

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

Plaintiff,

V.

KEMAL MRNDZIC,
a/k/a Kemal Mrndjic,
a/k/a “Kemo,”

Defendant.

Civil No. 1:25-cv-13906

COMPLAINT TO REVOKE NATURALIZATION

I. PRELIMINARY STATEMENT OF THE CASE

The United States of America (“Plaintiff”) brings this civil action against Kemal Mrndzic, a/k/a Kemal Mrndjic, a/k/a “Kemo” (“Defendant”) to revoke his naturalization as a U.S. citizen pursuant to 8 U.S.C. § 1451(a). Defendant, a native of Yugoslavia and formerly a citizen of Bosnia and Herzegovina, served in the military of Bosnia and Herzegovina during the 1992-1995 Balkans conflict, [REDACTED]

 both of which are located in Bosnia and Herzegovina. During the timeframe Defendant served as a guard at  Bosnian-Serbs were beaten, tortured, sexually assaulted, subjected to starvation, and murdered. As detailed below – and as established in a 2024 jury trial convicting Defendant of multiple counts of fraud and false statements stemming from his immigration proceedings – Defendant falsified and misrepresented material information in his immigration applications and throughout his immigration proceedings, including, but not limited to, the nature and timing of his military service, his departure from Bosnia and Herzegovina to Croatia, and his persecution of others. *See United States v. Mrndzic*, 23-cr-10158-DJC, ECF No. 138 (D. Mass. Oct. 18, 2024) (Jury Verdict); *see also id.*, ECF No.

70 (D. Mass. July 9, 2024) (Superseding Indictment). The false information Defendant provided in support of his immigration efforts enabled him to fraudulently and unlawfully procure refugee admission, permanent residence, and, ultimately, citizenship in the United States. The United States accordingly brings this civil action to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel his Certificate of Naturalization.

II. JURISDICTION AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to citizenship and to cancel his Certificate of Naturalization No. , as of the date it was issued, April 29, 2009.

2. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1345 for a cause of action under 8 U.S.C. § 1451(a).

3. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because, prior to his incarceration, Defendant resided within this District in Lynn, Massachusetts.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant, a former citizen of Yugoslavia and, subsequently, a citizen of Bosnia and Herzegovina, is a naturalized U.S. citizen.

IV. FACTUAL BACKGROUND

6. The affidavit of  Special Agent with Homeland Security Investigations, U.S. Immigration and Customs Enforcement, an agency within the U.S. Department of Homeland Security, showing good cause for this action as required by 8 U.S.C. § 1451(a) is attached as Exhibit A.

**DEFENDANT’S BACKGROUND, ICTY INVESTIGATION,
AND TRAVEL TO CROATIA¹**

Defendant’s Konjic Origin and Entry to Military

7. Defendant is a [REDACTED] and he was born, raised, and educated in Konjic, Bosnia and Herzegovina. Ex. B (Criminal Records) at Superseding Indictment ¶¶ 1, 7.

8. In the spring of 1992, at the onset of the Bosnian War, Defendant entered military service as a member of a local [REDACTED] unit in Konjic, Bosnia and Herzegovina. *Id.* at Superseding Indictment ¶ 7.

**Defendant’s Prison Guard/Commander Tenure
at Čelebići Prison Camp and Musala Detention Center**

9. Beginning in or about June 1992, in the municipality of Konjic, Defendant served as a guard in charge of security at a prison camp called [REDACTED] until the camp’s closure in or about [REDACTED] *Id.* at Superseding Indictment ¶¶ 7-8.

10. The conditions for [REDACTED] camp prisoners, who were majority ethnic Serb, were exceptionally harsh, with camp guards persecuting the prisoners and inflicting atrocities, including physical torture, starvation, and murder. *Id.* at Superseding Indictment ¶¶ 3-6.

11. After the [REDACTED] camp closed in or about December 1992, Defendant received a promotion in or about 1994 to the position of commander of [REDACTED] detention center in [REDACTED] *Id.* at Superseding Indictment ¶¶ 9, 27.

¹ The United States’ allegations in this section and others below are largely drawn from the facts established through the Superseding Indictment and Jury Verdict on Counts 1-3 and 6-7 in Defendant’s federal criminal matter. *See* Ex. B - Criminal Records, *Mrndzic*, No. 1:23-cr-10158-DJC, ECF Nos. 70 (D. Mass. July 9, 2024) (Superseding Indictment) and 138 (D. Mass. Oct. 18, 2024) (Jury Verdict). The United States cites to these criminal records where they support the United States’ factual allegations.

12. Defendant's service in the Bosnia and Herzegovina military began in or around spring of 1992 and continued until in or around late 1995. *Id.* at Superseding Indictment ¶¶ 7, 9, 27.

**Defendant's Statements to Investigators and Defense Relating to the
International Criminal Tribunal for the Former Yugoslavia**

13. On October 17, 1996, in Sarajevo, Bosnia and Herzegovina, Defendant provided a signed statement to investigators with the International Criminal Tribunal for the former Yugoslavia ("ICTY"). *Id.* at Superseding Indictment ¶ 10. A true and complete copy of the statement is attached within Exhibit C.

14. In his October 17, 1996 statement, Defendant stated that he reported for Bosnia and Herzegovina military duty in Konjic in April 1992; reported for military duty at [REDACTED] prison camp in June 1992, where he worked as a guard in charge of security at [REDACTED] until December 1992; but denied participating in any abuses or knowledge that any abuses occurred at [REDACTED] Ex. B at Superseding Indictment ¶ 10.

15. On or about October 26, 1996, Defendant provided a signed statement to a defense team representing [REDACTED] guard Esad Landzo ("Landzo") before the ICTY. *Id.* at Superseding Indictment ¶ 11. A true and complete copy of the statement is attached within Exhibit C.

16. In his October 26, 1996 statement to the Landzo defense team, Defendant stated that he worked as a guard at [REDACTED] and was "put in charge of the guard relief" shortly after his arrival at [REDACTED] that he had known Landzo since childhood and was aware of certain physical conditions affecting Landzo; that Defendant was not aware of any abuses or murder of [REDACTED] prisoners by Landzo; and that Defendant did not witness abuses at [REDACTED] Ex. B at Superseding Indictment ¶ 11.

17. On November 13, 1996, Defendant provided a supplementary statement to the Landzo defense team. *Id.* at Superseding Indictment ¶ 12. A true and complete copy of the statement is attached within Exhibit C.

18. In his November 13, 1996 supplementary statement, Defendant stated that, during the October 17, 1996 interview, the ICTY investigator accused Defendant of lying in his ICTY statement and told Defendant that there was proof of Defendant's involvement in an alleged murder at  Ex. B at Superseding Indictment ¶ 12.

Defendant's Travel from Bosnia and Herzegovina to Croatia

19. Prior to March 1, 1998, Defendant traveled from Bosnia and Herzegovina to Croatia, the location from which he began his efforts to immigrate to the United States, including completing, among other immigration documents, his refugee application and interviewing in support of it in Croatia. *Id.* at Superseding Indictment ¶¶ 13-18.

IMMIGRATION HISTORY

Refugee Admission

20. On or about March 1, 1998, Defendant signed a Registration for Approval of Refugee Status ("registration for refugee approval") in support of his application for refugee status in the United States. A true and complete copy is attached as Exhibit D. *See also* Ex. B at Superseding Indictment ¶ 15.

21. On his registration for refugee approval, at Question 14 requesting the applicant to list "Military Service," Defendant indicated that he served in the Bosnian military as a "Soldier" in an "Air Defense" capacity from January 1993 to May 1994. Ex. D; *see also* Ex. B at Superseding Indictment ¶¶ 17, 18.

22. On or about April 8, 1998, Defendant signed a Form I-590, Registration for Classification as a Refugee (“refugee application”). A true and complete copy is attached as Exhibit E.

23. On his refugee application, at Question 12 requesting the applicant to list “Schooling or education,” Defendant indicated that he attended primary and secondary school in Nevesinje, which is located in Bosnia and Herzegovina. Ex. E; *see also* Ex. B at Superseding Indictment ¶¶ 15, 16, 17.

24. On his refugee application, at Question 13 requesting the applicant to list “Military service,” Defendant indicated that he served in the “BH Army” from “1993-1994” and that he attained the rank of “Private.” Ex. E; Ex. B at Superseding Indictment ¶ 17.

25. On his refugee application, at Question 17 requesting the applicant to list “close relatives in the United States,” Defendant indicated that he had a half-brother, Azem Zebic, who lived in Massachusetts. Ex. E; Ex. B at Superseding Indictment ¶ 17.

26. Also with his refugee application, Defendant submitted a “case summary” statement, as referenced in his refugee application at Question 5 requesting “Reasons (*State in detail*).” Ex. E.

27. On his case summary statement, Defendant stated, “In January 1993, the BH Army mobilized me. I served on the front line around Jablanica.” *Id.*

28. On his case summary statement, Defendant stated that he is a “[REDACTED] from Nevesinje” and that, on August 8, 1992, after [REDACTED] Defendant and his brother, they “escaped” and [REDACTED] and were reunited with [their] family in Jablanica.” *Id.*; Ex. B at Superseding Indictment ¶ 17.

29. Also on his case summary statement, Defendant stated that he married his wife “[i]n May 1994,” and that “[f]ive days later, we fled to Croatia.” Ex. E; *see also* Ex. B at Superseding Indictment ¶ 17.

30. Defendant concluded his case summary statement by stating that, 
 may kill me if I tried to return. I would like to resettle to the US [sic] to . . . be reunited with by brother.” Ex. E; Ex. B at Superseding Indictment ¶ 17.

31. On or about November 30, 1998, at Split, Croatia, Defendant was interviewed in support of his refugee application and, in the presence of the interviewing Immigration and Naturalization Service (“INS”)² officer, again signed his application, swearing that “I know the contents of this registration subscribed by me including the attached documents, [and] that the same are true to the best of my knowledge[.]” Ex. E; Ex. B at Superseding Indictment ¶ 18.

32. Also on November 30, 1998, and in support of his refugee application, Defendant signed a Form G-646, Sworn Statement of Refugee Applying for Entry into the United States (“G-646 sworn statement”). A true and complete copy is attached as Exhibit F.

33. On his G-646 sworn statement, Defendant swore or affirmed that he was not an “[a]lien who ha[d] been involved in assisting any other aliens to enter the United States in violation of law.” *Id.*

² On March 1, 2003, the INS ceased to exist and many of its relevant functions transferred to DHS. *See* Homeland Security Act of 2002, Pub. L. No. 107-296, 110 Stat. 2135 (Nov. 25, 2002). However, because some events in this matter took place prior to the transfer, this complaint will reference INS where factually accurate.

34. Also on his G-646 sworn statement, Defendant swore or affirmed that he had “never ordered, assisted or otherwise participated in the persecution of any person because of race, religion or political opinion.” *Id.*; Ex. B at Superseding Indictment ¶ 30.

35. In submitting his G-646 sworn statement, Defendant swore or affirmed the substance of the sworn statement and signed it before an INS officer on or about November 30, 1998, indicating that he “underst[ood] all the foregoing statements, having asked for and obtained a translation or explanation of every point which was not understood or clear to me.” Ex. F.

36. Also in support of his refugee application, Defendant submitted a Form G-325C, Biographic Information (“Form G-325C”), which he signed and dated on April 8, 1998. A true and complete copy is attached as Ex. G. *See also* Ex. B at Superseding Indictment ¶¶ 14, 16.

37. On his Form G-325C, in responding to the section requesting his “residence” for the “last five years,” Defendant listed Nevesinje as his “birthplace,” indicating that he resided there until August 1992 and that he thereafter resided in Jablanica in a refugee camp from August 1992 until May 1994. Ex. G; Ex. B at Superseding Indictment ¶ 16.

38. Also on his Form G-325C, Defendant wrote his mother’s name as Sefika Idrizovic. Ex. G.

39. Also on his Form G-325C, Defendant indicated he married Sejla Velagic on May 5, 1994, in Konjic. *Id.*

40. On or about March 4, 1999, Defendant was admitted to the United States at New York, New York, as a refugee. Ex. B at Superseding Indictment ¶ 19.

Adjustment of Status to Permanent Resident

41. On or about April 7, 2008, Defendant signed a Form I-485, Application to Register Permanent Residence or Adjust Status (“adjustment application”) and filed it with U.S. Citizenship and Immigration Services (“USCIS”), certifying “under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it is all true and correct.” A true and complete copy is attached as Ex. H. *See also* Ex. B at Superseding Indictment ¶ 21.

42. On his adjustment application, Part 3, Subpart C required Defendant to list his “present and past membership in or affiliation with every political organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place since your 16th birthday,” and to “[i]nclude any foreign military service in this part.” Ex. H.

43. In response to this question, Defendant answered “Foreign- Bosnia & Herzegovina’s Military Service (1993/1994).” *Id.*; Ex. B at Superseding Indictment ¶ 21.

44. Also on his adjustment application, Part 3, Question 1(a) asked: “Have you ever, in or outside the United States . . . knowingly committed any crime of moral turpitude . . . for which you have not been arrested?” Ex. H; Ex. B at Superseding Indictment ¶¶ 21, 30.

45. In response to this question, Defendant checked the box marked “No.” Ex. H; Ex. B at Superseding Indictment ¶ 21.

46. Also on his adjustment application, Part 3, Question 10 asked, in part: “[H]ave you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States or any immigration benefit?” Ex. H; Ex. B at Superseding Indictment ¶ 21.

47. In response to this question, Defendant checked the box marked “No.” Ex. H; Ex. B at Superseding Indictment ¶ 21.

48. In support of his adjustment application, Defendant completed a Form G-325A, Biographic Information (“Form G-325A”), which he signed and dated on April 7, 2008. A true and complete copy is attached as Ex. I; Ex. B at Superseding Indictment ¶ 22.

49. On his Form G-325A, in responding to the section requesting his “last address outside the United States of more than one year,” Defendant responded that he resided in Croatia from May 1994 until March 1999. Ex. I; Ex. B at Superseding Indictment ¶ 22.

50. Also on his Form G-325A, in responding to the section requesting his “last occupation abroad if not shown above,” Defendant responded “Constructor” and “Construction for private firm in Croatia” beginning May 1994 until March 1999. Ex. I; Ex. B at Superseding Indictment ¶ 22.

51. Also on his Form G-325A, Defendant indicated his mother’s name as Sefika Idrizovic. Ex. I; Ex. B at Superseding Indictment ¶ 22.

52. Also on his Form G-325A, Defendant indicated he married Sejla Velagic on May 5, 1994, in Konjic. Ex. I.

53. On or about October 21, 2008, USCIS approved Defendant’s adjustment application, according Defendant the status of permanent resident retroactive to March 4, 1999, his date of admission as a refugee. *Id.*; Ex. B at Superseding Indictment ¶ 23.

NATURALIZATION PROCEEDINGS

Naturalization Application

54. On or about December 5, 2008, Defendant completed and signed a Form N-400, Application for Naturalization (“naturalization application”), *see* Ex. B at Superseding

Indictment ¶ 25, and filed it with USCIS on or about December 12, 2008, certifying “under penalty of perjury under the laws of the United States of America, that this application, and the evidence submitted with it, are all true and correct.” A true and complete copy of the naturalization application is attached as Exhibit J.

55. On his naturalization application, Question 3 of Part 8(B) asked Defendant’s “Date of Marriage.” In response, Defendant answered May 5, 1994. Ex. J.

56. On his naturalization application, Question 11 of Part 10(B) asked: “Have you **ever** persecuted (*either directly or indirectly*) any person because of race, religion, national origin, membership in a particular social group, or political opinion?” (emphasis in original). In response, Defendant checked the box marked “No.” *Id.*; Ex. B. at Superseding Indictment ¶ 30.

57. On his naturalization application, Question 15 of Part 10(D) asked: “Have you **ever** committed a crime or offense for which you were **not** arrested?” (emphasis in original). In response, Defendant checked the box marked “No.” Ex. J; Ex. B at Superseding Indictment ¶ 25.

58. On his naturalization application, Question 22(e) of Part 10(D) asked: “Have you **ever**: [. . .] Helped anyone enter or try to enter the United States illegally?” (emphasis in original). In response, Defendant checked the box marked “No.” Ex. J; Ex. B at Superseding Indictment ¶ 25.

59. On his naturalization application, Question 23 of Part 10(D) asked: “Have you **ever** given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion or removal?” (emphasis in original). In response, Defendant checked the box marked “No.” Ex. J; Ex. B at Superseding Indictment ¶ 25.

60. On his naturalization application, Question 24 of Part 10(D) asked: “Have you **ever** lied to any U.S. government official to gain entry or admission into the United States?” (emphasis in original). In response, Defendant checked the box marked “No.” Ex. J; Ex. B at Superseding Indictment ¶ 25.

Naturalization Interview

61. On April 2, 2009, Defendant appeared for an interview in support of his naturalization application, whereupon immigration officer Tania F. Rodriguez placed Defendant under oath and interviewed him. Ex. J; Ex. B at Superseding Indictment ¶ 26.

62. Consistent with his written response to Question 3 of Part 8(B), Defendant orally testified under oath that his marriage date is May 5, 1994. Ex. J.

63. Consistent with his written response to Question 11 of Part 10(B), Defendant orally testified under oath that he had never persecuted, either directly or indirectly, any person because of race, religion, national origin, membership in a particular social group, or political opinion. *Id.*; Ex. B at Superseding Indictment ¶ 30.

64. Consistent with his written response to Question 15 of Part 10(D), Defendant orally testified under oath that he had never committed a crime or offense for which he had not been arrested. Ex. J; Ex. B at Superseding Indictment ¶¶ 25, 26, 30.

65. Consistent with his written response to Question 22(e) of Part 10(D), Defendant orally testified under oath that he had never helped anyone enter or try to enter the United States illegally. Ex. J; Ex. B at Superseding Indictment ¶¶ 25, 26.

66. Consistent with his written response to Question 23 of Part 10(D), Defendant orally testified under oath that he had never given false or misleading information to any U.S.

government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal. Ex. J.

67. Consistent with his written response to Question 24 of Part 10(D), Defendant orally testified under oath that he had never lied to any U.S. government official to gain entry or admission into the United States. *Id.*; Ex. B at Superseding Indictment ¶¶ 25, 26.

68. At the end of his naturalization interview, Defendant again signed his naturalization application, swearing (or affirming) and certifying “under penalty of perjury under the laws of the United States of America that I know that the contents of this application for naturalization subscribed by me,” including his corrections to the contents, as well as supporting evidence submitted, “are true and correct to the best of my knowledge and belief.” Ex. J; Ex. B at Superseding Indictment ¶ 26.

69. Based on Defendant’s sworn statements in his naturalization application and on his sworn oral testimony at his naturalization interview, USCIS approved Defendant’s naturalization application on April 2, 2009. Ex. J; Ex. B at Superseding Indictment ¶ 26.

70. Based on his approved naturalization application, on April 29, 2009, Defendant took the oath of allegiance admitting him to U.S. citizenship, and he was issued Certificate of Naturalization No.  A true and complete copy is attached as Exhibit K. *See also* Ex. B at Superseding Indictment ¶ 26.

DEFENDANT’S CRIMES AND RESULTING FALSE STATEMENTS AND TESTIMONY

Defendant’s Federal Conviction

71. On July 9, 2024, the United States filed in the U.S. District Court for the District of Massachusetts a seven count Superseding Indictment charging Defendant with one count of Use of a Fraudulently Obtained Passport, in violation of 18 U.S.C. § 1542 (Count One); one

count of Use of a Fraudulently Obtained Naturalization Certificate, in violation of 18 U.S.C. § 1015(c) (Count Two); one count of Possession of a Fraudulently Obtained Authorization Document, in violation of 18 U.S.C. § 1546(a) (Count Three); three counts of False Statements, in violation of 18 U.S.C. § 1001(a)(2) (Counts Four, Five, and Six); and one count of Falsifying, Concealing, and Covering Up a Material Fact by Trick, Scheme, and Device, in violation of 18 U.S.C. § 1001(a)(1) (Count Seven). Ex. B at Superseding Indictment ¶¶ 31-53.

72. On October 18, 2024, a jury found Defendant guilty of five of the seven counts, including Counts One through Three and Counts Six and Seven, and the jury acquitted Defendant of Counts Four and Five. *Id.* at Jury Verdict.

73. As to Count One, the jury determined that, in September 2017, Defendant violated 18 U.S.C. § 1542 when he willfully and knowingly used a passport that he secured by making the following false statements:

- a) he falsely claimed on his passport application that his mother was the person referenced in the indictment as “SIZ,” born on , in Nevesinje, Bosnia and Herzegovina;
- b) he falsely claimed on his passport application that he was married on 05/05/1994 to the person referenced in the indictment as “SM”;
- c) he falsely stated at the time he sought admission to the United States as a refugee that he had a half-brother, “AZ,” living in Massachusetts;
- d) he falsely stated at the time he sought admission to the United States as a refugee that he was a life-long resident of Nevesinje, Bosnia and Herzegovina, and that he could not return “home” after the war for fear of persecution;

e) he falsely stated at the time he sought admission to the United States as a refugee that in 1992, as a civilian and [REDACTED]

[REDACTED] during the Bosnian War;

f) he falsely stated at the time he sought admission to the United States as a refugee that in 1992, he fled from [REDACTED] and was forced to flee from his life-long home;

g) he falsely stated at the time he sought admission to the United States as a refugee that his military service during the Bosnian War was limited to working in air defense from 1993-1994, at which time he deserted and fled to Croatia;

h) he falsely stated at the time he sought permanent residence in the United States that he had not “by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured . . . documentation, entry into the United States, or any other immigration benefit”;

i) he falsely stated at the time he applied for naturalization as a U.S. citizen that he had never lied to any U.S. government official to gain entry or admission into the United States; and

j) he falsely stated at the time he applied for naturalization as a U.S. citizen that he had never helped anyone enter or try to enter the United States illegally.

Id. at Superseding Indictment at Count One and Jury Verdict at 1.

74. As to Count Two, the jury determined that, in September 2019, Defendant violated 18 U.S.C. § 1015(c) when he used and attempted to use his Certificate of Naturalization No. [REDACTED] knowing that it was procured by fraud and by providing the following false evidence:

a) he falsely stated at the time he sought admission to the United States that his mother was the person identified in the indictment as “SIZ,” born on [REDACTED];

- b) he falsely stated at the time he sought admission to the United States as a refugee that he had a half-brother, “AZ,” living in Massachusetts;
- c) he falsely stated at the time he sought admission to the United States as a refugee that he was a life-long resident of Nevesinje, Bosnia and Herzegovina, and that he could not return “home” after the war for fear of persecution;
- d) he falsely stated at the time he sought admission to the United States as a refugee that in 1992, as a civilian and [REDACTED] [REDACTED] during the Bosnian War;
- e) he falsely stated at the time he sought admission to the United States as a refugee that in 1992, he fled from [REDACTED] and was forced to flee from his life-long home;
- f) he falsely stated at the time he sought admission to the United States as a refugee that his military service during the Bosnian War was limited to working in air defense from 1993-1994, at which time he deserted and fled to Croatia;
- g) he falsely stated at the time he sought permanent residence in the United States that he had not “by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured . . . documentation, entry into the United States, or any other immigration benefit”;
- h) he falsely stated at the time he applied for naturalization as a U.S. citizen that he had never lied to any U.S. government official to gain entry or admission into the United States; and
- i) he falsely stated at the time he applied for naturalization as a U.S. citizen that he had never helped anyone enter or try to enter the United States illegally.

Id. at Superseding Indictment at Count Two and Jury Verdict at 1.

75. As to Count Three, the jury determined that, in September 2019 and May 2023, Defendant violated 18 U.S.C. § 1546(a) when he possessed his Certificate of Naturalization No. [REDACTED] and his Social Security Card knowing they were procured through the following false claims and statements:

- a) he falsely stated at the time he sought admission to the United States that his mother was the person identified in the indictment as “SIZ,” born on [REDACTED]
- b) he falsely stated at the time he sought admission to the United States as a refugee that he had a half-brother, “AZ,” living in Massachusetts;
- c) he falsely stated at the time he sought admission to the United States as a refugee that he was a life-long resident of Nevesinje, Bosnia and Herzegovina, and that he could not return “home” after the war for fear of persecution;
- d) he falsely stated at the time he sought admission to the United States as a refugee that in 1992, as a civilian and [REDACTED]
[REDACTED] during the Bosnian War;
- e) he falsely stated at the time he sought admission to the United States as a refugee that in 1992, he fled from [REDACTED] and was forced to flee from his life-long home;
- f) he falsely stated at the time he sought admission to the United States as a refugee that his military service during the Bosnian War was limited to working in air defense from 1993-1994, at which time he deserted and fled to Croatia;
- g) he falsely stated at the time he sought permanent residence in the United States that he had not “by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured . . . documentation, entry into the United States, or any other immigration benefit”;

- h) he falsely stated at the time he applied for naturalization as a U.S. citizen that he had never lied to any U.S. government official to gain entry or admission into the United States; and
- i) he falsely stated at the time he applied for naturalization as a U.S. citizen that he had never helped anyone enter or try to enter the United States illegally.

Id. at Superseding Indictment at Count Three and Jury Verdict at 1.

76. As to Count Six, the jury determined that, when an investigating ICE Special Agent asked Defendant in May 2023 whether Defendant was aware, in the June to December 1992 timeframe, that  prison camp guards were beating prisoners, Defendant, in violation of 18 U.S.C. § 1001(a)(2), knowingly and willfully made a materially false statement by responding in the negative. *Id.* at Superseding Indictment at Count Six and Jury Verdict at 2.

77. As to Count Seven, the jury determined that, beginning in or about March 1998 and continuing through on or about May 16, 2023 – when applying for refugee admission and for citizenship in the United States, and when responding to questions asked by an investigating ICE Special Agent – Defendant, in violation of 18 U.S.C. § 1001(a)(1), knowingly and willfully concealed the fact that, during his 1992  prison camp guard tenure, he persecuted one or more persons because of race, religion, national origin, membership in a particular social group, or political opinion. *Id.* at Superseding Indictment at Count Seven and Jury Verdict at 2-3.

Defendant's False Statements and Testimony

78. Question 14 of Defendant's registration for refugee approval required Defendant to identify any "Military Service" and the nature and timeframe of such service. Defendant responded that he served in the Bosnian military as a "Soldier" in an "Air Defense" capacity from January 1993 to May 1994. Defendant's response was false.

79. As outlined above in paragraphs 73(g), 74(f), and 75(f), the October 2024 guilty verdict in Defendant's criminal matter established that Defendant did not serve in an air defense capacity during his Bosnian military service.

80. Question 17 of Defendant's refugee application required him to list "close relatives in the United States." In response, Defendant identified "Azem Zebic" as his "Half-Bro." Defendant's response was false.

81. As outlined above in paragraphs 73(c), 74(b), and 75(b), the October 2024 guilty verdict in Defendant's criminal matter established that Azem Zebic is not Defendant's half-brother.

82. On his refugee application, Defendant represented in his case summary statement, as well as on the Form G-325C that he submitted in support of his refugee application, that he was a life-long resident of Nevesinje, Bosnia and Herzegovina, and that, as a Muslim, he could not return to his home, Nevesinje, after the war for fear of Serb persecution. Defendant's representations were false.

83. As outlined above in paragraphs 73(d), 74(c), and 75(c), the October 2024 guilty verdict in Defendant's criminal matter established that Defendant's birthplace and place of life-long residence in Bosnia and Herzegovina is not Nevesinje but is instead the multi-ethnic Konjic area.

84. On his refugee application, Defendant represented in his case summary statement that, in 1992, Defendant was captured, threatened, beaten, and forced into labor by the Serb military during the Bosnian War. Defendant's representation was false.

85. As outlined above in paragraphs 73(e) and (f), 74(d) and (e), 75(d) and (e), the October 2024 guilty verdict in Defendant's criminal matter established that, in 1992, Defendant

had not been [REDACTED] but, rather, began his tenure as a [REDACTED] prison camp guard charged with holding a majority Serb population in captivity.

86. On his refugee application, Defendant represented in his case summary statement that, in 1992, he escaped Serb captivity and was forced to flee his home of Nevesinje. Defendant's representation was false.

87. As outlined above in paragraphs 73(d)-(f), 74(c)-(e), 75(c)-(e), the October 2024 guilty verdict in Defendant's criminal matter established that, in 1992, Defendant was not in Serb captivity and was not forced to flee Nevesinje. Instead, Defendant's life-long home was Konjic, which is not Serb-dominated, and Defendant was not forced to flee his life-long home. Also, in 1992, Defendant began his tenure as a [REDACTED] prison camp guard charged with holding a majority Serb population in captivity.

88. On his refugee application, Defendant represented in his case summary statement that his Bosnian military service was limited to "serv[ing] on the front line around Jablanica" from 1993-1994, after which he fled to Croatia. Defendant's representation was false.

89. As outlined above in paragraphs 73(e)-(g), 74(d)-(f), and 75(d)-(f), the October 2024 guilty verdict in Defendant's criminal matter established that, rather than serving in the Bosnian military from 1993-1994 in a front line capacity, Defendant began his Bosnian military service in 1992; became a prison camp guard that year, rather than serving in an air defense/anti-aircraft monitoring capacity on the front line; and continued serving in the Bosnian military until at least 1995.

90. On his refugee application, Defendant represented in his case summary statement, as well as on the Form G-325C that Defendant submitted in support of his refugee application,

that he married his wife, Sejla Velagic, in May 1994 in Konjic, Bosnia and Herzegovina, and “[f]ive days later . . . fled to Croatia.” Defendant’s representations were false.

91. As outlined above in paragraph 73(b), the October 2024 guilty verdict in Defendant’s criminal matter established that Defendant did not marry his wife in May 1994.

92. On the Form G-325C that Defendant submitted in support of his refugee application, Defendant represented that his mother’s name is Sefika Idrizovic. Defendant’s representation was false.

93. As outlined above in paragraphs 73(a), 74(a), and 75(a), the October 2024 guilty verdict in Defendant’s criminal matter established that, in fact, Defendant’s mother is not Sefika Idrizovic.

94. On the Form G-646, Sworn Statement of Refugee Applying for Entry into the United States, that Defendant submitted in support of his refugee application, Defendant represented that he had never ordered, assisted, or otherwise participated in the persecution of any person because of race, religion, or political opinion. Defendant’s representation was false.

95. As outlined above in paragraph 77, the October 2024 guilty verdict in Defendant’s criminal matter established that, in 1992, during his tenure as a guard at  prison camp, Defendant persecuted one or more persons because of race, religion, national origin, membership in a particular social group, or political opinion.

96. Part 3, Question C of Defendant’s adjustment application required him to list “any foreign military service.” Defendant responded that his foreign military service consisted of “Bosnia & Herzegovina’s Military Service” in “1993/1994.” Defendant’s response was false.

97. As outlined above in paragraphs 73(e)-(g), 74(d)-(f), and 75(d)-(f), the October 2024 guilty verdict in Defendant’s criminal matter established that, rather than serving in the

Bosnian military from 1993 to 1994, Defendant began his Bosnian military service in 1992, became a prison guard that year, and continued serving in the Bosnian military until 1995.

98. Part 3, Question 1 of Defendant's adjustment application asked, in part: "Have you ever, in or outside the United States . . . knowingly committed any crime of moral turpitude . . . for which you have not been arrested?" Defendant responded "No." Defendant's response was false.

99. As outlined above in paragraph 77, the October 2024 guilty verdict in Defendant's criminal matter established that, beginning in or about March 1998, prior to Defendant's adjustment application, and continuing through on or about May 16, 2023, Defendant knowingly and willfully falsified a material fact within the jurisdiction of the executive branch of the government of the United States by concealing his persecution of one or more persons because of race, religion, national origin, membership in a particular social group, or political opinion, in violation of 8 U.S.C. § 1001(a)(1), a crime involving moral turpitude ("CIMT").

100. Part 3, Question 3(c) of Defendant's adjustment application asked: "Have you ever knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the United States illegally?" Defendant responded "No." Defendant's response was false.

101. As outlined above in paragraphs 73(j), 74(i), and 75(i), the October 2024 guilty verdict in Defendant's criminal matter established that Defendant had, in fact, assisted an alien to illegally enter the United States. Defendant did so through the numerous misrepresentations he provided in his immigration efforts, which assisted his wife, Sejla Velagic, to illegally enter the United State as Defendant's refugee-spouse, despite Defendant's ineligibility for refugee status.

102. Part 3, Question 10 of Defendant's adjustment application asked, in part: "[H]ave you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States or any other immigration benefit?" Defendant responded "No." Defendant's response was false.

103. As outlined above in paragraphs 73(e) and (f), 74(d) and (e), and 75(d) and (e), prior to submitting his adjustment application, Defendant submitted his refugee application in which, to bolster his effort to obtain admission to the United States as a refugee, Defendant misrepresented that he fled [REDACTED] and persecution in 1992 when, in reality, Defendant knew that in 1992 he was a [REDACTED] prison camp guard charged with holding a majority Serb population in captivity.

104. On the Form G-325A that Defendant submitted in support of his adjustment application, Defendant represented that his mother's name is Sefika Idrizovic. Defendant's representation was false.

105. As outlined above in paragraphs 73(a), 74(a), and 75(a), the October 2024 guilty verdict in Defendant's criminal matter established that, in fact, Sefika Idrizovic is not Defendant's mother.

106. On the Form G-325A that Defendant submitted in support of his adjustment application, Defendant represented that he married Sejla Velagic on May 5, 1994, in Konjic. Defendant's representations were false.

107. As outlined above in paragraphs 73(b), the October 2024 guilty verdict in Defendant's criminal matter established that Defendant did not marry Sejla Velagic on May 5, 1994.

108. On the Form G-325A that Defendant submitted in support of his adjustment application, Defendant represented that he resided in Croatia beginning in May 1994. Defendant's representation was false.

109. As outlined above in paragraphs 73(g), 74(f), and 75(f), the October 2024 guilty verdict in Defendant's criminal matter established that Defendant did not flee to Croatia in 1994 but instead continued residing in Bosnia and Herzegovina in and beyond 1994.

110. Part 8, Question B(3) of Defendant's naturalization application required him to indicate his "Date of Marriage." In completing his naturalization application and in orally responding under oath at his naturalization interview, Defendant responded "05/05/1994." Defendant's response was false.

111. As outlined above in paragraph 73(b), the October 2024 guilty verdict in Defendant's criminal matter established that Defendant did not marry Sejla Velagic on May 5, 1994.

112. Part 10, Question 11 of Defendant's naturalization application asked: "Have you **ever** persecuted (either directly or indirectly) any person because of race, religion, national origin, membership in a particular social group or political opinion?" (emphasis in original). In completing his naturalization application and in orally responding under oath at his naturalization interview, Defendant responded "No." Defendant's response was false.

113. As outlined above in paragraph 77, the October 2024 guilty verdict in Defendant's criminal matter established that, well before his naturalization proceedings, Defendant persecuted one or more persons because of race, religion, national origin, membership in a particular social group, or political opinion during his tenure as a  prison camp guard in 1992.

114. Part 10, Question 15 of Defendant’s naturalization application asked: “Have you **ever** committed a crime or offense for which you were not arrested?” (emphasis in original). In completing his naturalization application and in orally responding under oath at his naturalization interview, Defendant responded “No.” Defendant’s response was false.

115. As outlined above in paragraphs 73(c)-(h), 74(a)-(g), and 75(a)-(g), the October 2024 guilty verdict in Defendant’s criminal matter established that Defendant provided multiple and repeated false statements in his refugee application and in his adjustment application. In doing so, well before his naturalization proceedings, Defendant committed crimes for which he had not been arrested, to wit: 18 U.S.C. § 1001(a) (providing false statements in a matter within the jurisdiction of the executive branch); 18 U.S.C. § 1546(a) (providing false statements that establish he falsely swore in an immigration matter); and 18 U.S.C. § 1621 (perjury).

116. Part 10, Question 22(e) of Defendant’s naturalization application asked: “Have you **ever** . . . [h]elped anyone enter or try to enter the United States illegally?” (emphasis in original). In completing his naturalization application and in orally responding under oath at his naturalization interview, Defendant responded “No.” Defendant’s response was false.

117. As outlined above in paragraph 73(b), the October 2024 guilty verdict in Defendant’s criminal matter established that Defendant’s claim to have married Sejla Mrndzic in May 1994 was false. Accordingly, when Defendant claimed in his 1998 refugee application – prior to his naturalization application – that he married Sejla Mrndzic in May 1994 and that they “fled to Croatia” five days later, this claim, along with the numerous other misrepresentations Defendant provided in his immigration efforts, assisted Sejla Mrndzic to enter the United States illegally as Defendant’s refugee-spouse.

118. Part 10, Question 23 of Defendant’s naturalization application asked: “Have you **ever** given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion or removal?” (emphasis in original). In completing his naturalization application and in orally responding under oath at his naturalization interview, Defendant responded “No.” Defendant’s response was false.

119. As outlined above in paragraphs 73(c)-(h), 74(a)-(g), and 75(a)-(g), the October 2024 guilty verdict in Defendant’s criminal matter established that, prior to his naturalization proceedings, Defendant provided false information to U.S. government officials in his refugee application and in his registration for refugee approval, as well as in his adjustment application, including, among other information, his claim that Azem Zebic was his half-brother; his claim that his mother is Sefika Idrizovic; his claim to have been a life-long resident of Nevesinje; his claim to have been captured and beaten by  during the Bosnian War in 1992; and his claim to have served in the Bosnian military in an air defense capacity, rather than as a prison guard at  and at .

120. Part 10, Question 24 of Defendant’s naturalization application asked: “Have you **ever** lied to any U.S. government official to gain entry or admission into the United States?” (emphasis in original). In completing his naturalization application and in orally responding under oath at his naturalization interview, Defendant responded “No.” Defendant’s response was false.

121. As outlined above in paragraphs 73(c)-(g), 74(a)-(f), and 75(a)-(f), the October 2024 guilty verdict in Defendant’s criminal matter established that, prior to his naturalization proceedings, Defendant lied to a U.S. government official – in his refugee application and in his registration for refugee approval – to gain admission to the United States as a refugee by

misrepresenting Azem Zebic as his half-brother, although the two are unrelated; misrepresenting the identify of his mother as Sefika Idrizovic; misrepresenting that he was a life-long resident of Nevesinje; misrepresenting that the timeframe of his Bosnian military service was 1993-1994 and that he served in an air defense capacity, rather than as a prison guard until on or about 1995; and misrepresenting that he fled  and beating during the Bosnian War in 1992 when, in reality, Defendant was a  prison guard in 1992 charged with holding others in captivity.

V. GOVERNING LAW

Congressionally Imposed Prerequisites to the Acquisition of Citizenship

122. No non-citizen has a right to naturalization “unless all statutory requirements are complied with.” *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). Indeed, the Supreme Court has underscored that “[t]here must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship.” *Fedorenko v. United States*, 449 U.S. 490, 506 (1981); *see also id.* (quoting *Ginsberg*, 243 U.S. at 474-75) (“An alien who seeks political rights as a member of this Nation can rightfully obtain them only upon the terms and conditions specified by Congress[.]”).

123. Congress has mandated that an individual may not naturalize unless that person “during all periods referred to in this subsection has been and still is a person of good moral character” 8 U.S.C. § 1427(a)(3). The required statutory period for good moral character begins five years before the date the applicant files the application for naturalization, and it continues until the applicant takes the oath of allegiance and becomes a U.S. citizen. *Id.*

124. Congress has explicitly precluded individuals who give false testimony to obtain immigration benefits from establishing the good moral character necessary to naturalize. *See* 8 U.S.C. § 1101(f)(6).

125. As a matter of law, an applicant necessarily lacks good moral character if the applicant commits a CIMT during the statutory period and later either is convicted of the crime or admits the commission of the criminal activity. 8 U.S.C. § 1101(f)(3) (cross-referencing 8 U.S.C. § 1182(a)(2)(A)); 8 C.F.R. § 316.10(b)(2)(i) (providing that an applicant “shall be found to lack good moral character” if, for example, he or she committed and was convicted of one or more crimes involving moral turpitude).

126. In addition to identifying classes of individuals who lack good moral character, Congress created a “catch-all” provision, which states, “[t]he fact that any person is not within any of the foregoing classes [of ineligibility] shall not preclude a finding that for other reasons such person is or was not of good moral character.” 8 U.S.C. § 1101(f) (flush language).

127. Of particular note, individuals who commit unlawful acts adversely reflecting upon their moral character cannot meet the good moral character requirement, unless they prove that extenuating circumstances exist. *See* 8 C.F.R. § 316.10(b)(3)(iii); *see also* 8 U.S.C. § 1101(f) (flush language).

128. To qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence and must subsequently have resided in this country for at least five years prior to the date of application. *See* 8 U.S.C. § 1427(a)(1); *see also id.* § 1429.

129. The term “lawfully” requires compliance with the substantive legal requirements for admission, and not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Mejia–Orellana v. Gonzales*, 502 F.3d 13, 16 (1st Cir. 2007) (“The natural reading of ‘lawful’ connotes more

than just procedural regularity; it suggests that the substance of an action complied with the governing law.”); *Bonifon v. Rodriguez*, 270 F. Supp. 3d 465, 472 (D. Mass. 2017) (“[T]o determine whether [an applicant] is eligible for naturalization, the Court is required to inquire into whether he was ‘lawfully admitted’ for permanent residence, 8 U.S.C. § 1429, which depends on whether the granting of his LPR status was both procedurally and substantively proper.”).

130. A person who, by fraud or by willfully misrepresenting a material fact, seeks to procure (or has sought to procure, or has procured) a visa, other documentation, or admission into the United States or other immigration benefit, is inadmissible. 8 U.S.C. § 1182(a)(6)(C)(i).

131. To qualify for refugee status, a person outside the United States may seek admission as a refugee by demonstrating that he or she is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, his or her country of nationality because of past persecution, or a well-founded fear of future persecution, on account of their race, religion, nationality, membership in a particular social group, or political opinion. 8 U.S.C. § 1101(a)(42).

132. The term “refugee” does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion. *Id.*

133. A refugee seeking to adjust status to permanent resident is required to meet the statutory definition of refugee and must be admissible to the United States at the time of examination for adjustment of status to permanent resident. 8 U.S.C. § 1159(b)(3), (5).

The Denaturalization Statute

134. Recognizing that there are situations where an individual has naturalized despite failing to comply with all congressionally imposed prerequisites to the acquisition of citizenship or by concealing or misrepresenting facts that are material to the decision on whether to grant his or her naturalization application, Congress enacted 8 U.S.C. § 1451.

135. Under 8 U.S.C. § 1451(a), this Court must revoke an order of naturalization and cancel the individual's Certificate of Naturalization if his or her naturalization was either:

- i. illegally procured, or
- ii. procured by concealment of a material fact or by willful misrepresentation.

136. Failure to comply with any of the congressionally imposed prerequisites to the acquisition of citizenship renders the citizenship “illegally procured.” *Fedorenko*, 449 U.S. at 506.

137. Naturalization was procured by concealment of a material fact or by willful misrepresentation where: (1) the naturalized citizen misrepresented or concealed some fact during the naturalization process; (2) the misrepresentation or concealment was willful; (3) the fact was material; and (4) the naturalized citizen procured citizenship as a result of the misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

138. Where the government establishes that a defendant's citizenship was procured illegally or by concealment or willful misrepresentation of a material fact, “district courts lack equitable discretion to refrain from entering a judgment of denaturalization.” *Fedorenko*, 449 U.S. at 517.

VI. CAUSES OF ACTION

COUNT I

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (PERSECUTOR INELIGIBLE FOR ADMISSION AS REFUGEE)

139. The United States re-alleges and incorporates by reference all factual and legal allegations contained in Sections II through V of this complaint.

140. To qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence. *See* 8 U.S.C. §§ 1427(a)(1) and 1429.

141. The term “lawfully,” for purposes of lawful admission for permanent residence, requires compliance with the substantive legal requirements for admission, and not mere procedural regularity. 8 U.S.C. § 1101(a)(20); *Mejia–Orellana*, 502 F.3d at 16.

142. Defendant obtained admission to the United States as a refugee.

143. As outlined above in paragraph 77, during his tenure as a Čelebići prison camp guard in 1992, Defendant persecuted one or more persons because of race, religion, national origin, membership in a particular social group, or political opinion.

144. Because Defendant persecuted others on the basis of race, religion, nationality, membership in a particular social group, or political opinion, Defendant did not meet the legal definition of a refugee under 8 U.S.C. § 1101(a)(42).

145. Because Defendant did not meet the definition of a “refugee,” he was never substantively eligible for admission to the United States as a refugee under 8 U.S.C. § 1157(c).

146. Because Defendant was not eligible for admission to the United States as a refugee, he was never substantively eligible to adjust his status to that of a permanent resident under 8 U.S.C. § 1159(a).

147. Because Defendant was never lawfully admitted for permanent residence in accordance with the substantive requirements for that status, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429. *See* 8 U.S.C. § 1101(a)(20); *Mejia–Orellana*, 502 F.3d at 16.

148. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

COUNT II

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (INADMISSIBLE AS *REFUGEE* DUE TO FRAUD OR WILLFUL MISREPRESENTATION IN ADMISSION)

149. The United States re-alleges and incorporates by reference all factual and legal allegations contained in Sections II through V of this complaint.

150. To qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence. *See* 8 U.S.C. § 1427(a)(1); *see also id.* § 1429.

151. The term “lawfully,” for purposes of lawful admission for permanent residence, requires compliance with the substantive legal requirements for admission, and not mere procedural regularity. 8 U.S.C. § 1101(a)(20); *Mejia–Orellana*, 502 F.3d at 16.

152. To be eligible for lawful permanent resident status, an applicant must be admissible to the United States. 8 U.S.C. § 1255(a).

153. An individual who, by fraud or by willfully misrepresenting a material fact, seeks to procure (or has sought to procure, or has procured) a visa, other documentation, admission into the United States, or other immigration benefit, is inadmissible. 8 U.S.C. § 1182(a)(6)(C)(i).

154. Defendant procured admission to the United States under the status of refugee.

155. As outlined above in paragraphs 78 through 95, Defendant willfully misrepresented at least eleven material facts in support of his application for the immigration benefit of admission to the United States as a refugee.

156. First, Defendant misrepresented that he served in the Bosnian military during only the period January 1993 to May 1994.

157. Second, Defendant misrepresented that he served in the Bosnian military in an “Air Defense” capacity.

158. Third, Defendant misrepresented that Azem Zebic was Defendant’s half-brother.

159. Fourth, Defendant misrepresented his life-long home as Nevesinje, where, as a Muslim, he could not return due to fear of persecution there by Serbs.

160. Fifth, Defendant misrepresented that he was captured, threatened, beaten, and forced into labor by Serb forces in 1992.

161. Sixth, Defendant misrepresented that he feared returning to his home of Nevesinje, from where he claimed to have escaped captivity by  in 1992.

162. Seventh, Defendant misrepresented that he served in the Bosnian military on the front line around Jablanica beginning in January 1993 until in or around May 1994.

163. Eighth, Defendant misrepresented that he married his wife in May 1994 in Konjic, Bosnia and Herzegovina.

164. Ninth, Defendant misrepresented that he and his wife fled to Croatia five days after their May 1994 marriage.

165. Tenth, Defendant misrepresented his mother’s name as Sefika Idrizovic.

166. Eleventh, Defendant misrepresented that he had never ordered, assisted, or otherwise participated in the persecution of any person because of race, religion, or political

opinion.

167. Defendant's misrepresentations were willful because he knew the truth about the representations he made.

168. Defendant's misrepresentations were material because, had Defendant provided accurate information on these topics, government knowledge of the truth would have prompted further questioning regarding his qualification for refugee status.

169. Because Defendant willfully misrepresented material facts, he was inadmissible at the time he sought refugee admission to the United States and, thus, subsequently was never lawfully admitted for permanent residence in accordance with the substantive legal requirements to obtain that status.

170. Because Defendant was never lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429. *See* 8 U.S.C. § 1101(a)(20); *Mejia-Orellana*, 502 F.3d at 16.

171. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

COUNT III

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (INADMISSIBLE AS *PERMANENT RESIDENT* DUE TO FRAUD OR WILLFUL MISREPRESENTATION IN ADMISSION)

172. The United States re-alleges and incorporates by reference all factual and legal allegations contained in Sections II through V of this complaint.

173. To qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence. *See* 8 U.S.C. § 1427(a)(1); *see also id.* § 1429.

174. The term “lawfully,” for purposes of lawful admission for permanent residence, requires compliance with the substantive legal requirements for admission, and not mere procedural regularity. 8 U.S.C. § 1101(a)(20); *Mejia–Orellana*, 502 F.3d at 16.

175. To be eligible for permanent resident status, an applicant must be admissible to the United States. 8 U.S.C. § 1255(a).

176. An individual who, by fraud or by willfully misrepresenting a material fact, seeks to procure (or has sought to procure, or has procured) a visa, other documentation, admission into the United States, or other immigration benefit, is inadmissible. 8 U.S.C. § 1182(a)(6)(C)(i).

177. Defendant procured the immigration benefit of permanent residence through his adjustment application.

178. As outlined above in paragraphs 96 through 109, Defendant willfully misrepresented at least seven material facts in support of his application to adjust his status from refugee to permanent resident.

179. First, Defendant misrepresented that the sum of his service in the Bosnia and Herzegovina military was in 1993 and 1994.

180. Second, Defendant misrepresented that, in or outside the United States, he had never knowingly committed any crime of moral turpitude for which he had not been arrested.

181. Third, Defendant misrepresented that he had never knowingly encouraged, induced, assisted, abetted or aided any person to try to enter the United States illegally.

182. Fourth, Defendant misrepresented that he had never sought to procure, or procured, a visa, other documentation, entry into the United States, or any immigration benefit by fraud or willful misrepresentation of a material fact.

183. Fifth, Defendant misrepresented the identity of his mother.

184. Sixth, Defendant misrepresented that he married his wife in May 1994 in Konjic.

185. Seventh, Defendant misrepresented that he resided in Croatia beginning in May 1994.

186. Defendant's misrepresentations were willful because he knew the truth about the representations he made.

187. Defendant's misrepresentations were material because, had Defendant provided accurate information on these topics, government knowledge of the truth would have prompted further questioning regarding his qualification to adjust his status to permanent resident.

188. Because Defendant willfully misrepresented material facts, he was inadmissible at the time he sought to adjust his status to permanent resident and, thus, was never lawfully admitted for permanent residence in accordance with the substantive legal requirements to obtain that status.

189. Because Defendant was never lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429. *See* 8 U.S.C. § 1101(a)(20); *Mejia-Orellana*, 502 F.3d at 16.

190. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

COUNT IV

ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (FALSE TESTIMONY)

191. The United States re-alleges and incorporates by reference all factual and legal allegations contained in Sections II through V of this complaint.

192. To be eligible for naturalization, Congress has mandated that an applicant must show that he or she has been a person of good moral character for the five-year statutory period before filing his or her naturalization application until the time the applicant becomes a naturalized U.S. citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i).

193. Defendant filed his naturalization application on December 12, 2008, and naturalized on April 29, 2009. Thus, to be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during his “statutory period” from December 12, 2003, until April 29, 2009.

194. An applicant for naturalization is statutorily precluded from establishing the good moral character necessary to naturalize if, during the statutory period, the applicant has given false testimony under oath for the purpose of obtaining an immigration benefit. 8 U.S.C. § 1101(f)(6).

195. As outlined above in paragraphs 110 through 121, Defendant provided false testimony during the statutory period for the purpose of obtaining an immigration benefit in response to at least six questions when he testified under oath at his April 2, 2009 naturalization interview.

196. First, Defendant falsely testified orally under oath that his marriage date is May 5, 1994.

197. Second, Defendant falsely testified orally under oath that he had never persecuted, either directly or indirectly, any person because of race, religion, national origin, membership in a particular social group, or political opinion.

198. Third, Defendant falsely testified orally under oath that he had never committed a crime or offense for which he was not arrested.

199. Fourth, Defendant falsely testified orally under oath that he had never helped anyone enter or try to enter the United States illegally.

200. Fifth, Defendant falsely testified orally under oath that he had never given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal.

201. Sixth, Defendant falsely testified orally under oath that he had never lied to any U.S. government official to gain entry or admission into the United States.

202. Because he provided false oral testimony under oath for the purpose of obtaining his naturalization, Defendant was barred under 8 U.S.C. § 1101(f)(6) from showing he had the requisite good moral character to become a naturalized U.S. citizen.

203. Because Defendant was not a person of good moral character, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3).

204. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

COUNT V

ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (UNLAWFUL ACTS THAT REFLECT ADVERSELY ON MORAL CHARACTER)

205. The United States re-alleges and incorporates by reference all factual and legal allegations contained in Sections II through V of this complaint.

206. To be eligible for naturalization, Congress has mandated that an applicant must show that he or she has been a person of good moral character for the five-year statutory period

before filing his or her naturalization application until the time the applicant becomes a naturalized U.S. citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i).

207. Defendant filed his naturalization application on December 12, 2008, and naturalized on April 29, 2009. Thus, to be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during his “statutory period” from December 12, 2003, until April 29, 2009.

208. An applicant for naturalization is statutorily precluded from establishing the good moral character necessary to naturalize if the applicant committed unlawful acts during the statutory period that adversely reflect on his moral character and there are no extenuating circumstances that would ameliorate the applicant’s guilt. *See* 8 C.F.R. § 316.10(b)(3)(iii).

209. As outlined above in paragraphs 110 through 121, during Defendant’s statutory period and in the course of his naturalization proceedings, Defendant provided false statements in a matter within the jurisdiction of the executive branch, in violation of 18 U.S.C. § 1001(a), when he signed his naturalization application under penalty of perjury and filed it thereafter on December 12, 2008, and when he signed and again submitted his naturalization application under penalty of perjury, confirming its contents and his corrections to it, at the conclusion of his naturalization interview on April 2, 2009.

210. As outlined above in paragraphs 110 through 121, during Defendant’s statutory period and in the course of his naturalization proceedings, Defendant provided false statements that establish he falsely swore in an immigration matter, in violation of 18 U.S.C. § 1546(a), when he signed his naturalization application under penalty of perjury and filed it thereafter on December 12, 2008, and when he signed and again submitted his naturalization application under

penalty of perjury, confirming its contents and his corrections to it, at the conclusion of his naturalization interview on April 2, 2009.

211. As outlined above in paragraphs 110 through 121, during Defendant's statutory period and in the course of his naturalization proceedings, Defendant provided false statements that establish he perjured himself, in violation of 18 U.S.C. § 1621, when he signed his naturalization application under penalty of perjury and filed it thereafter on December 12, 2008, and when he signed and again submitted his naturalization application under penalty of perjury, confirming its contents and his corrections to it, at the conclusion of his naturalization interview on April 2, 2009.

212. Making false statements, in violation of 18 U.S.C. § 1001(a); false swearing in an immigration matter, in violation of 18 U.S.C. § 1546(a); and perjury, in violation of 18 U.S.C. § 1621, are all unlawful acts that Defendant committed during the statutory period and that adversely reflect on his moral character.

213. Defendant cannot establish extenuating circumstances that would ameliorate his guilt with regard to his foregoing unlawful acts committed during his statutory period, and he therefore cannot avoid the regulatory bar on establishing good moral character found at 8 C.F.R. § 316.10(b)(3)(iii).

214. Because Defendant was not a person of good moral character, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3).

215. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

COUNT VI

**ILLEGAL PROCUREMENT OF NATURALIZATION
LACK OF GOOD MORAL CHARACTER
(CRIME INVOLVING MORAL TURPITUDE)**

216. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections II through V of this complaint.

217. As outlined above, to be eligible for naturalization, Congress has mandated that an applicant must show that he or she has been a person of good moral character for the five-year statutory period before filing his or her naturalization application until the time the applicant becomes a naturalized U.S. citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i).

218. Defendant filed his naturalization application on December 12, 2008, and naturalized on April 29, 2009. Thus, to be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during his “statutory period” from December 12, 2003, until April 29, 2009.

219. As outlined above in paragraph 77, a jury determined that, beginning in or about March 1998, and continuing through on or about May 16, 2023, Defendant violated 18 U.S.C. § 1001(a)(1) by knowingly and willfully concealing in his naturalization application, among other documents, that he persecuted one or more persons because of race, religion, national origin, membership in a particular social group, or political opinion during his tenure as a  prison camp guard in 1992.

220. Based on the jury’s guilty finding, Defendant violated 18 U.S.C. § 1001(a)(1) during his statutory period, December 12, 2003, through April 29, 2009.

221. Defendant’s crime of concealing a material fact in a matter within the jurisdiction of the executive branch of the government, in violation of 18 U.S.C. § 1001(a)(1), is a CIMT.

See Cupete v. Garland, 29 F.4th 53, 58 (2d Cir. 2022) (citing *Fayzullina v. Holder*, 777 F.3d 807, 814 (6th Cir. 2015); *Ghani v. Holder*, 557 F.3d 836, 840 (7th Cir. 2009)).

222. Because Defendant committed a CIMT during the statutory period and later was convicted of it, he was statutorily barred under 8 U.S.C. § 1101(f)(3), at the time he naturalized, from showing that he had the good moral character necessary to become a naturalized U.S. citizen.

223. Because Defendant was not a person of good moral character, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3).

224. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

COUNT VII

PROCUREMENT OF U.S. CITIZENSHIP BY CONCEALMENT OF A MATERIAL FACT OR BY WILLFUL MISREPRESENTATION

225. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections II through V of this complaint.

226. Under 8 U.S.C. § 1451(a), this Court must revoke Defendant's citizenship and cancel his Certificate of Naturalization because he procured his naturalization by concealment of a material fact and by willful misrepresentation.

227. As set forth above in paragraphs 110 through 121, throughout the naturalization process, Defendant concealed and willfully misrepresented his marriage date; his persecution of  prison camp detainees; his commission of crimes for which he had not been arrested; his assistance in his wife's illegal entry to the United States; his provision of false or misleading information to U.S. government officials when he applied for the immigration benefits of refugee

status and adjustment of status to permanent residence; and his lies – to gain refugee admission – to U.S. government officials regarding his relationship to Azem Zebic, the identity of his mother, his purported life-long residency in Nevesinje, the nature and timeframe of his service in the Bosnian military, his purported capture and beating  in 1992 during the Bosnian War, and his military service as a  prison guard in 1992.

228. Defendant knew his misrepresentation and concealment of these matters were false and misleading, and he therefore made such misrepresentations willfully.

229. Defendant's misrepresentations were material to his naturalization because disclosure of, among other misrepresentations, the fact of the persecution that he inflicted and the unlawful acts he committed would have called into question his prior admissibility – and qualification for admission – first as a refugee and thereafter as a permanent resident, and such disclosure therefore would have had a natural tendency to influence USCIS's decision whether to approve Defendant's application for naturalization.

230. Defendant procured his naturalization as a result of his misrepresentations. Had Defendant disclosed his conduct and his provision of false information, USCIS would have denied Defendant's naturalization application and would not have allowed him to take the oath of allegiance because of his ineligibility.

231. Defendant thus procured his naturalization by willful misrepresentation and concealment of material facts, and the Court therefore must revoke his citizenship as provided under 8 U.S.C. § 1451(a).

PRAYER FOR RELIEF

WHEREFORE, the United States of America respectfully requests:

(1) A declaration that Defendant illegally procured his citizenship;

(2) A declaration that Defendant procured his citizenship by concealment and willful misrepresentation of material facts;

(3) Judgment revoking and setting aside Defendant's naturalization and canceling Certificate of Naturalization No. [REDACTED], effective as of the original date of the order and certificate, April 29, 2009;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document which evidences U.S. citizenship obtained as a result of his April 29, 2009 naturalization;

(5) Judgment requiring Defendant, within ten days of judgment, to surrender and deliver his Certificate of Naturalization, No. [REDACTED], and any copies thereof in his possession, and to make good faith efforts to recover and immediately surrender any copies thereof that he knows are in the possession of others, to the Attorney General, or his representative, including undersigned counsel;

(6) Judgment requiring Defendant, within ten days of judgment, to surrender and deliver any other indicia of U.S. citizenship – including, but not limited to, U.S. passports and passport cards, if applicable (whether current or expired), as well as any Enhanced Driver's License (whether current or expired) – and any copies thereof in his possession, and to make good faith efforts to recover and immediately surrender any copies thereof that he knows are in the possession of others, to the Attorney General, or his representative, including undersigned counsel; and

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(7) Judgment granting the United States such other relief as may be lawful and proper.

Dated: December 19, 2025

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District of Massachusetts

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 19, 2025, I caused a copy of the foregoing COMPLAINT TO REVOKE NATURALIZATION to be filed on the Court's electronic filing system and to be mailed by U.S. Postal Service First Class Mail to the following address of record for Defendant.

Kemal Mrndzic, Register 
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/s/ Christopher W. Hollis
CHRISTOPHER W. HOLLIS
U.S. Department of Justice