**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>- against -<br><br>HASSAN SHERJIL KHAN,<br><br>Defendant. | No. 7:26 CIV. 3340<br><br>**COMPLAINT TO REVOKE NATURALIZATION** |

Plaintiff the United States of America, by its attorney, Jay Clayton, United States Attorney for the Southern District of New York, alleges as follows:

## I. INTRODUCTION

1. This is a civil action by the United States of America (the "United States" or the "Government") against defendant Hassan Sherjil Khan ("Defendant"), under section 340(a) of the Immigration and Nationality Act, 8 U.S.C. § 1451(a), to revoke and set aside the order admitting Defendant to United States citizenship and to cancel Defendant's certificate of naturalization.

2. Before he became a naturalized U.S. citizen, Defendant had, in the words of the federal judge who sentenced Defendant to seventeen years in prison, "in many respects ruined the life of another human being."

3. Defendant's victim was a child whom Defendant had been sexually grooming from the time she was eleven, for whom he traveled to England so he could have sex with her when she was fifteen and he was twenty-four, and whom he continued to stalk for another year, even after she stopped communicating with him.

4. At Defendant's sentencing, his victim described how Defendant's grooming and abuse left her bedridden with depression, triggered hallucinations and anorexia, caused her to self-

harm, made her fall three years behind at school, and left her "confused about [her] thoughts and belief systems because they have been influenced by [Defendant]." She summarized the Defendant's impact on her by saying, "I may stand here today alive, but I stand here today a shadow of the person that I could have been."

5. Defendant's sexual abuse of his victim in the years immediately prior to and after his application for U.S. citizenship rendered him statutorily ineligible for naturalization. Defendant therefore unlawfully procured his citizenship, which requires his denaturalization.

6. In addition, Defendant misrepresented and concealed his criminal history from U.S. Citizenship and Immigration Services ("USCIS") throughout his naturalization proceedings. Defendant therefore procured his citizenship by concealment of a material fact or by willful misrepresentation—a separate ground for denaturalization.

7. Accordingly, upon the attached affidavit showing good cause, the United States brings this civil action to revoke Defendant's naturalized U.S. citizenship.

## II. JURISDICTION AND VENUE

8. This Court has subject matter jurisdiction pursuant to 8 U.S.C. § 1451(a) and 28 U.S.C. §§ 1331 and 1345.

9. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391. Prior to his incarceration, Defendant resided in Yonkers, New York, within the Southern District of New York.

## III. PARTIES

10. Plaintiff is the United States of America.

11. Defendant is a naturalized United States citizen who was born in Pakistan.

## IV. FACTUAL ALLEGATIONS

12. The affidavit of [redacted] a Special Agent with Immigration and Customs Enforcement, a component of the U.S. Department of Homeland Security ("DHS"), showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached hereto as Exhibit A.

## V. DEFENDANT'S CRIMINAL CONDUCT PRIOR TO NATURALIZATION

13. From at least in or about 2008, up to and including at least in or about May 2012, in the Southern District of New York and elsewhere, Defendant, unlawfully, willfully, and knowingly, did use a facility and means of interstate and foreign commerce to persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, Victim-1, to engage in sexual activity for which a person can be charged with a criminal offense, and attempted to do so.

14. Defendant did so by using a computer and the Internet to persuade, induce, entice, and coerce Victim-1, a minor, to send images, videos, and live visual depictions of Victim-1 engaging in sexual activity to Defendant over the Internet.

15. In doing so, Defendant violated 18 U.S.C. § 2422(b).

16. Defendant met Victim-1 online in October 2007, when she was just eleven years old and he was twenty.

17. Defendant met Victim-1 in a virtual reality game for children called [redacted] which allows for chat room functionality and interaction through cartoon character "avatars."

18. In April 2009, during a webcam video chat, Defendant wrote to Victim-1 that she looked "shockingly hot."

[redacted]

[redacted]

24. In the following months, Defendant repeatedly asked Victim-1 to show more of herself on camera and asked her about her interest in various sexual acts.

25. Throughout 2010, the video chats between Defendant and Victim-1 became increasingly sexually explicit, [redacted]

26. In August 2011, when Victim-1 was fourteen and Defendant was twenty-three, Defendant arranged to meet Victim-1 during a vacation she and her family took to New York City. During that visit, Defendant arranged to meet Victim-1 surreptitiously at a museum and, later, at

the hotel at which Victim-1 and her family were staying. At the hotel, Defendant took Victim-1 to a private area and kissed her.

27. In April 2012, Defendant traveled from New York State, where he resided, to England, where Victim-1 resided, with the intent to engage in illicit sexual conduct with Victim-1.

[redacted]

30. The crime of traveling abroad with the intent to engage in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b), has two elements: (1) interstate or foreign travel and (2) intent to engage in illicit sexual conduct. *See* 18 U.S.C. § 2423(b); *United States v. Murphy*, 942 F.3d 73, 80 (2d Cir. 2019).

31. The term "illicit sexual conduct" as used in 18 U.S.C. § 2423(b) includes a sexual act with a person under 18 years of age that would constitute, among others, the crime of sexual abuse of a minor, in violation of 18 U.S.C. § 2243. *See* 18 U.S.C. § 2423(f); S2 *Modern Federal Jury Instructions-Criminal* 16.11 (2025).

32. The statute at 18 U.S.C. § 2243, in turn, criminalizes the knowing engagement in a sexual act with another person who is between 12 and 16 and is at least four years younger than the perpetrator. *See* 18 U.S.C. § 2243(a).

33. By traveling abroad with the intent to engage in illicit sexual conduct with Victim-1, Defendant violated 18 U.S.C. § 2423(b).

34. Before and after traveling to England with the intent of engaging in illicit sexual conduct with Victim-1, Defendant engaged in sexually explicit video chats with Victim-1 that included the following messages from Defendant:

[redacted]

35. On July 26, 2013, after repeatedly telling Defendant to stop contacting her, Victim-1 emailed Defendant asking him to cease contact and stated, among other things, "You are creeping me out and this is getting too stalkerish."

36. On July 29, 2013, Defendant responded with an email to Victim-1 that stated, in part, [redacted]

37. Victim-1 sent her final email to Defendant on July 30, 2013, stating, "You are fucking stalking me!"

38. After that email, Defendant emailed Victim-1 more than forty times between August 2013 and January 2014.

39. In November 2015, after Victim-1 disclosed Defendant's actions to third parties, Defendant was charged with various crimes in a five-count Information ("Information") filed in the U.S. District Court for the Southern District of New York ("District Court").

40. A true and complete copy of the Information is filed herewith as Exhibit B.

41. Count 2 of the Information charged Defendant with coercing and enticing a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

42. On January 14, 2016, Defendant appeared in federal District Court for a plea hearing, represented by counsel. There, Defendant was sworn in and pleaded guilty to Count Two of the Information pursuant to a plea agreement with the Government.

43. During his January 14, 2016, plea hearing, Defendant admitted under oath to coercing and enticing a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), as follows:

> From the period of 2008 to 2013, I used the Internet while residing in the Southern District of New York to meet a girl named [REDACTED]. I learned through the course of our discussions over Internet chats that she was under the age of 18. I began a friendship with her that eventually became sexualized in nature.
>
> In 2012 I made plans to visit England and Scotland and to meet her in England where she resided. I discussed these plans over the Internet in our chats. In April 2012, I did in fact visit her in England, [redacted]

Tr. of Jan. 14, 2016, Hearing at 11:20-12:8, *United States v. Khan*, No. 15-cr-804 (S.D.N.Y. Jan. 27, 2016), ECF No. 22 ("Plea Hearing Transcript").

44. A true and complete copy of relevant portions of the Plea Hearing Transcript is attached hereto as Exhibit C.

45. On June 24, 2016, the District Court conducted a sentencing hearing at which Victim-1 appeared in person and described the impact of Defendant's grooming and sexual abuse, including her suicidal ideation, trauma-induced psychosis, and years of crippling depression that Defendant caused.

46. The District Court then sentenced Defendant to seventeen years in prison, followed by ten years of supervised release, as well as restitution of $500,000.

47. Defendant appealed his conviction and sentence, which the U.S. Court of Appeals for the Second Circuit affirmed except that it reversed and remanded a portion of the judgment relating to restitution. *United States v. Khan*, 726 F. App'x 73, 76 (2d Cir. 2018).

48. On July 16, 2018, the District Court entered an amended judgment that again sentenced Defendant to seventeen years in prison, followed by ten years of supervised release, but that amended the original judgment by altering the terms under which Defendant had to pay his restitution of $500,000 ("Amended Judgment").

49. A true and complete copy of the Amended Judgment is attached hereto as Exhibit D.

50. Defendant is currently imprisoned at Federal Correctional Institution Fort Dix, in New Jersey, with a scheduled release date of July 21, 2029.

## VI. DEFENDANT'S IMMIGRATION HISTORY

51. Defendant was born in Pakistan in 1987.

52. In 1996, when Defendant was nine, he and his family moved to Canada.

53. In 2003, Defendant and his family entered the United States after Defendant's father received an H-1B visa from the United States while Defendant received derivative H-4 nonimmigrant status.

54. On October 16, 2006, Defendant filed an application to adjust status to permanent resident.

55. Following approval of Defendant's application to adjust status to permanent resident, Defendant became a permanent resident of the United States on May 15, 2007.

56. On August 29, 2012—just four months after he had traveled to England with the intent to have illicit sexual contact with his fifteen-year-old victim—Defendant applied for U.S. citizenship by filing with USCIS a Form N-400 Application for Naturalization ("N-400").

57. A true, complete, and certified copy of that N-400, except for redactions of personally identifying information that is immaterial to this action, is attached hereto as Exhibit E.

58. Prior to filing his N-400, Defendant signed it under a certification stating that under penalty of perjury, his responses on his N-400 were "true and correct."

59. In response to Part 10.D, question 15 of his N-400, which asked, "Have you ever committed a crime or offense for which you were not arrested?" Defendant checked the box for "No."

60. On April 18, 2013, an immigration services officer ("ISO") interviewed Defendant under oath about his N-400 in New York City ("Naturalization Interview"). During the Naturalization Interview, the ISO asked Defendant whether he had ever committed a crime or offense for which he had not been arrested. In response, Defendant said no, consistent with his written response to Part 10.D., question 15 of his N-400.

61. At the conclusion of his interview, Defendant signed his N-400 again, certifying that he knew its contents and that his N-400, following any corrections made to it during his naturalization interview, was "true and correct to the best of my knowledge and belief."

62. That same day, USCIS approved Defendant's N-400.

63. On May 17, 2013, Defendant took the oath of allegiance, was naturalized, and was issued Naturalization Certificate No. [redacted] ("Naturalization Certificate").

64. A true, complete, and certified copy of the Naturalization Certificate, except for redactions of personally identifying information that is immaterial to this action, is attached hereto as Exhibit F.

## VII. GOVERNING LAW

### 1. CONGRESSIONALLY IMPOSED PREREQUISITES TO THE ACQUISITION OF CITIZENSHIP

65. No individual "has the slightest right to naturalization unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 475 (1917). The Supreme Court has emphasized that "there 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.* (noting that an individual "who seeks political rights as a member of this Nation can rightfully obtain them only upon the terms and conditions specified by Congress") (quoting *Ginsberg*, 243 U.S. at 474).

66. Among other requirements, 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 . . . ." *See* 8 U.S.C. § 1427(a)(3).

67. The required statutory period for good moral character begins five years before the date the individual files the application 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).

68. Although Congress has not specifically defined what constitutes good moral character for naturalization purposes, the Immigration and Nationality Act delineates certain

classes of applicants who cannot be found to have the requisite good moral character. 8 U.S.C. § 1101(f).

69. As a matter of law, an applicant lacks good moral character if he or she commits a crime involving moral turpitude ("CIMT") during the statutory period and later either is convicted of the crime or admits his or her 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 applicants "shall be found to lack good moral character" if they committed and were convicted of or admitted to committing one or more CIMTs).

70. Congress has also expressly precluded individuals who give false testimony for the purpose of obtaining immigration benefits from being able to establish the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

71. Further, Congress created a "catch-all" provision, which states, "[t]he fact that any person is not within any of the foregoing classes 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).

72. Individuals who commit unlawful acts adversely reflecting upon their moral character cannot meet the good moral character requirement unless they prove that extenuating circumstances existed. *See* 8 C.F.R § 316.10(b)(3)(iii).

73. An individual unlawfully procured naturalization if he or she committed unlawful acts during the statutory period, even if he or she was convicted of those crimes after being granted citizenship. *See United States v. Jean-Baptiste*, 395 F.3d 1190, 1193-94 (11th Cir. 2005).

**2. AN INDIVIDUAL WHO ILLEGALLY PROCURES CITIZENSHIP BY NATURALIZATION MUST BE DENATURALIZED**

74. 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 whether to grant his or her naturalization application, Congress enacted 8 U.S.C. § 1451.

75. Under 8 U.S.C. § 1451(a), this Court must revoke an order admitting an individual to citizenship and cancel the individual's certificate of naturalization if his or her naturalization was *either*:

a. illegally procured, or

b. procured by concealment of a material fact or by willful misrepresentation.

76. 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.

77. Naturalization has been 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. *See Kungys v. United States*, 485 U.S. 759, 767 (1988).

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

## CAUSES OF ACTION

## COUNT I

### ILLEGAL PROCUREMENT OF NATURALIZATION
### LACK OF GOOD MORAL CHARACTER
### (CRIMES INVOLVING MORAL TURPITUDE)

79. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Paragraphs 1-78 of this Complaint.

80. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during the statutory period—*i.e.*, from August 29, 2007, until May 17, 2013, the date he became a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

81. An applicant for naturalization is statutorily precluded from establishing the good moral character necessary to naturalize where he commits a CIMT during the statutory period and is convicted of or admits to committing acts that constitute the essential elements of a CIMT. 8 U.S.C. § 1101(f)(3) (cross-referencing 8 U.S.C. § 1182(a)(2)(A)(i)); 8 C.F.R. § 316.10(b)(2)(i).

82. As set forth above, during his statutory period, Defendant committed the crime of coercing and enticing a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

83. The crime of coercing and enticing a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), is a CIMT.

84. Defendant was convicted of coercing and enticing a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

85. Because Defendant committed a CIMT during the statutory period and was later convicted of that CIMT, Defendant was barred under 8 U.S.C. § 1101(f)(3) (cross referencing 8 U.S.C. § 1182(a)(2)(A)) from showing that he had the good moral character necessary to become a naturalized U.S. citizen. *See* 8 C.F.R. § 316.10(b)(2)(i).

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

87. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his citizenship under 8 U.S.C. § 1451(a).

## COUNT II

### ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (UNLAWFUL ACTS)

88. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Paragraphs 1 through 87 of this Complaint.

89. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during the statutory period—*i.e.*, from August 29, 2007, until May 17, 2013, the date he became a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

90. An applicant for naturalization is statutorily precluded from establishing the requisite good moral character for naturalization where he commits unlawful acts during the statutory period that reflect adversely on his moral character, and there were no extenuating circumstances that would lessen his guilt. 8 C.F.R. § 316.10(b)(3)(iii).

91. As set forth above at paragraphs 18 through 25 and 34, during his statutory period, Defendant committed the unlawful act of coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

92. On January 14, 2016, Defendant pleaded guilty to and was convicted of committing, from 2008, up to and including at least in or about May 2012, the unlawful act of coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

93. On January 14, 2016, while under oath and represented by counsel, Defendant admitted to committing, from 2008 up to and including at least in or about May 2012, acts that constitute the essential elements of coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

94. As set forth above at paragraphs 26 through 34, during his statutory period, Defendant committed the unlawful act of traveling with intent to engage in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b).

95. Defendant committed the unlawful act of traveling with intent to engage in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b), when, in April 2012, Defendant traveled from New York State to England with the intent to engage there in illicit sexual conduct with Victim-1.

96. Defendant demonstrated his intent to travel to engage in illicit sexual conduct with Victim-1 when, shortly before Defendant traveled to England in April 2012 to [redacted]

97. Defendant cannot establish extenuating circumstances with regard to his criminal conduct that would render his conduct less reprehensible than it otherwise would be or that tend to palliate or mitigate his guilt. He therefore cannot avoid the regulatory bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii).

98. Defendant's unlawful conduct precluded him under 8 U.S.C. § 1101(f) (flush language) and 8 C.F.R. § 316.10(b)(3)(iii) from showing that he had the good moral character necessary to become a naturalized U.S. citizen.

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

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

## COUNT III

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

101. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Paragraphs 1 through 100 of this Complaint.

102. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during the statutory period—*i.e.*, from August 29, 2007, until May 17, 2013, the date he became a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

103. An applicant for naturalization is statutorily precluded from establishing the good moral character necessary to naturalize if, during the statutory period, he has given false testimony to obtain an immigration benefit. *See* 8 U.S.C. § 1101(f)(6).

104. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit during his April 18, 2013, naturalization interview when he swore, under oath, that he had never committed a crime for which he had not been arrested.

105. Defendant's sworn testimony at his April 18, 2013, naturalization interview that he had never committed a crime for which he had not been arrested was false because, as set forth above, Defendant had, as of the date of his naturalization interview, knowingly committed the following crimes for which he had not been arrested:

a. coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), and

b. travel with intent to engage in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b).

106. Defendant's testimony that he had not committed a crime for which he was not arrested was knowingly false and for the purpose of obtaining an immigration benefit, namely naturalization.

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

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

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

## COUNT IV

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

110. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Paragraphs 1 through 109 of this Complaint.

111. Under 8 U.S.C. § 1451(a), the Court must revoke an individual's citizenship and cancel his certificate of naturalization where it was procured by concealment of a material fact and by willful misrepresentation.

112. As alleged above, throughout the naturalization process, Defendant willfully misrepresented and concealed the criminal conduct that he committed during his statutory period.

113. Specifically, Defendant misrepresented on his naturalization application and during his naturalization interview that he had never committed any crime for which he had not been arrested.

114. Defendant knew the misrepresentations on his naturalization application were false because Defendant had knowingly committed the following crimes for which he had not been arrested as of the date of his filing of his Naturalization Application on or around August 29, 2012:

a. coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), and

b. travel with intent to engage in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b).

115. Defendant made such misrepresentations and concealments voluntarily and deliberately, despite knowing that such representations were false and misleading. Accordingly, Defendant made these misrepresentations willfully.

116. Defendant also knew the misrepresentations at his naturalization interview that he had never committed a crime for which he had not been arrested were false because less than three years later, Defendant admitted, under oath, to committing the illegal acts of coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b).

117. Defendant's misrepresentations were material to his naturalization because the disclosure of his criminal activity would have had a natural tendency to influence the Government's decision whether to approve Defendant's N-400; indeed, his misrepresentations related to statutory eligibility criteria for such benefit.

118. Had Defendant disclosed the truth about his criminal conduct, the Government would have discovered his statutory ineligibility for naturalization and would not have approved his application or administered the oath of allegiance.

119. Defendant thus procured his naturalization by willful misrepresentation and concealment of material facts, and this Court must revoke his citizenship pursuant to the requirements of 8 U.S.C. § 1451(a).

## PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States, 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 the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. [redacted] effective as of the original date of the order and certificate, May 17, 2013;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship;

(5) Judgment requiring Defendant, within ten (10) days of the entry 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 then surrender any copies thereof that he knows are in the possession of others) to the Acting Attorney General through the undersigned counsel located in Washington, D.C.;

(6) Judgment requiring Defendant, within ten (10) days of the entry of judgment, to surrender and deliver any other indicia of U.S. citizenship, including, but not limited to, U.S. passports, state-issued Enhanced Drivers Licenses, Permits, or Non-Driver Identification Cards, and other relevant documents, whether current or expired, and any copies thereof in his possession (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others), to the Acting Attorney General through the undersigned counsel located in Washington, D.C.; and

(7) Judgment granting the United States any other relief that may be lawful and proper in this case.

Dated: New York, New York
April 23, 2026

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York

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**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

| | |
|---|---|
| UNITED STATES OF AMERICA,<br>Plaintiff,<br>- against -<br>HASSAN SHERJIL KHAN,<br>Defendant. | **COMPLAINT TO REVOKE NATURALIZATION** |

# EXHIBIT A

**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

- against –

Hassan Sherjil Khan,

Defendant.

**AFFIDAVIT OF GOOD CAUSE**

Pursuant to 28 U.S.C. § 1746, I, [redacted] declare under penalty of perjury as follows:

1. I am a Special Agent for the Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE"). In this capacity, I have access to the official records of DHS, including the alien file ("A file") of Hassan Sherjil Khan, [redacted]

2. I have examined Mr. Khan's A file and selected filings from Mr. Khan's criminal proceedings. Accordingly, I state, on information and belief, that the information set forth in this Affidavit of Good Cause is true and correct.

3. On August 29, 2012, Mr. Khan filed a Form N-400, Application for Naturalization ("N-400") pursuant to section 316(a) of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1427(a), with United States Citizenship and Immigration Service ("USCIS"), DHS.

4. On April 18, 2013, Mr. Khan was interviewed by Dawn Panetta, an Immigration Service Officer ("ISO") of USCIS to determine his eligibility for naturalization.

5. Based on Mr. Khan's written application and his testimony at the naturalization interview, ISO Panetta approved his application for naturalization the same day.

6. Consequently, on May 17, 2013, Mr. Khan was granted United States citizenship and issued Certificate of Naturalization, number [redacted]

**I. Mr. Khan illegally procured his naturalization.**

7. Mr. Khan illegally procured his naturalization because he could not have established that he was a person of good moral character.

8. As an applicant for naturalization pursuant to 8 U.S.C. § 1427(a), Mr. Khan was required to prove that he was, and continued to be, a person of good moral character from August 29, 2007, five years before he filed his application for naturalization on August 29, 2012, until the time he took the oath of allegiance on May 17, 2013 (the statutory period).

**A. Mr. Khan illegally procured his naturalization because he committed crimes involving moral turpitude during his statutory period.**

9. Mr. Khan could not have established that he was a person of good moral character because he committed crimes involving moral turpitude during the statutory period to which he has admitted or for which he has been convicted post-naturalization.

10. An individual who, during the statutory period, committed acts that constitute the essential elements of a crime involving moral turpitude punishable by more than one year incarceration, and at any point admits or is convicted of such conduct, is barred from establishing good moral character. *See* 8 U.S.C. § 1101(f)(3) (cross-referencing 8 U.S.C. § 1182(a)(2)(A)).

11. On June 24, 2016, as a result of a plea agreement, Mr. Khan was convicted in the United States District Court for the Southern District of New York for the offense of Coercion and Enticement of a Minor to Engage in Illegal Sex in violation of 18 U.S.C. § 2422(b).

12. The minimum term of imprisonment for this conviction is ten years and the maximum possible term is life imprisonment.

13. Mr. Khan pleaded guilty to Count 2 in the criminal information 15 Cr. 804 JSR

which was filed on November 18, 2015.

14. Count 2 of the information states that from at least in or about 2008, up to and including in or about May 2012, Mr. Khan unlawfully, willfully, and knowingly, did use a facility and means of interstate and foreign commerce to persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, Victim-1, to engage in sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, Khan used a computer and the internet to persuade, induce, entice, and coerce Victim-1, a minor, to send images, videos, and live visual depictions of Victim-1 engaging in sexual activity to Khan over the internet.

15. During his plea allocution on January 14, 2016, Mr. Khan admits he used the internet to have a sexual relationship with a female under the age of eighteen from 2008 to 2013.

16. During his plea allocution on January 14, 2016, Mr. Khan admits that as a twenty-four-year-old, he traveled to England in April 2012 to meet Victim-1, who he knew was fifteen years old, and engaged in sexual intercourse.

17. During his plea allocution, Mr. Khan further states that he knew his conduct was illegal.

18. The aforementioned conduct constitutes crimes involving moral turpitude because they involve sexual abuse of a minor.

19. Mr. Khan was sentenced to 204 months imprisonment for his conviction for the offense of Coercion and Enticement of a Minor to Engage in Illegal Sex, in violation of 18 U.S.C. § 2422(b).

20. Because Mr. Khan committed crimes involving moral turpitude punishable by more than one-year of incarceration during the statutory period that he has since admitted to, as outlined above in paragraphs 11 through 17, he could not have established that he was a person

of good moral character during the five-year period immediately preceding the date he filed for naturalization.

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

22. Because he was ineligible to naturalize, Mr. Khan illegally procured his citizenship.

**B. Mr. Khan illegal procured his naturalization because he committed unlawful acts during his statutory period.**

23. Mr. Khan could not have established that he was a person of good moral character because he committed unlawful acts during the statutory period that reflected adversely on his moral character.

24. An individual who committed unlawful acts during the statutory period that reflected adversely on his moral character, where there were no extenuating circumstances that would lessen his guilt, is barred from establishing good moral character. See 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

25. Mr. Khan sexually abused a minor from 2008-2012.

26. Mr. Khan committed these unlawful acts during the statutory period.

27. These unlawful acts adversely reflected upon Mr. Khan's moral character.

28. Mr. Khan cannot establish extenuating circumstances with regard to his criminal conduct that would render his conduct less reprehensible than it otherwise would be or that tend to palliate or mitigate his guilt. He therefore cannot avoid the regulatory bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii).

29. Mr. Khan's unlawful conduct precluded him under 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii) from showing that he had the good moral character necessary to

become a naturalized U.S. citizen.

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

31. Because Mr. Khan was ineligible to naturalize, he illegally procured his naturalization.

**C. Mr. Khan illegally procured his naturalization because he gave false testimony during his statutory period.**

32. Mr. Khan could not have established that he was a person of good moral character because during his naturalization interview, conducted under oath on April 18, 2013, he provided false testimony for the purpose of obtaining the immigration benefit of naturalization.

33. An individual who during the statutory period has given false testimony for the purpose of obtaining any immigration benefit, is barred from establishing good moral character. *See* 8 U.S.C. § 1101(f)(6).

34. On April 18, 2013, Mr. Khan appeared before ISO Panetta for an interview regarding his application for naturalization.

35. At the beginning of the naturalization interview, ISO Panetta placed Mr. Khan under oath, and Mr. Khan swore or affirmed that he would answer all questions truthfully.

36. During the naturalization interview, Mr. Khan falsely testified, under oath, that he had never committed a crime for which he had not been arrested.

37. In fact, since about 2008 to the date of his interview, Mr. Khan was involved in sexual abuse of a minor.

38. During his plea allocution on January 14, 2016, Mr. Khan admits he used the internet to have a sexual relationship with a female under the age of eighteen from 2008 to 2013.

39. During his plea allocution on January 14, 2016, Mr. Khan admits that as a twenty-four-year-old, he traveled to England in April 2012 to meet Victim-1, who he knew was fifteen years old, and engaged in sexual intercourse.

40. During his plea allocution, Mr. Khan further states that he knew his conduct was illegal.

41. Mr. Khan's testimony regarding whether he had ever committed a crime for which he had not been arrested was knowingly false and for the purpose of obtaining an immigration benefit, namely naturalization.

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

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

**II. Mr. Khan procured his naturalization by willful misrepresentation and concealment of material facts.**

44. Mr. Khan willfully misrepresented and concealed his criminal conduct from 2008 to 2012 during the naturalization process.

45. Throughout the naturalization process, Mr. Khan willfully misrepresented and concealed his sexual abuse of a minor from 2008 to 2012, which he admitted to know was illegal conduct, and for which he was convicted post-naturalization.

46. Specifically, Mr. Khan represented on his Naturalization Application and during his naturalization interview that he had never knowingly committed any crime for which he had not been arrested, despite knowing that such representations were false and misleading.

47. Mr. Khan knew the representations on his Naturalization Application that he had never knowingly committed a crime for which he had not been arrested were false because Mr.

Khan had knowingly sexually abused a minor from 2008 to April 2012.

48. Mr. Khan also knew the representations at his naturalization interview that he had never knowingly committed a crime for which he had not been arrested were false because Mr. Khan had knowingly sexually abused a minor from 2008 to April 2012.

49. Mr. Khan's misrepresentations were material to his naturalization because the disclosure of his criminal activity would have had a natural tendency to influence the government's decision whether to approve Mr. Khan's N-400; indeed, they related to statutory eligibility criteria for such benefit.

50. Had Mr. Khan disclosed the truth about his criminal conduct, the government would have discovered his statutory ineligibility for naturalization and would not have approved his application or administered the oath of allegiance.

51. Mr. Khan thus procured his naturalization by willful misrepresentation and concealment of material facts.

**III. Conclusion**

52. For the foregoing reasons, good cause exists to institute proceedings pursuant to INA § 340(a), 8 U.S.C. § 1451(a), to revoke Mr. Khan's citizenship and to cancel his certificate of naturalization.

53. Mr. Khan is currently detained at FCI Fort Dix located at 5756 Hartford and Pointville Road Joint Base MDL, NJ 08640. His expected release date is July 21, 2029. Prior to his imprisonment, Mr. Khan resided at [redacted]

**DECLARATION IN LIEU OF JURAT**

(28 U.S.C. § 1746)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: April 22, 2026

[redacted]

Department of Homeland Security,
Immigration and Customs Enforcement