**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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| **UNITED STATES OF AMERICA,** | ) | |
| | ) | |
| **Plaintiff,** | ) | **CIVIL ACTION NO. 2:26-cv-01491** |
| | ) | |
| **v.** | ) | |
| | ) | **COMPLAINT TO REVOKE** |
| **URBANO VAZQUEZ ORTEGA,** | ) | |
| **a/k/a URBANO VAZQUEZ-ORTEGA,** | ) | |
| **a/k/a URBANO VAZQUEZ,** | ) | **NATURALIZATION** |
| | ) | |
| **Defendant.** | ) | |

## I. PRELIMINARY STATEMENT

Pursuant to 8 U.S.C. § 1451(a), the United States seeks to revoke and set aside the order admitting to United States citizenship Defendant Urbano Vazquez Ortega, a/k/a Urbano Vazquez-Ortega, a/k/a Urbano Vazquez ("Defendant" or "Vazquez") and to cancel his Certificate of Naturalization No. [redacted] Defendant illegally procured his naturalization and procured his naturalization by concealment of a material fact or by willful misrepresentation.

Defendant is a native of Mexico and naturalized as a U.S. citizen on July 11, 2017. While Defendant was employed as a priest at a church in Washington, D.C., he was investigated for, and charged with, crimes alleging that he sexually abused minor females from his congregation during the period of on or about April 1, 2015, to on or about December 31, 2017. Defendant was indicted on May 1, 2019, for seven counts including Second-Degree Child Sexual Abuse, Misdemeanor Sexual Abuse of a Child, and Misdemeanor Sexual Abuse, in the Superior Court for the District of Columbia, Criminal No. 2018 CF1 018252.

Defendant proceeded to a jury trial on the first five counts of the criminal indictment. On August 15, 2019, Defendant was convicted of three counts of felony Second-Degree Child Sexual Abuse, in violation of 22 D.C. Code, Section 3009, and one count of Misdemeanor Sexual Abuse of a Child, in violation of 22 D.C. Code, Section 3010.01. The remaining two counts of the indictment proceeded forward in a bench trial at a later date. On or about November 29, 2021, Defendant was convicted of Misdemeanor Sexual Abuse, in violation of 22 D.C. Code, Section 3006.

On November 22, 2019, Defendant was sentenced for his jury trial convictions of Second-Degree Child Sexual Abuse and Misdemeanor Sexual Abuse of a Child, receiving a sentence of fifteen years of incarceration, and upon release, a term of supervised release for fifteen years. On November 29, 2021, Defendant received a 180-day sentence for the conviction of Misdemeanor Sexual Abuse, to run consecutive to the fifteen years initially imposed, and credit for time served.

Defendant's crimes, committed prior to his naturalization, rendered him ineligible to naturalize. First, his offenses amount to crimes involving moral turpitude, and he was convicted of multiple offenses. In addition, Defendant could not have met the prerequisite good moral character needed to naturalize, as he was convicted of Second-Degree Child Sexual Abuse and related crimes, which, in addition to being crimes involving moral turpitude, are unlawful acts that adversely reflect on his moral character. Further, Defendant provided false testimony, which is an enumerated bar to good moral character under 8 U.S.C. § 1101(f)(6). Finally, Defendant procured his naturalization by concealment of a material fact, or by willful misrepresentation, which represents a separate and distinct count. For these reasons, the Court must revoke Defendant's U.S. Citizenship pursuant to 8 U.S.C. § 1451(a).

## II. JURISDICTION, VENUE, AND PARTIES

1. This is an action filed under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel Defendant's Certificate of Naturalization Number [redacted].

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

3. Plaintiff is the United States of America ("Plaintiff").

4. Defendant is Urbano Vazquez Ortega, a/k/a Urbano Vazquez-Ortega, a/k/a Urbano Vazquez.

5. Defendant was born in Mexico in 1972.

6. Defendant obtained U.S. citizenship through naturalization.

7. Venue is proper in the Western District of Pennsylvania under 8 U.S.C. § 1451 and 28 U.S.C. § 1391, because Defendant's last known residence was in Pittsburgh, Pennsylvania, which is within the jurisdiction and venue of this Court.

## III. DEFENDANT'S IMMIGRATION HISTORY

8. As required by 8 U.S.C. § 1451, an affidavit showing good cause for this action, signed by Deportation Officer Ronald Dorman, Department of Homeland Security ("DHS"), U.S. Immigrations and Customs Enforcement ("ICE"), is attached to this Complaint. *See* Exhibit 1, Affidavit of Good Cause.

9. Defendant entered the United States on or about July 4, 1992.

10. On or about March 29, 2002, the United States Immigration and Naturalization Service ("INS")[1] received a Form-I-140, Immigrant Petition for Alien Worker, from Defendant's employer, Capuchin College ("Form I-140").

11. Defendant submitted an Application to Register Permanent Residence or Adjust Status, Form I-485 ("Form I-485"), on or about December 7, 2002.

12. USCIS approved Defendant's Form I-485 on August 22, 2006.

13. On or about November 30, 2016, Defendant signed his Form N-400, Application for Naturalization ("N-400" or "naturalization application") and certified under the penalty of perjury that the N-400 and answers given were "complete, true and correct."

14. Defendant submitted his N-400 on or about December 6, 2016.

15. A true and complete copy of Defendant's N-400, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit 2.

16. On the N-400, Defendant answered "No" to Part 12, Question 14.E, asking "Were you EVER involved in any way with any of the following: Forcing, or trying to force, someone to have any kind of sexual contact or relations?"

17. On the N-400, Defendant answered "No" to Part 12, Question 22, asking "Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?"

18. On May 22, 2017, a USCIS employee interviewed Defendant about his naturalization application ("naturalization interview").

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[1] On March 1, 2003, the INS ceased to exist, and many of its relevant functions transferred to DHS and its sub-agencies, including United States Citizenship and Immigration Services ("USCIS"). *See* Homeland Security Act of 2002, Pub. L. No. 107-296, 110 Stat. 2135 (Nov. 25, 2002). Plaintiff will reference INS or USCIS where factually appropriate.

19. At the beginning of the naturalization interview, the USCIS employee placed Defendant under oath.

20. During the naturalization interview, Defendant affirmed his written answers to the N-400, including his written answer of "No" to Part 12, Question 14.E, asking "Were you EVER involved in any way with any of the following: Forcing, or trying to force, someone to have any kind of sexual contact or relations?" and his written answer of "No" to Part 12, Question 22, asking "Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?".

21. During the naturalization interview, the USCIS employee asked Defendant to confirm his written answer to Part 12, Question 22, asking "Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?"

22. In response to that question, Defendant answered, orally and under oath, in the negative, consistent with his earlier written answer to Part 12, Question 22 of his N-400.

23. On May 22, 2017, USCIS approved Defendant's N-400.

24. On July 11, 2017, Defendant signed his Form N-445, Notice of Naturalization Oath Ceremony ("N-445").

25. On the N-445, Defendant answered "No" to Question 3, asking "Since your interview, have you knowingly committed any crime or offense, for which you have not been arrested?"

26. On the N-445, Defendant certified that his answers on the N-445 were "true and correct".

27. A true and complete copy of Defendant's N-445, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit 3.

28. Based upon the written statements in the Form N-400 and in the Form N-445, and on his oral testimony under oath during the naturalization interview, Defendant was permitted to take the Oath of Allegiance and naturalize as United States citizen on July 11, 2017.

29. On July 11, 2017, USCIS issued to Defendant Certificate of Naturalization No. [redacted]

30. In taking the Oath of Allegiance, Defendant swore to "support and defend the Constitution and laws of the United States of America against all enemies, foreign, and domestic."

31. A true and complete copy of Defendant's Certificate of Naturalization, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit 4.

## IV. DEFENDANT'S CRIMINAL HISTORY

32. Defendant was employed as a priest with the Archdiocese of Washington, Shrine of the Sacred Heart Catholic Church in Washington, D.C.

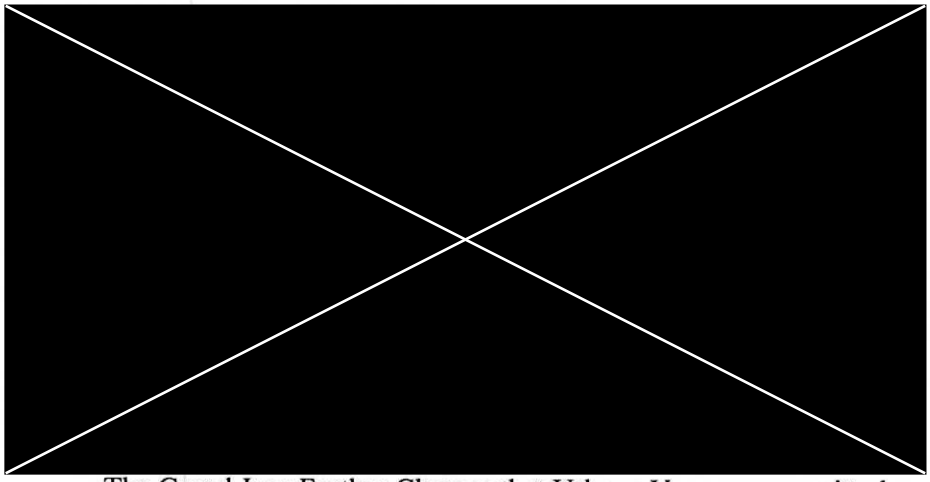
33. Defendant was employed in that position from approximately 2014 until approximately November 2018.

34. Defendant was indicted on or about May 1, 2019, in Superior Court for the District of Columbia for Second-Degree Sexual Abuse of a Child and related offenses. See *United States of America v. Urbano Vazquez*, Criminal No. 2018 CF1 018252, (D.C. Super. Ct., May 1, 2019) ("Indictment").

35. Defendant was indicted on seven counts for crimes that occurred between on or about April 1, 2015, and on or about December 31, 2017.

36. A true and complete copy of Defendant's Indictment, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit 5.

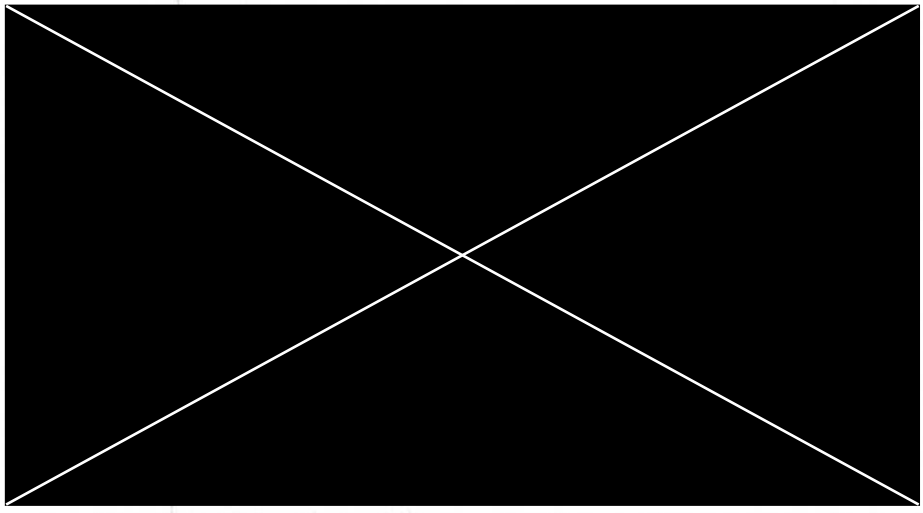
37. Count One of the Indictment alleged:



The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Second Degree Child Sexual Abuse (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3009, 3020(a)(2), 3020(a)(5) (2001 ed.))"

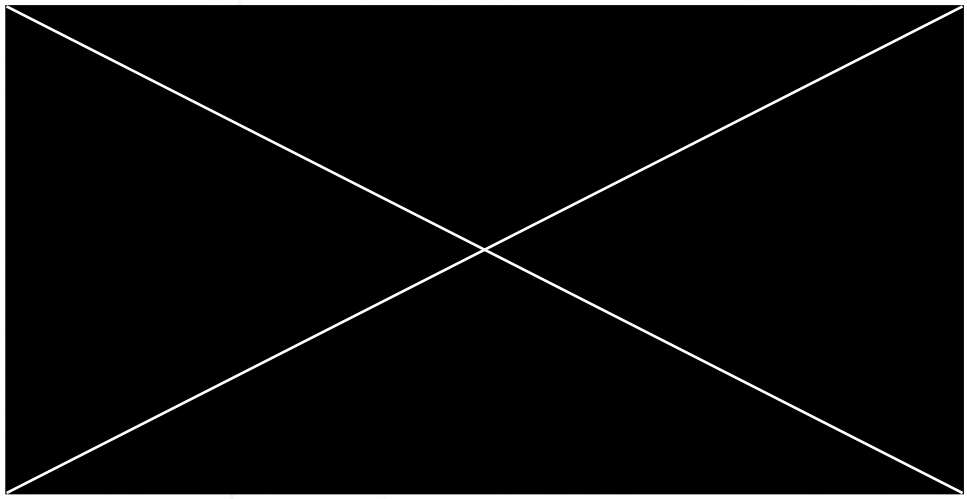
38. Count Two of the Indictment alleged:



The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Second Degree Child Sexual Abuse (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3009, 3020(a)(2), 3020(a)(5) (2001 ed.))"

39. Count Three of the Indictment alleged:

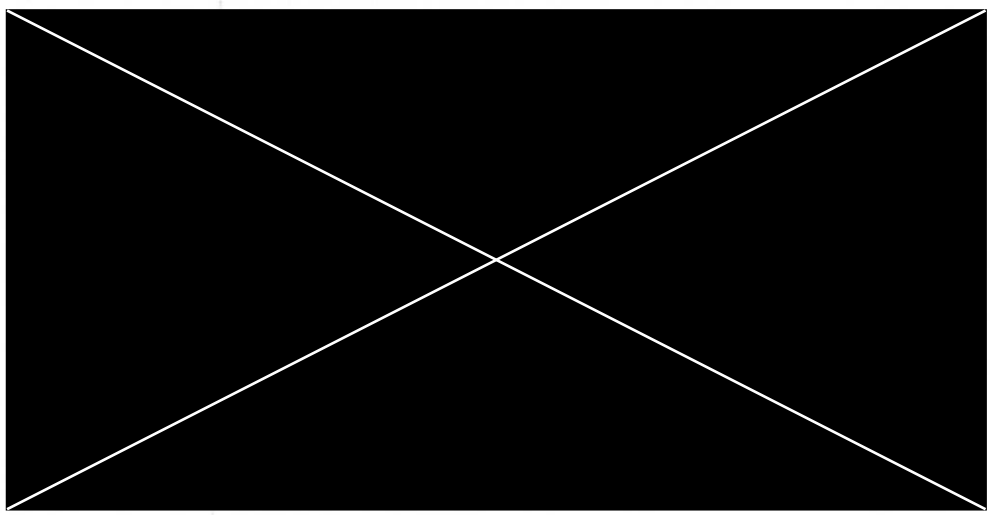


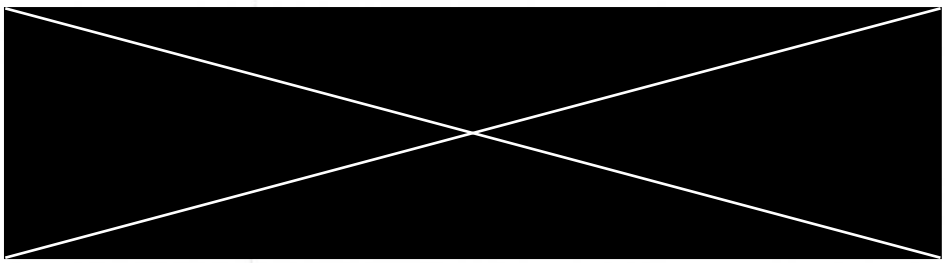
The Grand Jury Further Charges that at the time Urbano Vazquez committed Second Degree child Sexual Abuse, as set forth in the Third Count of this indictment, the victim, Complainant 2, was under the age of eighteen years and Urbano Vazquez had a significate relationship with Complainant 2, in that Urbano Vazquez was an employee and clergy of a church where Complainant 2 attended.

The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Second Degree Child Sexual Abuse (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3009, 3020(a)(1), 3020(a)(2), 3020(a)(5) (2001 ed.))"

40. Count Four of the Indictment alleged:

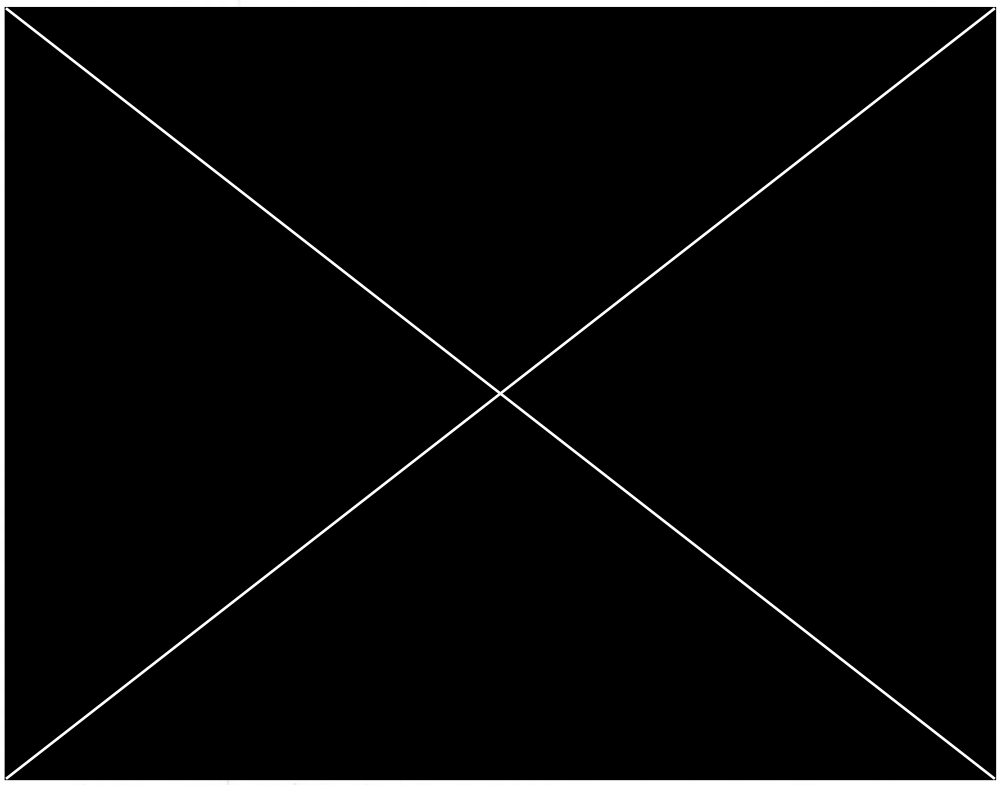




The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Second Degree Child Sexual Abuse (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3009, 3020(a)(1), 3020(a)(2), 3020(a)(5) (2001 ed.))"

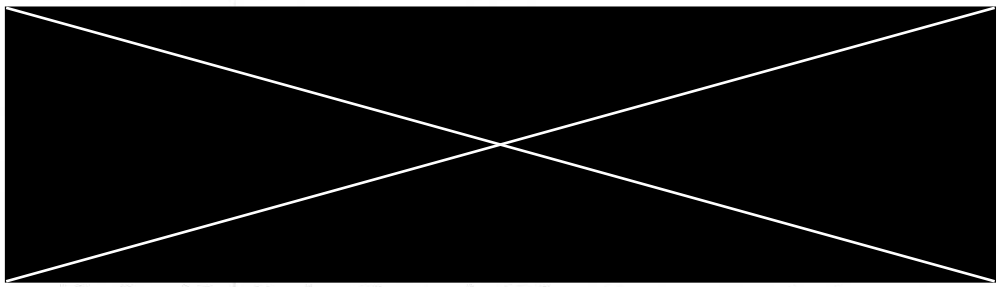
41. Count Five of the Indictment alleged:



The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Misdemeanor Sexual Abuse of a Child (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3010.01, 3020(a)(1), 3020(a)(2), 3020(a)(5) (2001 ed.))"

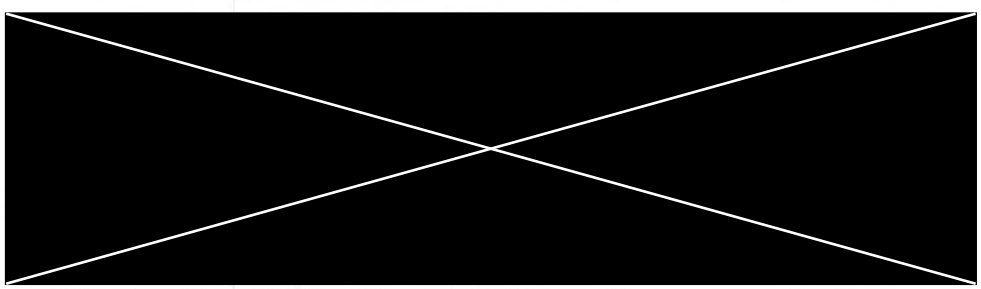
42. Count Six of the Indictment alleged:



The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Misdemeanor Sexual Abuse (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3006, 3020(a)(5) (2001 ed.))"

43. Count Seven of the Indictment alleged:



The Grand Jury Further Charges that Urbano Vazquez committed sex offenses against 2 or more victims.

(Misdemeanor Sexual Abuse (Aggravating Circumstances), in violation of 22 D.C. Code, Sections 3006, 3020(a)(5) (2001 ed.))"

44. On August 15, 2019, a jury convicted Defendant of three felony counts of Second-Degree Child Sexual Abuse and of one count of Misdemeanor Sexual Abuse of a Child.

45. The Indictment's original Count Six and Count Seven were bifurcated from Counts One through Five and proceeded forward to a bench trial on or about November 29, 2021.

46. Defendant was convicted of Count Seven, Sexual Abuse-Misdemeanor, at the bench trial.

47. At the jury trial sentencing on November 22, 2019, Defendant was sentenced to a total of fifteen years of incarceration and a period of fifteen years of supervised release. *See*

Judgment in a Criminal Case, *United States v. Urbano Vazquez*, Criminal No. 2018 CF1 018252, (D.C. Super. Ct., Nov. 22, 2019) ("Judgment").

48. At the bench trial sentencing on November 29, 2021, Defendant was sentenced to 180 days incarceration, credit for time served, and for his sentences to run consecutively. *See Id.*

49. A true and complete copy of Defendant's Judgment, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit 6.

50. On January 18, 2022, the District of Columbia Court of Appeals issued an opinion in Appellate Case No. 19-CF-1190, affirming Defendant's convictions in the Superior Court for the District of Columbia.

51. A true and complete copy of the Court of Appeals affirmation of Defendant's convictions, except for redactions of personally identifying information immaterial to this action, is attached hereto as Exhibit 7.

52. 22 D.C. Code, Section 3009, Second-Degree Child Sexual Abuse, codifies "Whoever, being at least 4 years older than a child, engages in sexual contact with that child or causes that child to engage in sexual contact shall be imprisoned for not more than 10 years and, in addition, may be fined in an amount not more than the amount set forth in §22-3571.01."

53. At the time of Defendant's conviction, the elements of 22 D.C. Code, Section 3009, Second-Degree Child Sexual Abuse, were as follows:

- The defendant must have engaged in sexual contact with the complainant, or caused the complainant to engage in or submit to a sexual contact;
- At the time of the crime the complainant was under sixteen years of age;
- The defendant was at least four years older than the complainant; and

- When the defendant engaged in the sexual contact it was intended to abuse, humiliate, harass, or degrade the complainant, or to arouse or gratify defendant's or another person's sexual desire. *See* D.C. Criminal Jury Instructions, 4.401.

54. Mistake of age is not a defense to Second-Degree Child Sexual Abuse. *See Id.*

55. A true and complete copy of D.C. Criminal Jury Instructions, 4.401, is attached hereto as Exhibit 8.

56. According to 22 D.C. Code, Section 3001(9), "sexual contact" is defined as "the touching with any clothed or unclothed body part or any object, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person."

57. In determining whether an offense meets the definition of a crime involving moral turpitude ("CIMT"), a culpable mental state is required. *Ndungu v. Att'y Gen. United States*, 126 F. 4th 150, 160 (3d Cir. 2025) ("[f]or the *mens rea*, the crime must be committed with a culpable mental state" and "[s]pecific intent, deliberateness, or willfulness satisfies that requirement-as does recklessness[.]")

58. 22 D.C. Code, Section, 3009, meets the CIMT definition, because "intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person" represents a culpable mental state.

59. "Aggravating circumstances," in 22 D.C. Code, Section 3020, prescribes specific additional aggravating factors that are charged in addition to the underlying crime and increase the maximum penalty for Defendant.

60. The government must prove these additional "Aggravating circumstances" beyond a reasonable doubt, as it must prove the underlying criminal charge. See *Apprendi v. New*

*Jersey*, 530 U.S. 466, 490 (2000) ("Other than the fact of a prior conviction, any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury, and proved beyond a reasonable doubt."),

61. Defendant was charged with multiple aggravating circumstances in his criminal indictment.

62. Counts One through Four included the following aggravating circumstances:

- § 22-3020(a)(2), "the victim was under the age of 18 years at the time of the offense and the actor had a significant relationship to the victim" and
- § 22-3020(a)(5), "[t]he defendant is or has been found guilty of committing sex offenses against 2 or more victims, whether in the same or other proceedings by a court of the District of Columbia, any state, or the United States or its territories"

63. Counts Three and Four included the additional aggravating circumstance § 22-3020(a)(1), "[t]he victim was under the age of 13 years at the time of the offense."

64. Defendant was convicted of 22 D.C. Code, Section 3009, Second-Degree Child Sexual Abuse, and these additional aggravating circumstances, § 22-3020(a)(2) (victim under age of 18), § 22-3020(a)(5) (sex offenses against 2 or more victims), and § 22-3020(a)(1) (victim under age of 13).

65. The crimes for which Defendant was convicted are "morally turpitudinous, *i.e.*, whether it is "inherently base, vile, or depraved; contrary to the accepted rules of morality and the duties owed other persons." *Moreno v. Att'y Gen. of United States*, 887 F.3d 160, 163 (3d. Cir. 2018) (internal citation and quotation marks omitted).

66. A crime involving moral turpitude has been described as "crimes which are commonly thought of as involving baseness, vileness or depravity." *Jordan v. De George*, 341 U.S. 223, 226 (1951).

67. In other words, CIMTs involve conduct "that shocks the public conscience as being "inherently base, vile, or depraved, and contrary to the accepted rules of morality and the duties owed between persons or to society in general."' *Lagunas-Salgado v. Holder*, 584 F.3d at 710 (7th Cir. 2009), *See Rudolph v. U.S. ex rel. Rock*, 55 App. D.C. 362, 6 F.2d 487, 487 (D.C. Cir. 1925) (Conduct rises to the level of a CIMT where it "involves the violation of a rule of public policy and morals.").

68. "[I]t is readily apparent that crimes involving possession of child pornography and sexual abuse of children are morally turpitudinous." *Moreno v. Atty. Gen. of U.S.*, 887 F.3d 160, 166 (3d Cir. 2018), *See, e.g.*, *Totimeh v. Att'y Gen.*, 666 F.3d 109, 116 (3d Cir. 2012) ("Sexual assault, child abuse, and spousal abuse are no doubt inherently vile and elicit strong outrage.").

69. Defendant was convicted of Second-Degree Child Sexual Abuse which qualifies as a CIMT.

## V. APPLICABLE LAW

***Congressionally Imposed Prerequisites to the Acquisition of Citizenship***

70. Congress has determined that an alien does not have the right to naturalization "unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 475 (1917). The Supreme Court has held 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.* ("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)).

71. Additionally, Congress has mandated that an individual may not naturalize unless that person "during all the periods referred to in this subsection has been and still is a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States " 8 U.S.C. § 1427(a)(3).

72. The required statutory period for possessing the necessary good moral character, attachment to the principles of the Constitution, and being well disposed to the good order and happiness of the United States, prescribed in 8 U.S.C. § 1427(a)(3), begins five years before the date the applicant files the naturalization application and continues until the applicant takes the oath of allegiance and becomes a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

73. As a matter of law, an applicant lacks good moral character if he or she commits a CIMT during the statutory prerequisite five-year good moral character period needed to naturalize. 8 U.S.C. § 1182(a)(2)(A) and 8 U.S.C. § 1101(f)(3).

74. Additionally, an applicant for naturalization is statutorily barred from admissibility if he or she multiple criminal convictions, regardless of whether the convictions are from the same trial or a single scheme of misconduct, and regardless of whether they involved moral turpitude, as long as the aggregate sentences of confinement were five years or more. 8 U.S.C. § 1182(a)(2)(B).

75. Further, Congress created a "catch-all" provision, which states, "The 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) (flush language).

76. Thus, an individual who, during the statutory period, commits an unlawful act adversely reflecting upon his or her moral character cannot meet the good moral character requirement unless he or she establishes extenuating circumstances. *See* 8 C.F.R. § 316.10(b)(3)(iii); *see also* 8 U.S.C. § 1101(f) (flush language).

77. An applicant for naturalization is expressly barred from showing that he or she is a person of good moral character if, during the statutory period, he or she gave "false testimony for the purpose of obtaining any [immigration] benefits," as false testimony is an enumerated act showing lack of good moral character. 8 U.S.C. § 1101(f)(6).

***The Denaturalization Statute***

78. Recognizing that there are situations in which an individual has naturalized despite failing to comply with all congressionally imposed prerequisites to the acquisition of citizenship or by concealing or willfully misrepresenting facts that are material to their naturalization application, Congress enacted 8 U.S.C. § 1451.

79. Pursuant to 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 illegally procured or procured by concealment of a material fact or willful misrepresentation.

80. 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.

81. 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. *See Kungys v. United States*, 485 U.S. 759, 767 (1988).

82. Where the government establishes that a defendant's citizenship was procured illegally or by willful misrepresentation or concealment of material facts, "district courts lack equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko v. United States*, 449 U.S. 490, 517 (1981).

## VI. CAUSES OF ACTION

### COUNT ONE

### ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (Committed Crimes Involving Moral Turpitude)

83. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections I through V of this Complaint.

84. Defendant was convicted of three counts of Second-Degree Child Sexual Abuse, one count of Misdemeanor Sexual Abuse of a Child, and one count of Sexual Abuse-Misdemeanor, and sentenced to fifteen years in prison, fifteen years of supervised release, and an additional 180 days of incarceration consecutive to his initial sentence. *See* Defendant's Judgment.

85. Defendant committed the acts for which he was convicted during the period from on or about April 1, 2015, until on or about December 31, 2017.

86. The statutorily prerequisite five-year period during which Defendant was required to show good moral character to be eligible to naturalize ("the statutory period") began on December 6, 2011, five years prior to filing his naturalization application, and continued until July 11, 2017, the date on which he naturalized. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

87. Defendant, therefore, committed crimes involving moral turpitude during the statutory period.

88. Because Defendant committed crimes involving moral turpitude during the statutory period, he was precluded from establishing the requisite good moral character needed to naturalize.

89. Because Defendant was precluded from establishing the requisite good moral character needed to naturalize, he illegally procured his naturalization under 8 U.S.C. § 1427(a)(3).

90. Because Defendant illegally procured his naturalization, this Court must revoke his naturalization as provided under 8 U.S.C. § 1451(a).

**COUNT TWO**

**ILLEGAL PROCUREMENT OF NATURALIZATION**
**LACK OF GOOD MORAL CHARACTER**
**(Multiple Criminal Convictions with Aggregate Sentence of More Than Five Years)**

91. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections I through V of this Complaint.

92. No person shall be regarded as, or found to be, a person of good moral character, who, during the period for which good moral character is required to be established, is, or was convicted of two more offenses (other than purely political offenses), regardless of whether the conviction was in a single trial or whether the offenses arose from a single scheme of misconduct and regardless of whether the offenses involved moral turpitude, for which the aggregate sentences to confinement were 5 years or more. 8 U.S.C. § 1182(a)(2)(B).

93. Defendant was convicted of three counts of Second-Degree Child Sexual Abuse, one count of Misdemeanor Sexual Abuse of a Child, and one count of Sexual Abuse-Misdemeanor, and sentenced to fifteen years in prison, fifteen years of supervised release, and an additional 180 days of incarceration consecutive to his initial sentence. *See* Defendant's Judgment.

94. Defendant's statutory period began on December 6, 2011, five years prior to filing his naturalization application, and continued until July 11, 2017, the date on which he naturalized. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

95. Defendant committed two or more offenses—the acts for which he was convicted—during the period from on or about April 1, 2015, until on or about December 31, 2017.

96. Defendant, therefore, committed two or more offenses for which the aggregate sentences to confinement were five years or more during the statutory period.

97. Because Defendant committed two or more offenses for which the aggregate sentences to confinement were five years or more during the statutory period, he was precluded from establishing the requisite good moral character needed to naturalize.

98. Because Defendant was precluded from establishing the requisite good moral character needed to naturalize, he illegally procured his naturalization under 8 U.S.C. § 1427(a)(3).

99. Because Defendant illegally procured his naturalization, this Court must revoke his naturalization as provided under 8 U.S.C. § 1451(a).

**COUNT THREE**

**ILLEGAL PROCUREMENT OF NATURALIZATION**
**LACK OF GOOD MORAL CHARACTER**
**(Unlawful Acts Adversely Reflecting on Moral Character)**

100. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections I through V of this Complaint.

101. Defendant was convicted of three counts of Second-Degree Child Sexual Abuse, one count of Misdemeanor Sexual Abuse of a Child, and one count of Sexual Abuse-Misdemeanor, and sentenced to fifteen years in prison, fifteen years of supervised release, and an

additional 180 days of incarceration consecutive to his initial sentence. *See* Defendant's Judgment.

102. An applicant for naturalization is statutorily barred from showing that he is a person of good moral character if, during the statutory period, the applicant "[c]ommitted unlawful acts that adversely reflect" on his moral character and cannot establish "extenuating circumstances" for such acts. 8 C.F.R. § 316.10(b)(3)(iii); 8 U.S.C. § 1101(f).

103. Defendant committed sex offenses against minors between on or about April 1, 2015, and on or about December 31, 2017.

104. The statutorily prerequisite five-year period during which Defendant was required to show good moral character to be eligible to naturalize began on December 6, 2011, five years prior to filing his naturalization application, and continued until July 11, 2017, the date on which he naturalized. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

105. Defendant could not establish the requisite good moral character for naturalization because, during the statutory period, he committed unlawful acts, including three counts of Second-Degree Child Sexual Abuse, one count of Misdemeanor Sexual Abuse of a Child, and one count of Sexual Abuse-Misdemeanor, that reflected adversely upon his moral character. *See* 8 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii).

106. No extenuating circumstances exist that would ameliorate or palliate Defendant's guilt with regard to Defendant's unlawful activity.

107. Because no extenuating circumstances exist, Defendant cannot avoid the regulatory bar on establishing good moral character at 8 C.F.R. § 316.10(b)(3)(iii).

108. Because Defendant committed unlawful acts that adversely reflected on his moral character during the statutory period, and he cannot demonstrate extenuating circumstances, he

was barred 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 naturalize as a U.S. citizen.

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

110. Because Defendant was ineligible to naturalize, he illegally procured his naturalization.

111. Because Defendant illegally procured his naturalization, this Court must revoke his naturalization as provided under 8 U.S.C. § 1451(a).

**COUNT FOUR**

**ILLEGAL PROCUREMENT OF NATURALIZATION**
**LACK OF GOOD MORAL CHARACTER**
**(False Testimony)**

112. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections I through V of this Complaint.

113. An applicant for naturalization is statutorily barred from showing that he or she is a person of good moral character if, during the statutory period, he or she gave "false testimony for the purpose of obtaining any [immigration] benefits." 8 U.S.C. § 1101(f)(6).

114. While the testimony does not need to be material, it must be oral, made under oath, and with the subjective intent to obtain an immigration benefit. *See Kungys*, 485 U.S. at 779-81.

115. The statutorily prerequisite five-year period during which Defendant was required to show good moral character to be eligible to naturalize began on December 6, 2011, five years prior to filing his naturalization application, and continued until July 11, 2017, the date on which he naturalized. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

116. USCIS interviewed Defendant about his N-400 on May 22, 2017, during the statutory period when Defendant was required to show good moral character.

117. As outlined above in paragraphs 21-22, Defendant provided false testimony after being placed under oath during his naturalization interview on May 22, 2017.

118. Despite having committed criminal acts leading to convictions of three counts of Second-Degree Child Sexual Abuse, one count of Misdemeanor Sexual Abuse of a Child, and one count of Sexual Abuse-Misdemeanor, Defendant falsely testified orally and under oath at his naturalization interview that had never committed a crime or offense for which he had not been arrested.

119. Defendant gave false testimony on his N-400, by answering in the negative when asked on Part 12, Question 22, "Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?".

120. The USCIS officer asked Defendant this question during his naturalization interview, as notated by a red check mark, and Defendant answered, verbally and under oath, in the negative.

121. Because Defendant provided false testimony under oath for the purpose of obtaining naturalization—an enumerated statutory bar—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.

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

123. Because he was ineligible to naturalize, Defendant illegally procured his naturalization.

124. Because Defendant illegally procured his naturalization, this Court must revoke his naturalization as provided under 8 U.S.C. § 1451(a).

**COUNT FIVE**

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

125. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Sections I through V of this Complaint.

126. Defendant procured his naturalization by concealment of material facts or by willful misrepresentation.

127. As outlined above in Paragraph 16, Defendant made willful misrepresentations or concealed material facts on his N-400, when he answered "No" to Part 12, Question14.E, asking "Were you EVER involved in any way with any of the following: Forcing, or trying to force, someone to have any kind of sexual contact or relations?"

128. As outlined above in Paragraph 17, Defendant made willful misrepresentations or concealed material facts on his N-400, when he answered "No" to Part 12, Question 22, asking "Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?".

129. As outlined above in Paragraphs 21-22, Defendant made additional willful misrepresentations or concealed material facts when, during his naturalization interview, he orally and under oath affirmed his answer of "No" to Part 12, Question 22, of his N-400, asking

"Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?"

130. Defendant signed his Form N-400 and did "swear (affirm) and certify under the penalty of perjury under the laws of the United States of America" that his answers on the N-400 were "complete, true and correct."

131. As outlined above in Paragraph 25, Defendant made willful misrepresentations or concealed material facts on his N-445, when he answered "No" to Question 3 "Since your interview, have you knowingly committed any crime or offense, for which you have not been arrested?"

132. Defendant signed his Form N-445 and did certify that each answer given was "true and correct."

133. On both the N-400 and N-445, and at his naturalization interview, Defendant failed to disclose the crimes for which he was later convicted.

134. Defendant concealed or misrepresented facts because he failed to disclose the crimes for which he was later convicted.

135. The concealment and misrepresentations were willful, as Defendant knew if he disclosed these crimes he would have been precluded from U.S. citizenship and potentially criminally prosecuted.

136. Defendant's concealment and misrepresentation of his crimes, as well as his provision of false information, were material to determining his eligibility for naturalization, because they had the natural tendency to influence a decision by USCIS to approve his naturalization application.

137. Indeed, Defendant's crime impacted his ability to meet the restrictions on good moral character under 8 U.S.C. § 1101(f)(3).

138. Defendant procured citizenship because of the concealment of material facts or willful misrepresentation.

139. Had Defendant disclosed his criminal conduct and provision of false information, USCIS would likely have denied Defendant's naturalization application and would not have allowed him to take the Oath of Allegiance because of his ineligibility.

140. Defendant procured his citizenship by concealment of material facts or by willful misrepresentation.

141. Because Defendant procured his naturalization by willful misrepresentation or by concealment of material facts, this Court must revoke his naturalization as provided under 8 U.S.C. § 1451(a).

## VII. PRAYER FOR RELIEF

**WHEREFORE**, Plaintiff, the United States requests:

1. A declaration that Defendant illegally procured his citizenship;

2. A declaration that Defendant procured his naturalization 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. [redacted] effective as of the original date of the order and certificate, July 11, 2017.

4. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship that he obtained as a result of his July 11, 2017, naturalization.

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

6. Judgment requiring Defendant, within ten days of judgment, to surrender and deliver any other indicia of U.S. citizenship (including, but not limited to, any United States passports, passport cards, and Enhanced Drivers Licenses) , whether valid 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 Acting Attorney General through undersigned counsel, his representative; and

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

Dated: July 10, 2026

Respectfully submitted,

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