturalization* upon counsel and parties listed below via the CM/ECF System of the United States District Court for the Eastern District of North Carolina:

Christopher Hollis
christopher.hollis@usdoj.gov
Trial Attorney
Office of Immigration Litigation
U.S. Department of Justice

This 25th day of February, 2026.

EDMISTEN & WEBB LAW

/s/ William Woodward Webb
WILLIAM WOODWARD WEBB
N.C. State Bar No. 4624
Attorney for Defendant
118 St. Mary's Street
2nd Floor
Raleigh, North Carolina 27605
(919) 831-8700
woodywebb@ew-law.com