UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KULJINDER SINGH, formerly known as GURNAM SINGH, [redacted] a.k.a. KULJINDER SINGH KANG [redacted] a.k.a. KULGIN SINGH, [redacted]

Defendant.

Civil Action No.

COMPLAINT TO REVOKE NATURALIZATION

PRELIMINARY STATEMENT

The United States of America ("Plaintiff") brings this civil action against Defendant Kuljinder Singh, formerly known as Gurnam Singh, a.k.a Kuljinder Singh Kang and Kulgin Singh ("Defendant") to revoke his naturalized U.S. citizenship under 8 U.S.C. § 1451(a). Plaintiff alleges that Defendant procured his naturalization unlawfully and he willfully misrepresented and concealed material facts in applying to naturalize.

Before he naturalized as a U.S. citizen in 2012, under the identity Kuljinder Singh[1], Defendant was previously ordered excluded under the identity Kulgin

---

[1] Defendant filed prior immigration applications under the name Gurnam Singh and after those were granted, obtained a court order changing his name to Kuljinder Singh, and was ultimately naturalized under that name.

Singh and ordered deported under the identity Kuljinder Singh Kang. In 1991, officers with the former Immigration and Naturalization Service ("INS")[2] encountered Defendant when he arrived at the Los Angeles International Airport. He identified himself as "Kulgin Singh." INS paroled Defendant into the United States pending exclusion proceedings. Defendant failed to appear before an immigration judge as directed and, on September 5, 1991, the immigration judge ordered that Defendant be excluded from the United States.

On September 5, 1995, Defendant, after being ordered excluded using the identity Kulgin Singh, and now using the identity Kuljinder Singh Kang, filed with INS an application for an immigration benefit. In this application, Defendant changed, *inter alia*, his name, date of birth, and date and place of entry into the United States. INS referred Defendant's case to an immigration judge who, on August 15, 1996, ordered that Defendant be deported.

On October 2, 1996, Defendant—after being ordered excluded using the identity Kulgin Singh and ordered deported using the identity Kuljinder Singh Kang, and now using the identity Gurnam Singh—filed another application for an immigration benefit. In this application, Defendant changed, *inter alia*, his name,

[2] On March 1, 2003, INS ceased to exist as an independent agency within the Department of Justice, and most of its functions were transferred to the newly formed Department of Homeland Security. *See* Homeland Security Act of 2002, Pub. L. No. 107-296, §§ 441, 451, 471, 116 Stat. 2135 (Nov. 25, 2002). Plaintiff will reference INS throughout where factually appropriate.

date and place of entry into the United States, and basis for his claim. In December 1996, INS granted Defendant's application.

On December 10, 2007, Defendant applied to adjust his status in the United States to that of a permanent resident. On August 12, 2008, INS approved Defendant's adjustment of status application under the identity Gurnam Singh. In 2009, Defendant obtained a court order changing his name from Gurnam Singh to Kuljinder Singh. On September 13, 2012, Defendant naturalized under the identity and immigration history of Kuljinder Singh, formerly known as Gurnam Singh. Defendant did not disclose his prior immigration history under the Kulgin Singh or Kuljinder Singh Kang identities in any of his immigration applications or proceedings under the Kuljinder Singh identity.

Defendant's actions and conduct statutorily barred him from becoming a U.S. citizen and render his naturalization unlawfully procured. Thus, with the attached affidavit showing good cause, Plaintiff brings this civil action to revoke and set aside the order admitting Defendant to citizenship and to cancel his certificate of naturalization.

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 U.S. citizenship and to cancel Certificate of Naturalization No. [redacted]

2. This Court has 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 pursuant to 8 U.S.C. § 1451(a) because Defendant resides in this district.

PARTIES

4. Plaintiff is the United States of America.

5. Defendant Kuljinder Singh, formerly known as Gurnam Singh, a.k.a Kuljinder Singh Kang and Kulgin Singh, was born in India and is a naturalized U.S. citizen whose last known address is in Lilburn, Georgia.

6. Kuljinder Singh, Gurnam Singh, Kuljinder Singh Kang, and Kulgin Singh are one and the same person.

FACTUAL ALLEGATIONS

7. The affidavit of Melanie Medina, an Officer with U.S. Citizenship and Immigration Services (USCIS), an agency within 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 1 (the "Medina Affd.").

I. Defendant's Immigration History Using the Kulgin Singh Identity

8. On or about May 15, 1991, INS officers encountered Defendant when he arrived at Los Angeles International Airport. Defendant lacked documents permitting him to enter the United States. Defendant did not have any proof of

identity but provided the name Kulgin Singh, place of birth of India, and date of birth of May 2, 19xx.[3] *See* Medina Affd. Ex. C.

9. The INS assigned Defendant alien registration number [redacted]

10. On or about May 15, 1991, Defendant, using the name Kulgin Singh, provided fingerprints to INS. *See* Medina Affd. Ex. B.

11. On or about May 15, 1991, INS served Defendant, under the name Kulgin Singh, with a Form I-122, Notice to Applicant for Admission Detained for Hearing Before Immigration Judge, thereby placing him into exclusion proceedings. INS charged Defendant with being excludable based on two charges:

a. seeking to enter the United States for the purpose of performing skilled or unskilled labor without certification from the Secretary of Labor, and

b. not being in possession of a valid entry document and document of identity and nationality.

See Medina Affd. Ex. A.

12. On or about May 22, 1991, Defendant requested parole on bond or on own recognizance from the INS District Director pending exclusion proceedings. On that request, Defendant stated, under penalty of perjury, that his "true and

[3] Plaintiff has redacted information throughout this document and its exhibits that includes social security numbers, dates of birth, places of birth, alien numbers, passport numbers, phone numbers, and home address.

correct name" was Kulgin Singh and "true date of birth" was [redacted] *See* Medina Affd. Ex. C. This request was granted.

13. Defendant was required to appear in immigration court on September 5, 1991, but failed to do so. The immigration court ordered Defendant excluded from the United States in abstentia pursuant to the charges in the Form I-122. *See* Medina Affd. Ex. D.

II. Defendant's Immigration History Using the Kuljinder Singh Kang Identity

14. On or about September 5, 1995, Defendant, using a different identity, Kuljinder Singh Kang, filed an application for an immigration benefit with INS. INS assigned Defendant alien registration number [redacted]

15. In his application, Defendant:

a. stated that his name was Kuljinder S. Kang;

b. did not list any names that he had previously used;

c. stated that he was born on [redacted], in India; and

d. stated that he last arrived in the United States on July 16, 1995, at El Paseo [sic], Texas.

16. On or about August 20, 1995, Defendant signed the application, under the penalty of perjury, declaring the contents of the application and all accompanying documents were "true and correct."

17. Defendant, using the name Kuljinder Singh Kang, provided fingerprints in connection with his application. *See* Medina Affd. Ex. E.

18. On or about February 8, 1996, Defendant was interviewed by an INS officer in connection with his application. The interview was conducted in English and interpreted to Punjabi by an acquaintance of Defendant named Surinder Singh Kheepal.

19. At the conclusion of the interview, Defendant swore that the contents of his application and all attachments were true and correct.

20. The INS officer found Defendant's testimony not credible and referred his case to an immigration judge.

21. On or about February 22, 1996, INS served Defendant, under the name Kuljinder Singh Kang, with a Form I-221, Order to Show Cause and Notice of Hearing, thereby placing him in deportation proceedings. *See* Medina Affd. Ex. F. INS charged Defendant with being deportable on the basis that he entered the United States without inspection.

22. Defendant was ordered to appear for a hearing before an immigration judge on March 12, 1996. *Id*.

23. On March 12, 1996, Defendant appeared at his hearing with his attorney. He admitted the allegations against him, conceded deportability, and

indicated that he would be pursuing relief in lieu of deportation. *See* Medina Affd. Ex. H.

24. Defendant was ordered to next appear before the immigration judge on June 24, 1996. *See* Medina Affd. Ex. G. In the notice of hearing, Defendant was instructed that failure to appear could result in the hearing being held in his absence and the entry of an order of deportation. *Id*.

25. At the June 24, 1996 hearing, Defendant's counsel appeared without Defendant. Defendant's counsel requested a continuance, stating that Defendant was suffering from depression and anxiety and was unable to participate. *See* Medina Affd. Ex. H at 3. The immigration judge ruled that an in absentia deportation order would be entered against Defendant unless, by July 8, 1996, Defendant provided medical documentation verifying his claims and proof of travel arrangements he had made to attend the hearing prior to the onset of his depression and anxiety. *Id*.

26. On August 15, 1996, the immigration judge determined the documentation submitted by Defendant was insufficient and ordered that Defendant be deported to India. *Id*. at 3, 7.

27. On or about September 4, 1996, INS mailed Defendant a Form I-166, ordering him to report to the United States Immigration Office at 630 Sansome

Street, San Francisco, California on October 9, 1996, for deportation to India. *See* Medina Affd. Ex. I.

28. On October 9, 1996, Defendant failed to surrender for deportation.

III. Defendant's Immigration History Using the Kuljinder Singh (Formerly Known as Gurnam Singh) Identity

a. Defendant's Application Under the Identity Gurnam Singh

29. On or about October 2, 1996, Defendant, using a third identity, Gurnam Singh, filed with INS another application for an immigration benefit. INS assigned Defendant alien registration number [redacted]

30. In his application, Defendant:

a. stated that his name was Gurnam Singh;

b. did not list any names that he had previously used;

c. stated that he was born on [redacted] in India;

d. stated that he last arrived in the United States on October 20, 1995, at Brownsville, Texas;

e. stated that he was not then in exclusion or deportation proceedings; and

f. stated that he had never previously filed an application for the same relief.

31. On or about August 10, 1996, Defendant signed the application, under the penalty of perjury, declaring the contents of the application and all accompanying documents were "true and correct."

32. On November 25, 1996, Defendant was interviewed by an INS officer in connection with his application. The interview was conducted in English and interpreted to Punjabi by an acquaintance of Defendant named Surinder Singh Kheepal. Singh testified that his name was Gurnam Singh and that he was born on [redacted] He affirmed that he was not in exclusion or deportation proceedings and added only "Mario" when asked about other names or aliases used.

33. At the conclusion of the interview, Defendant swore that the contents of his application and all attachments were true and correct.

34. On or about December 6, 1996, INS granted Defendant's application.

b. Defendant's First Adjustment Application Under the Identity Gurnam Singh

35. On or about February 23, 1998, Defendant filed with INS a Form I-485, Application to Register Permanent Residence or Adjust Status. *See* Medina Affd. Ex. J.

36. In the adjustment application, Defendant stated/represented as follows:

a. his name was Gurnam Singh;

b. he was born on [redacted] in India;

c. he last arrived in the United States on October 20, 1995;

d. he had never been deported or removed from the United States at government expense, excluded within the past year, nor was he now in exclusion or deportation proceedings; and

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

37. On or about December 25, 1997, Defendant signed his adjustment application, certifying under penalty of perjury that its contents were true and correct.

38. Defendant, using the name Gurnam Singh, provided fingerprints in connection with his application. *See* Medina Affd. Ex. K.

39. In support of his adjustment application, Defendant submitted a Form G-325A, Biographic Information (*see* Medina Affd. Ex. L), signed by him on December 25, 1997, in which Defendant represented, under severe penalties for knowingly and willfully falsifying or concealing a material fact, that:

a. his name was Gurnam Singh;

b. he was born on [redacted] in India; and

c. he had never used any names other than Gurnam Singh.

40. INS records indicate that Defendant's application was terminated on March 12, 2001. The records do not indicate the reason for termination.

c. Defendant's Second Adjustment Application Under the Identity Gurnam Singh

41. On or about December 10, 2007, Defendant filed with INS another Form I-485, Application to Register Permanent Residence or Adjust Status. *See* Medina Affd. Ex. M.

42. In the adjustment application, Defendant stated as follows:

a. his name was Gurnam Singh;

b. he was born on [redacted] in India;

c. he last arrived in the United States on October 20, 1995;

d. he had never been deported or removed from the United States at government expense, excluded within the past year, nor was he now in exclusion or deportation proceedings;

e. he had never sought to procure, or procured, a visa, or other documentation, entry into the United States, or any immigration benefit by fraud or willful misrepresentation of a material fact; and

f. he had never before applied for permanent resident status in the United States.

43. On or about November 11, 2007, Defendant signed his adjustment application, certifying under penalty of perjury that its contents were true and correct.

44. In support of his adjustment application, Defendant submitted a Form G-325A, Biographic Information (*see* Medina Affd. Ex. N), signed by him on November 11, 2007, in which Defendant represented, under severe penalties for knowingly and willfully falsifying or concealing a material fact, that:

a. his name was Gurnam Singh;

b. he was born on [redacted] in India; and

c. he had never used any names other than Gurnam Singh.

45. In 2008, INS approved Defendant's second adjustment application, adjusting his status to that of a permanent resident as of August 12, 2007.

d. Defendant's Post-Name Change Naturalization Application Under the Identity Kuljinder Singh, Formerly, Gurman Singh

46. On April 16, 2009, the Superior Court of New Jersey issued an order granting Defendant's request to change his name from Gurnam Singh to Kuljinder Singh, the name Defendant currently uses. *See* Medina Affd. Ex. O.

47. On or about May 16, 2012, Defendant, using the identity Kuljinder Singh, filed a Form N-400, Application for Naturalization with USCIS ("Naturalization Application"). *See* Medina Affd. Ex. P.

48. In his Naturalization Application, Defendant stated as follows:

a. his name was Kuljinder Singh;

b. he was born on [redacted], in India;

c. he previously used the name Gurnam Singh, which he legally changed on April 16, 2009;

d. 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;

e. he had never lied to any U.S. government official to gain entry or admission into the United States;

f. he had never been ordered to be removed, excluded, or deported from the United States; and

g. he had never applied for any kind of relief from removal, exclusion, or deportation.

49. On or about January 17, 2012, Defendant signed his Naturalization Application under penalty of perjury pursuant to the laws of the United States, thereby certifying that the application and the evidence submitted with it were all true and correct.

e. Defendant's Naturalization Interview Under the Identity Kuljinder Singh (Formerly Gurnam Singh)

50. On September 13, 2012, a USCIS Immigration Services Officer ("ISO") interviewed Defendant regarding his Naturalization Application to determine his eligibility for naturalization.

51. At the beginning of the interview, the ISO placed Defendant under oath.

52. During the interview, Defendant testified to the contents of his Naturalization Application and, consistent with his written answers, that:

a. his legal name was Kuljinder Singh;

b. his date of birth was [redacted]

c. his country of birth was India;

d. he previously used the name Gurnam Singh;

e. 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;

f. he had never lied to any U.S. government official to gain entry or admission into the United States;

g. he had never been ordered removed, excluded, or deported from the United States; and

h. he had never applied for any kind of relief from removal, exclusion, or deportation.

53. On September 13, 2012, at the conclusion of his naturalization interview, Defendant again signed his Naturalization Application under penalty of perjury, thereby attesting that the information it contained was true and correct and there were no corrections.

54. On September 13, 2012, based on the information supplied by Defendant in his Naturalization Application and on the sworn testimony he gave during his naturalization interview, USCIS approved Defendant's Naturalization Application.

55. On September 13, 2012, Defendant took the oath of allegiance and became a naturalized U.S. citizen.

56. On September 13, 2012, USCIS issued Defendant, under the identity Kuljinder Singh, Certificate of Naturalization No. [redacted] *See* Medina Affd. Ex. Q.

IV. Fingerprint Analysis

57. Kulgin Singh, Kuljinder Singh Kang, Gurnam Singh, and Kuljinder Singh are the same person.

58. A fingerprint specialist in DHS's forensic laboratory has analyzed fingerprint impressions provided by Singh under the names Kulgin Singh,

Gurnam Singh, Kuljinder Singh, and Kuljinder Singh Kang, and concluded that each of the fingerprints were made by the same individual. *See* Medina Affd. Ex. R.

59. This fingerprint evidence demonstrates by clear, convincing, and unequivocal evidence that the same individual submitted fingerprints under each of Defendant's identities. *Id.*

GOVERNING LAW

I. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

60. No alien 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.* ("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[.]") (quoting *Ginsberg*, 243 U.S. at 474)).

61. 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*.

62. Congress has defined the term "lawfully admitted for permanent residence" to mean "the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws." *See* 8 U.S.C. § 1101(a)(20).

63. The term "lawfully" requires compliance with substantive legal requirements for admission, and not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20).

64. An individual who, by fraud or 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 benefit provided for in the Immigration and Nationality Act ("INA") is inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

II. The Denaturalization Statute

65. 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.

66. 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:

a. illegally procured, or

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

67. 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.

68. 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).

69. Where the government establishes that the defendant's citizenship was procured illegally or by concealment of a material fact or by 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
Not Lawfully Admitted for Permanent Residence
(Fraud or Willful Misrepresentation of a Material Fact)

70. The United States re-alleges and incorporates by reference the foregoing paragraphs.

71. As discussed above, to qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence. *See* 8 U.S.C. § 1429.

72. The term "lawfully" requires compliance with substantive legal requirements for admission and not mere procedural regularity.

73. An alien 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 benefit provided for in the INA, is inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

74. Defendant was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) at the time of his adjustment to permanent resident status because he both sought to procure, and did procure, admission into the United States or other immigration benefits by fraud or by willfully misrepresenting material facts.

75. Defendant sought to procure admission into the United States or another benefit provided for in the INA by fraud or by willfully misrepresenting material facts. Specifically, at the time Defendant adjusted his status to permanent resident using the name Gurnam Singh, he had previously sought to procure and had been denied immigration benefits using the names Kulgin Singh and Kuljinder Singh Kang. Indeed, at the time that Defendant adjusted to permanent resident status, he was the subject of orders of exclusion and deportation under the names Kulgin Singh and Kuljinder Singh Kang.

76. As set forth above, Defendant applied for admission as a permanent resident using a different identity and date of birth than those which he previously used, but he represented that he had never used any other names, thus misrepresenting his immigration history in the United States as well as his identity.

77. At the time Defendant was admitted as a permanent resident, thus, Defendant was inadmissible pursuant to 8 U.S.C. § 1182(a)(6)(C)(i).

78. Defendant's false statements regarding his name, date and manner of entry into the United States, and his immigration history were material to determining his eligibility for the immigration benefits sought, whether a favorable exercise of discretion was merited, and even whether the agency had jurisdiction to grant the benefit.

79. Defendant's false statements had the natural tendency to influence a decision by the immigration officer to approve his application(s).

80. Defendant thus sought to procure multiple immigration benefits by fraud or willfully misrepresenting material facts, rendering him inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) at the time his status was adjusted to that of a permanent resident.

81. Because Defendant was inadmissible at the time his status was adjusted to that of a permanent resident, Defendant was not lawfully admitted for permanent residence.

82. Because Defendant was not lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. § 1429.

83. Because Defendant was ineligible for naturalization, therefore, he illegally procured his naturalization.

84. Because Defendant illegally procured his naturalization, this Court must revoke that naturalization as provided for in 8 U.S.C. § 1451(a).

COUNT II

ILLEGAL PROCUREMENT OF NATURALIZATION
Lack of Good Moral Character
(False Testimony)

85. The United States re-alleges and incorporates by reference the foregoing paragraphs.

86. Defendant illegally procured his naturalization because he was statutorily precluded from establishing the good moral character necessary to naturalize on account of his providing false testimony for the purpose of obtaining an immigration benefit.

87. As discussed above, an applicant for naturalization must satisfy the statutory requirement of demonstrating that he is a person of good moral character throughout the five-year statutory period before he filed his naturalization application, and until the time he becomes a naturalized United States citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(1).

88. Defendant filed his naturalization application on May 16, 2012, and was, therefore, required to establish that he was a person of good moral character from May 16, 2007, until the date he became a U.S. citizen, on September 13, 2012 (the statutory period).

89. Defendant was statutorily barred from establishing the good moral character necessary to naturalize because, during the statutory period, he provided false testimony, orally and under oath, for the purpose of obtaining an immigration benefit, including naturalization. *See* 8 U.S.C. § 1101(f)(6).

90. As set forth above, during the statutory period Defendant provided false testimony for the purpose of obtaining an immigration benefit when he

swore, orally and under oath, during his September 13, 2012 naturalization interview, that:

a. the only name he had previously used was Gurnam Singh;

b. 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;

c. he had never lied to any U.S. government official to gain entry or admission into the United States;

d. he had never been ordered removed, excluded, or deported from the United States; and

e. he had never applied for any kind of relief from removal, exclusion, or deportation.

91. Defendant's testimony on each of the questions discussed above was oral, under oath, knowingly false, and for the purpose of obtaining an immigration benefit, namely naturalization.

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

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

94. Because he was ineligible to naturalize, Defendant procured his citizenship illegally.

95. Because he procured his citizenship illegally, the Court must revoke his citizenship, as provided for by 8 U.S.C. § 1451(a).

COUNT III

PROCUREMENT OF UNITED STATES CITIZENSHIP BY CONCEALMENT OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION

96. The United States re-alleges and incorporates by reference the foregoing paragraphs.

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

98. As discussed above, throughout the naturalization process, Defendant willfully misrepresented and concealed facts related to his use of alternate identities and his immigration history.

99. Specifically, Defendant misrepresented on his Form N-400 and later testified at his naturalization interview before a USCIS adjudicator that he had never used any name other than Gurnam Singh; that he had never given false

testimony for the purpose of obtaining any immigration benefit or to prevent deportation, exclusion, or removal; that he had never lied to any U.S. government official to gain entry or admission into the United States; that he had never been removed, excluded, or deported from the United States; and that he had never been ordered to be removed, excluded, or deported from the United States.

100. Defendant made the misrepresentations and concealments identified in the foregoing paragraph voluntarily, despite knowing that such representations were false and misleading.

101. Accordingly, Defendant made these representations willfully.

102. Defendant's false statements and testimony about these matters were material to determining his eligibility for naturalization.

103. Defendant's false statements and testimony had the natural tendency to influence a decision by USCIS to approve his Form N-400. In fact, as shown above, the concealed and misrepresented facts rendered Defendant ineligible for naturalization, and USCIS would have denied his N-400 application had he been truthful.

104. Defendant therefore procured his naturalization by concealment of material facts and willful misrepresentations.

105. Because Defendant procured his naturalization by concealment of material facts and willful misrepresentations, the Court must revoke his citizenship under 8 U.S.C. § 1451(a).

PRAYER FOR RELIEF

WHEREFORE, the United States of America respectfully requests:

A. A declaration that Defendant illegally procured his citizenship;

B. A declaration that Defendant procured his citizenship by concealment of material facts and by willful misrepresentation;

C. 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 certificate, September 13, 2012;

D. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to United States citizenship that he obtained or could obtain as a result of his September 13, 2012 naturalization;

E. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, 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 designated representative, including undersigned counsel;

F. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, any other indicia of U.S. citizenship, including, but not limited to, U.S. passports (whether valid or expired), U.S. passport cards (whether valid or expired), and Enhanced Driver's Licenses (whether valid or expired), 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 of others—to the Attorney General, or to his designated representative, including undersigned counsel; and

G. Judgment granting the United States such other relief that may be lawful and proper in this case.

Dated: May 27, 2026

Respectfully submitted,

THEODORE S. HERTZBERG
United States Attorney

/s/ Melanie D. Hendry
MELANIE D. HENDRY
Assistant United States Attorney
GA Bar No. 867550
ADAM D. NUGENT
Assistant United States Attorney
GA Bar No. 381008
600 Richard B. Russell Federal Bldg.
75 Ted Turner Drive, SW
Atlanta, Georgia 30303
Telephone: (404) 581-6000
Melanie.hendry@usdoj.gov

Adam.nugent@usdoj.gov

Counsel for United States