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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

UNITED STATES OF AMERICA,	**Civil Action No. 6:26-cv-01203**
Plaintiff,	
v.	
JASWINDER SINGH, Axxx-xxx-606,[1] a.k.a. BALWINDER SINGH, Axxx-xxx-092,	**COMPLAINT TO REVOKE NATURALIZATION**
Defendant.	

[1] Pursuant to the Privacy Act, 5 U.S.C. § 552a(b), Plaintiff will redact 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 tax information, which are precluded from disclosure. *See, Yith v. Nielsen*, No. 14-CV-01875, 2019 WL 2567290, at *5 (E.D. Cal. June 21, 2019); *Rouse v. U.S. Dep't of State*, 567 F.3d 408, 413 (9th Cir. 2009) ("The Privacy Act was designed to 'protect the privacy of individuals' through regulation of the 'collection, maintenance, use, and dissemination of information' by federal agencies.") (citing 5 U.S.C. § 552a).

I. PRELIMINARY STATEMENT OF THE CASE

The United States of America ("Plaintiff") brings this civil action against Defendant Jaswinder Singh, a.k.a. Balwinder 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 that he willfully misrepresented and concealed material facts in applying to naturalize.

Before he naturalized as a U.S. citizen in 2013 under the identity Jaswinder Singh, Defendant was previously ordered excluded and deported from the United States under the identity Balwinder Singh. In 1990, officers with the former Immigration and Naturalization Service ("INS")[2] encountered Defendant when he arrived at San Francisco International Airport. He identified himself as "Balwinder Singh." The INS paroled the Defendant into the United States. In 1990, the INS placed Defendant into exclusion proceedings. On November 30, 1990, an immigration judge ordered him excluded and deported. Defendant appealed this decision, and on June 14, 1993, the Board of Immigration Appeals dismissed his appeal. Defendant then failed to surrender for deportation.

On November 28, 1994, Defendant, after being ordered excluded and deported using the identity Balwinder Singh, and now using the identity Jaswinder Singh, filed an application for an immigration benefit with the INS. In this application, Defendant changed, *inter alia*, his name, date of birth, date of entry into the United States, and basis for his claim. In August of 2003, an

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[2] On March 1, 2003, the INS ceased to exist as an independent agency within the Department of Justice, and many 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). The INS was divided into several separate agencies, including United States Citizenship and Immigration Services ("USCIS"), Customs and Border Protection, and Immigration and Customs Enforcement. USCIS assumed naturalization authority from the INS. This Complaint will refer to INS where appropriate.

immigration judge granted Defendant's application. On February 23, 2008, the INS approved Defendant's adjustment of status application under the identity Jaswinder Singh. On June 3, 2013, Defendant naturalized under the identity and immigration history of Jaswinder Singh. Defendant did not disclose his prior immigration history under the Balwinder Singh identity in any of his immigration applications or proceedings under the Jaswinder 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.

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 U.S. citizenship and to cancel Certificate of Naturalization No. [redacted], issued June 3, 2013.

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) and 28 U.S.C. § 1391, because Defendant resides in Keizer, OR, within the jurisdiction and venue of this Court.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized U.S. citizen and purports to be a native of India. Balwinder Singh and Jaswinder Singh are one and the same person.

IV. FACTUAL ALLEGATIONS

6. The affidavit of Melanie Medina, Immigration Services Officer, USCIS, an agency within the Department of Homeland Security, showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

A. Defendant's Immigration Proceedings Under the Identity Balwinder Singh.

7. On or about July 7, 1990, INS officers encountered Defendant when he arrived at San Francisco International Airport. Defendant lacked documents permitting him to enter the United States. The INS officers took a sworn statement, attached as Exhibit B,[3] during which Defendant stated, *inter alia*, the following:

a. his true and correct name was Balwinder Singh;

b. he had never used or been known by any other name;

c. he was born on Month A xx, 1971 in Talhan, India;

d. he did not have any travel documents in his possession; and

e. he provided the names of his parents; and

f. he purchased a Nepalese passport from the smuggler he paid to get him into the United States.

8. On or about July 7, 1990, Defendant, using the name Balwinder Singh, provided law enforcement with fingerprint impressions as part his initial contact with Immigration authorities in the United States, identified with [redacted], and encounter [redacted]

[3] Exhibits reflecting immigration documents are excerpted from a certified copy of the alien file (A File) associated with the respective alien number (A Number).

9. A true and accurate copy of the Defendant's initial fingerprint impressions are attached as Exhibit C.

10. The INS assigned Defendant alien registration number [redacted] and paroled him into the United States and on July 24, 1990, the INS served Defendant, under the name Balwinder Singh, with a Form I-122, Notice to Applicant for Admission Detained/Deferred for Hearing Before Immigration Judge, thereby placing him into exclusion proceedings with a hearing set on July 27, 1990, at the San Francisco, California Immigration Court. The INS charged Defendant with being excludable based under 8 U.S.C. § 1182(a)(20) for not being in possession of a valid, unexpired immigrant visa. See Ex. D.

11. On July 27, 1990, the Defendant appeared at the exclusion hearing with his attorney and conceded the charge of exclusion that he was inadmissible under former INA section 212(a)(20).

12. On August 1, 1990, Defendant, using the identity Balwinder Singh, filed an application for an immigration benefit with the immigration court.

13. In the application, Defendant stated/represented the following:

   a. his name was Balwinder Singh; and

   b. he was born on Month A XX, 1971, in Talhan, Punjab, India; and

   c. he admitted he had not obtained a U.S. visa prior to entering the United States; and

   d. he stated he was involved in separatist activities for [redacted] and

e. he had last entered the United States at the Port of Entry of San Francisco, California, on July 7, 1990.

14. On or about July 24, 1990, Defendant signed the application, under penalty of perjury, declaring the contents of the application and all accompanying documents were "true and correct."

15. In conjunction with his application, Defendant filed a Form G-325A, Biographic Information. Attached as Exhibit E.

16. In the Form G-325A, Defendant represented, *inter alia*, that his name was Balwinder Singh, he was born on Month A xx, 1971, in Talhan, India, he provided the names of his parents, and that he had not used any other name.

17. On September 10, 1990, Defendant submitted an immigration application where the defendant stated he was born on Month A xx, 1971, that he last entered the United States on July 7, 1990.

18. On November 30, 1990, Defendant appeared in immigration court and provided testimony in support of his application. Defendant testified, under oath, that:

a. his true and correct name is Balwinder Singh; and

b. he was born on Month A XX, 1971; and

c. he never used any other names; and

d. he first arrived in the United States on July 7, 1990.

19. Following Defendant's testimony, the immigration judge rendered an oral decision in which the Defendant's application was denied and ordered Defendant, under the identity Balwinder Singh, to be excluded and deported from the United States.

20. The immigration judge's decision stated that the Defendant must file an appeal no later than December 10, 1990.

21. On December 5, 1990, Defendant, through counsel, filed a Notice of Appeal to the Board of Immigration Appeals ("BIA").

22. On June 14, 1993, the BIA dismissed Defendant's appeal. Attached as Exhibit F.

23. On July 8, 1993, the INS mailed Defendant, to his most current address on file, a Form I-166, Notice to Deportable Alien to Surrender, ordering him to report to 630 Sansome Street, Rm. 128, San Francisco, CA, on July 29, 1993, for deportation to India.

24. On August July 29, 1993, Defendant failed to surrender for deportation.

25. The government has no record that Defendant departed the United States pursuant to the deportation order.

B. Defendant's Application Under the Identity Jaswinder Singh.

26. On November 28, 1994, Defendant, using a different identity, Jaswinder Singh, filed a second application for an immigration benefit ("second application") with the INS.

27. In the second application, Defendant:

a. stated that his name was Jaswinder Singh;

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

c. stated that he was born on Month B xx, 1971;

d. stated that he arrived in the United States on September 23, 1994, through Mexico;

e. stated he had not returned to his country of claimed persecution since his departure;

f. stated that he departed India in July 1994 and traveled through Mexico before entering the United States.

28. On or about November 15, 1994, Defendant signed the second application, under penalty of perjury, declaring the contents of the application and all accompanying documents were "true and correct."

29. In conjunction with his second application, Defendant filed a second Form G-325A, Biographic Information. Attached as Exhibit G.

30. In the second Form G-325A, Defendant:

a. represented that his name was Jaswinder Singh;

b. represented that he was born on Month B xx, 1971, in Jalandhar, Punjab, India; and

c. did not list any previous names; and

d. provided his parent's names, which were identical to ones provided by Balwinder Singh.

31. On June 7, 1995, Defendant appeared at the INS Office in San Francisco for an interview on his second application where the Defendant was referred to an Immigration Judge.

32. On June 21, 1995, the INS provided the Defendant with a referral notice regarding his second application as the information the Defendant provided was not credible and INS issued an I-221 Form, Order to Show Cause and Notice of Hearing that the defendant was subject to deportation pursuant to Section 241(a)(1)(B) of the Immigration and Nationality Act, setting the hearing for September 28, 1995.

33. On August 15, 2003, an immigration judge issued an order granting the Defendant's second application.

C. Defendant's Adjustment Application Under the Identity Jaswinder Singh.

34. On September 19, 2004, Defendant filed with the INS a Form I-485, Application to Register Permanent Residence or Adjust Status (I-485). Attached as Exhibit H.

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

a. his name was Jaswinder Singh;

b. he was born on Month B xx, 1971, in India;

c. he last arrived in the United States at San Ysidro, California, without inspection, on September 23, 1994;

d. claimed to be a member of the [redacted] and

e. provided his parent's names, which again were identical to ones provided by Balwinder Singh; and

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

g. 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.

36. On or about September 19, 2004, Defendant signed his adjustment application, thereby certifying under penalty of perjury that its contents were true and correct.

37. On October 4, 2004, the Defendant in conjunction with his second application,

Defendant filed another Form G-325A, Biographic Information. See Exhibit I.

38. In the second Form G-325A, Defendant:

a. represented that his name was Jaswinder Singh;

b. represented that he was born on Month B xx, 1971, in Talhan, India; and

c. did not list any previous names; and

d. provided his parent's names, which were identical to ones provided by Balwinder Singh.

39. In conjunction with and in support of his Adjustment Application, Defendant submitted a copy of a document entitled "birth certificate" which the defendant claimed as his, that listed the name Jaswinder Singh, date of birth of Month B xx, 1971, in Bhullewal Rathan, India.

40. On February 19, 2006, the Defendant in conjunction with his second application, Defendant filed another Form G-325A, Biographic Information. Attached as Exhibit J.

41. In the second Form G-325A, Defendant:

a. represented that his name was Jaswinder Singh;

b. represented that he was born on Month B xx, 1971, in Talhan, India; and

c. did not list any previous names; and

d. provided his parent's names, which were identical to ones provided by Balwinder Singh.

42. On February 23, 2008, the INS approved Defendant's adjustment application without interview, adjusting his status to that of a permanent resident. See Exhibit K.

D. Defendant's Naturalization Application Under the Identity Jaswinder Singh.

43. On January 23, 2013, Defendant, using the identity Jaswinder Singh, filed Form N-400, Application for Naturalization (naturalization application), with USCIS, based, *inter alia*, on having been a lawful permanent resident for at least five years. Attached as Exhibit L.

44. In his naturalization application, in response to Question A in Part 1, Defendant represented that his legal name was Jaswinder Singh.

45. In his naturalization application, in response to Part 1, he listed the A-number (A[redacted]) that had been assigned to him using the identity, Jaswinder Singh.

46. In his naturalization application, in response to Question C in Part 1, Defendant left blank the question asking about other names used.

47. In his naturalization application, in response to Question B in Part 3, Defendant represented that his date of birth was Month B xx, 1971.

48. In his naturalization application, Defendant answered "yes" to Question 8 in Part 10, which asked: "Have you **EVER** been a member of or associated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place?" (emphasis in original).

49. In his naturalization application, Defendant answered "yes" to Question 16 in Part 10, which asked: "Have you **EVER** been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason?" (emphasis in original) Additionally, on June 3, 2013, during the Defendant's oral interview it was noted next to the answer "sell to minor, no other crimes with no arrest."

50. In his naturalization application, Defendant answered "no" to Question 23 in Part 10, which 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);

51. In his naturalization application, Defendant answered "no" to Question 24 in Part 10, which asked: "Have you **EVER** lied to any U.S. Government official to gain entry or admission into the United States?" (emphasis in original);

52. In his naturalization application, Defendant answered "no" to Question 27 in Part 10, which asked: "Have you **EVER** been ordered to be removed, excluded, or deported from the United States?" (emphasis in original); and

53. In his naturalization application, Defendant answered "no" to Question 28 in Part 10, which asked: "Have you **EVER** applied for any kind of relief from removal, exclusion, or deportation?" (emphasis in original). However, on June 3, 2013, during the Defendant's oral interview with USCIS a handwritten x was placed in the yes box, and it is noted beside the response "6-20-95 IJ granted relief."

54. On or about January 15, 2013, 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.

55. On or about February 21, 2013, Defendant, under the name Jaswinder Singh, submitted his N-400 fingerprint impressions, identified with FIN[redacted], and encounter [redacted]

56. A true and accurate copy of the Defendant's fingerprint impressions submitted with his N-400 application are attached as Exhibit M.

E. Defendant's Naturalization Interview Under the Identity Jaswinder Singh

57. On June 3, 2013, a USCIS Immigration Services Officer ("ISO") orally interviewed Defendant regarding his naturalization application to determine his eligibility for naturalization.

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

59. During the interview, Defendant testified to the contents of his Form N-400 and, consistent with his written answers, that:

a. his current legal name was Jaswinder Singh;

b. his date of birth was Month B xx, 1971;

c. he had never been arrested, cited, or detained by USCIS or INS for any reason;

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 initially indicated he had never applied for any kind of relief from removal, exclusion, or deportation, but changed his response on the N-400 to reflect on June 20, 1995, an immigration judge had granted relief.

60. On June 3, 2013, at the conclusion of his naturalization interview, Defendant signed his naturalization application in the presence of the ISO under penalty of perjury, thereby attesting that the information it contained was true and correct. Ex. L at 10.

61. On June 3, 2013, based upon 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. Ex. L at 1.

62. On June 3, 2013, Defendant took the oath of allegiance and became a naturalized U.S. citizen.

63. Also, on June 3, 2013, USCIS issued Defendant, under the identity Jaswinder Singh, Certificate of Naturalization No. [redacted]. See Exhibit N.

F. Fingerprint Analysis Confirms Jaswinder Singh and Balwinder Singh are the Same Individual

64. On or about July 7, 1990, Defendant, using the name Balwinder Singh, provided enforcement record fingerprint impressions as part his initial contact with Immigration authorities in the United States, identified at FIN# [redacted] encounter [redacted] See Exhibit C.

65. On or about February 21, 2013, Defendant, under the name Jaswinder Singh, submitted his N-400 fingerprint impressions, identified at FIN [redacted] encounter [redacted] See Exhibit N.

66. Analysis and comparison of the fingerprint submissions described in Paragraphs 64 through 65 above confirm that the same individual provided both sets of fingerprint impressions.

67. A true and accurate copy of the Fingerprint Analysis performed by Homeland Security Investigations is attached as Exhibit O.

V. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

68. 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)).

69. 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.*

70. 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).

71. The term "lawfully" requires compliance with substantive legal requirements for admission, and not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Monet v. INS*, 791 F.2d 752, 753 (9th Cir. 1978).

72. 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).

B. The Denaturalization Statute

73. 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.

74. Under 8 U.S.C. § 1451(a), this Court must revoke a U.S. citizen's naturalization and cancel his Certificate of Naturalization if naturalization was either:

(a) illegally procured, or

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

75. 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.

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

77. Where the government establishes that a 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.

VI. CAUSES OF ACTION

COUNT ONE

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (Adjustment Procured by Fraud or Willful Misrepresentation)

78. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this complaint.

79. 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), 1429.

80. As noted above, the term "lawfully" denotes compliance with substantive legal requirements, not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Monet v. INS*, 791 F.2d 752, 753 (9th Cir. 1978).

81. Among the applicable provisions in the INA at the time of Defendant's adjustment of status to permanent resident was the requirement that he be admissible to the United States. *See* 8 U.S.C. §§ 1159(b)(5), 1255(a).

82. Under the law in effect at the time that Defendant adjusted his status, an individual who by fraud or by willfully misrepresenting a material fact was seeking to procure (or had sought to procure or had procured) a visa, other documentation, admission into the United States, or other benefit provided under the INA, was inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

83. Defendant was never lawfully admitted to the United States as a permanent resident and cannot satisfy the requirements of 8 U.S.C. §§ 1427(a)(1) and 1429, because he was inadmissible at the time of his adjustment to permanent resident status.

84. Defendant sought to procure admission into the United States and other benefits provided for in the INA by fraud or willfully misrepresenting a material fact. Specifically, at the time Defendant adjusted his status to permanent resident using the name Jaswinder Singh, he had previously used the name Balwinder Singh and another birthdate to enter the United States without documentation. He also sought to procure, and had been denied, an immigration benefit in deportation proceedings using the Balwinder Singh identity.

85. Defendant misrepresented this information in his adjustment of status application and associated biographic information. Specifically, he failed to disclose the use of any other names or birth dates. He represented that he had never provided false information to enter the country or seek an immigration benefit.

86. In his adjustment application, Defendant represented that he entered the United States "EWI" on September 23, 1994. "EWI" stands for Entry Without Inspection. Indeed, by the time the Defendant filed that application, he had been paroled into the United States, applied for immigration benefits, and was the subject of an outstanding order of deportation under the name Balwinder Singh.

87. Defendant's misrepresentations regarding his name, alien number, date of birth, date of entry into the United States, and his immigration history were material to determining his eligibility for the immigration benefits for which he applied. Defendant's misrepresentations had the natural tendency to influence a decision by the immigration officer(s) to approve his application(s). Defendant thus sought to procure an immigration benefit by fraud or willfully misrepresenting a material fact.

88. Because Defendant was inadmissible at the time he adjusted to permanent resident status, he was never lawfully admitted for permanent residence in accordance with the substantive legal requirements to obtain that status.

89. 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.

90. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT TWO

ILLEGAL PROCUREMENT OF NATURALIZATION
LACK OF GOOD MORAL CHARACTER
(Unlawful Acts With No Extenuating Circumstances)

91. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this Complaint.

92. 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).

93. Defendant filed his naturalization application on January 15, 2013, and he naturalized on June 3, 2013. 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 January 15, 2008, until June 3, 2013.

94. Defendant completed and filed his naturalization application during his "statutory period."

95. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) by knowingly and willfully concealing in his naturalization application—a matter within the jurisdiction of the executive, branch of the Government of the United States—that he had previously used a different identity and that he been ordered excluded and deported under that identity.

96. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his naturalization application by answering "no" to Question 23 in Part 10, which 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).

97. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his naturalization application by answering "no" to Question 24 in Part 10, which asked: "Have you **EVER** lied to any U.S. Government official to gain entry or admission into the United States?" (emphasis in original).

98. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his naturalization application by answering "no" to Question 27 in Part 10, which asked: "Have you **EVER** been ordered to be removed, excluded, or deported from the United States?" (emphasis in original).

99. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his naturalization application by answering "no" to Question 28 in Part 10, which asked: "Have you **EVER** applied for any kind of relief from removal, exclusion, or deportation?" (emphasis in original).

100. No extenuating circumstances exist that would palliate Defendant's guilt for violating 18 U.S.C. § 1001(a)(1)-(3).

101. Because Defendant committed unlawful acts during the statutory period during which he was required to maintain good moral character, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

102. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

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

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

104. 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.

105. As discussed above, an applicant for naturalization must satisfy the statutory requirement of demonstrating that he is a person of good moral character for 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).

106. Defendant was required to establish that he was a person of good moral character from February 23, 2008, until the date he became a U.S. citizen, on June 3, 2013 (the statutory period).

107. 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).

108. As set forth above in Paragraph 94, 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 June 3, 2013, naturalization interview, that:

a. 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;

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

109. 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.

110. 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.

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

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

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

COUNT FOUR

PROCUREMENT OF NATURALIZATION BY CONCEALMENT OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION

113. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this Complaint.

114. 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 or by willful misrepresentation.

115. As set forth herein, throughout the naturalization process, Defendant willfully misrepresented and concealed his use of another identity, where he: (i) used a different name and date of birth; (ii) had a prior order of exclusion and deportation; (iii) filed a prior application for an immigration benefit; (iv) that he had given false or misleading information to a U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal; (v) that he had a removal, exclusion, rescission, or deportation proceedings which was pending against him; (vi) that he had lied to a U.S. Government official to gain entry or admission into the United States; (vii) that he had been ordered to be removed, excluded, or deported from the United States; (viii) and that he had previously applied for relief from removal, exclusion, or deportation. Defendant knew each of these statements to be false.

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

117. Defendant's misrepresentations were material to his naturalization because the disclosure of his multiple identities, multiple claimed dates of birth, prior application for an immigration benefit, prior order of exclusion and deportation, and prior representations to U.S. Government officials while applying for an immigration benefit would have had a natural tendency to influence USCIS's decision whether to approve Defendant's application for naturalization. Indeed, had USCIS been aware of this information, it would have denied his naturalization application.

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, 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 of material facts and by willful misrepresentation;

(3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. XXXXXX61, effective as of the original date of the certificate, June 3, 2013;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document which evidences United States citizenship obtained as a result of his June 3, 2013, naturalization;

(5) Judgment requiring the Defendant, within ten (10) days of the entry of judgment against him, to surrender and deliver his Certificate of Naturalization No. [redacted] and any copies thereof in his possession or control (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 Attorney General, or her designated representative, including undersigned counsel;

(6) Judgment requiring the 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, United States passports and passport cards (whether valid or expired), Enhanced Drivers License, and other relevant documents), whether current or expired, and any copies thereof in his possession or control—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 Attorney General, or her representative, including undersigned counsel; and

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

Dated: June 15, 2026

Respectfully submitted,

SCOTT E. BRADFORD
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s/Steven S. Chamberlin
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