IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NANA OSEI MENSAH, a/k/a EVION BOSUMEWI FRIMPONG, a/k/a EVION BOSUMTWI FRIMPONG,

Defendant.

Civil Action No. 4:26-CV-848

COMPLAINT TO REVOKE NATURALIZATION

The United States of America ("Plaintiff" or "United States") files this civil action against Defendant, whose current legal name is Nana Osei Mensah a.k.a. Evion Bosumewi Frimpong a.k.a. Evion Bosumtwi Frimpong ("Defendant"), to revoke his naturalized United States citizenship pursuant to 8 U.S.C. § 1451(a), and alleges as follows:

I. Parties, Jurisdiction, and Venue

1. This is an action filed under 8 U.S.C. § 1451(a) to revoke and set aside the decision admitting Defendant to U.S. citizenship and to cancel Defendant's Certificate of Naturalization No. 32851215 issued on January 15, 2010.

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. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C.

§ 1391 because Defendant's last known residence is within this District and Division.

4. Plaintiff is the United States of America.

5. Defendant was born outside the United States and was not a U.S. citizen at the time of birth, but later obtained U.S. citizenship through naturalization.

II. Background

6. The affidavit of [redacted] an Adjudication Officer with United States Citizenship and Immigration Services (USCIS), an agency within the U.S. Department of Homeland Security, showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached hereto as Exhibit A.

A. Immigration History as Evion Bosumewi Frimpong a.k.a. Evion Bosumtwi Frimpong

7. Defendant came into contact with immigration authorities in the United States on March 5, 1994, at John F. Kennedy International Airport after arrival on a flight from abroad. He gave a sworn statement to an Immigration and Naturalization Service (INS) inspector stating that his name was Evion Frimpong Bosumewi, that he was born in Ghana on April 28, 1974 and was a citizen of that country, that he had no travel documents, that his whole family had been killed in Ghana and he came to the U.S. to seek help, and that he wanted to see a judge.

8. Defendant was served with a notice for a proceeding in immigration court, was assigned A-number[1] A73132578, and was scheduled for a hearing. On October 21,

[1] A-numbers used to be assigned as 8-digit numbers, but later transitioned to being assigned as 9-digit numbers, with older legacy 8-digit numbers sometimes then rendered as 9-digit numbers with a zero used as the initial number. In other words, an A number originally assigned as an 8-digit number of 12345678

1994, Defendant, through counsel, filed an application with the immigration court seeking relief from exclusion and/or deportation. On the application for relief, signed under penalty of perjury, Defendant represented that his name was "Evion Bosumtwi Frimpong," that he was born on [redacted] in Temale, Ghana, and that he last arrived in the U.S. on March 5, 1994 at JFK International Airport in New York. Concurrently with the application, Defendant submitted a biographic information form (Form G-325 A) in which he represented that his name was Evion Bosumtwi Frimpong, that he was born on [redacted] in Ghana, that his A-number was [redacted], and that his father named Francis Frimpongand his mother named Fatima Frimpong were both deceased.

9. Defendant failed to appear for his scheduled hearing in immigration court on October 23, 1995, and was ordered excluded from the United States, in absentia, on the same date with his applications for relief denied for lack of prosecution. Defendant was later sent a notice on January 17, 1977, directing him to appear on March 7, 1997, for deportation to Ghana, but the notice sent to him was returned with the notation "Forwarding Order Expired" (while the signed return receipt confirming receipt of the mailing by his counsel was also received).

10. Defendant did not, however, surrender for deportation.

B. Immigration History as Nana Osei Mensa

11. Defendant also used the name Nana Osei Mensah.

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under the prior system might later also be rendered as 012345678—and also in both cases the number might be rendered with an "A" at the beginning as well.

12. In 1997, Defendant, while using the name Nana Osei Mensah, married a U.S. citizen named Janis Wilburn. Wilburn later filed a petition for alien relative (Form I-130) for the benefit of Defendant as her spouse. Defendant, as Nana Osei Mensah, was assigned A number [redacted]

13. Defendant concurrently filed an application for permanent residence status (Form I-485) and represented, under penalty of perjury, that his name was Nana Osei Mensah; he was born on [redacted] in Kumasi, Ashanti, Ghana; he did not have an A-Number; he last arrived in the United States "without inspection" at Chicago, Illinois on October 10, 1996; his spouse was Janis M. Mensah; he never, either by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States or any immigration benefit; he had never been deported or removed from the U.S. at government expense, excluded within the past year, or was now in exclusion or deportation proceedings; and he had never been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance. Additionally, under penalty of perjury, Defendant submitted a supplemental document (Supplement A to Form I-485) representing that his name was Nana Osei Mensah, that he did not have an A-Number, that his date of birth was on [redacted] and that he last entered the United States without inspection.

14. On March 11, 1999, Defendant filed an Application for Travel Document (Form I-131), which was approved on March 12, 1999. INS issued to him a Form I-512, Authorization for Parole of an Alien into the United States (I-512) authorizing multiple entries valid until March 11, 2000. Sometime after INS issued the I-512, Defendant

departed the United States. On May 5, 1999, Defendant was paroled back into the United States at Detroit, Michigan.

15. In December 1999, Defendant and his petitioning spouse, Janis Mensah, appeared for an interview at the INS office in Dallas, Texas to determine his eligibility to adjust status. In further support of his application, Defendant presented a document entitled "Certified Copy of Entry in Register of Births." This document listed his name as Nana Osei Mensah, a date of birth of [redacted] his place of birth as Ghana, and his parents as Joseph Osei Mensah and Mary Owusu. The date of registration listed on the document was March 14, 1997. During the interview, Defendant testified that his entry into the United States in 1996 was with the use of a fraudulent passport. Defendant was later granted permanent resident status on December 16, 1999.

16. On September 16, 2009, Defendant filed a Form N-400, Application for Naturalization, with USCIS, the successor to INS. On the N-400, signed under penalty of perjury, Defendant represented that his current legal name was Nana Osei Mensah; his A number was [redacted]; the question asking him if he ever used any other names was "N/A"; his date of birth was [redacted] he had never been arrested or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason; 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; he had never lied to any U.S. government official to gain entry or admission to the United States; he had never been ordered removed, excluded or deported from the United States; and he had never applied for any relief from removal, exclusion or

deportation.

17. On December 8, 2009, a USCIS Immigration Services Officer (ISO) interviewed Defendant at the Dallas Field Office to determine his eligibility for naturalization. The ISO placed Defendant under oath and Defendant testified that his name was Nana Osei Mensah; he was born on [redacted] in Ghana; he had never committed any crime for which he was not arrested; he had never been arrested or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason; 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; he had never lied to any U.S. government official to gain entry or admission to the United States; he had never been ordered removed, excluded or deported from the United States; he had never applied for any kind of relief from removal, exclusion or deportation.

18. During the naturalization interview, Defendant made two corrections to the written answers that he initially provided on his N-400 but neither of those corrections were as to the testimony referenced above. At the conclusion of the interview, Defendant and the interviewing officer both signed the attestation on Part 13, where Defendant swore (affirmed) under penalty of perjury that the contents of the application and all corrections, numbered 1 through 2, and evidence submitted were true and correct.

19. USCIS approved Defendant's N-400 on December 8, 2009, following the interview. On January 15, 2010, Defendant took the oath of allegiance and was admitted as a citizen of the United States. USCIS issued him Certificate of Naturalization No.

[redacted]

C. Requirements for Naturalization and the Denaturalization Statute

20. "No alien has the slightest right to naturalization unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 475 (1917). The Supreme Court has emphasized that "there must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship." *Fedorenko v. United States*, 449 U.S. 490, 506 (1981); *see also id.* ("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)).

21. Among other requirements, Congress has mandated that an applicant for naturalization must demonstrate that he or she has been lawfully admitted to the United States for permanent residence, and has subsequently resided in this country for at least five years prior to the date of application. *See* 8 U.S.C. §§ 1427(a), 1429. The term "lawfully" requires compliance with substantive legal requirements for admission and not mere procedural regularity. *See De La Rosa v. U.S. Dep't of Homeland Sec.*, 489 F.3d 551, 554–55 (2d Cir. 2007).

22. An alien who, by fraud or willful misrepresentation of 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 is inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

23. Congress also 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 . . . ." *See* 8 U.S.C. § 1427(a). The statutory period during which the applicant must show 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.*; 8 C.F.R. § 316.10(a)(1).

24. Congress has identified several classes of individuals who cannot be found to have the requisite good moral character. *See* 8 U.S.C. § 1101(f)(1)–(9). For example, Congress explicitly precluded individuals who give false testimony during the statutory period to obtain immigration benefits from being able to establish the good moral character necessary to naturalize. *Id.* § 1101(f)(6).

25. Congress also created a "catch-all" provision that states, "[t]he fact that any person is not within any of the foregoing classes shall not preclude a finding that for other reasons such person is or was not of good moral character." *Id.* § 1101(f).

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

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

a. illegally procured, or

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

28. 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.

29. Naturalization was "procured by concealment of a material fact or by willful misrepresentation," 8 U.S.C. § 1451(a), 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).

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

III. Causes of Action

Count 1—Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Adjustment Procured by Fraud or Willful Misrepresentation

31. The preceding paragraphs are incorporated by reference.

32. To be eligible for naturalization, an applicant must have been "lawfully admitted" for permanent residence in accordance with all applicable provisions of the INA. INA § 318; 8 U.S.C. § 1429.

33. 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).

34. Among the INA provisions applicable at the time of Defendant's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 245(a); 8 U.S.C. §§ 1159(b)(5), 1255(a).

35. Under the law then in effect at the time that Defendant adjusted his status, an individual who by fraud or 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. INA § 212(a)(6)(C)(i); 8 U.S.C. § 1182(a)(6)(C)(i).

36. 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.

37. As described above, Defendant willfully misrepresented material facts, including his name, date of birth, date of entry, and immigration history, to procure admission into the United States as a permanent resident.

38. Because Defendant misrepresented material facts, he was inadmissible to the United States at the time of his adjustment of status and was not lawfully admitted for permanent residence in accordance with the substantive legal requirements to obtain that status.

39. 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.

40. 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 2—Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Final Order of Exclusion Executed Prior to Adjustment

41. The preceding paragraphs are incorporated by reference.

42. To be eligible for naturalization, an applicant must have been "lawfully admitted" for permanent residence in accordance with all applicable provisions of the INA. INA § 318; 8 U.S.C. § 1429.

43. 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*, 791 F.2d at 753.

44. Among the INA provisions applicable at the time of Defendant's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 245(a); 8 U.S.C. §§ 1159(b)(5), 1255(a).

45. Under the law then in effect at the time of Defendant's adjustment, an individual who had been deported or removed, or who had departed the United States while subject to an order of exclusion, deportation, or removal, was inadmissible for 10 years after the date of departure from the United States. INA § 212(a)(9)(A)(ii); 8 U.S.C. § 1182(a)(9)(A)(ii).

46. As recounted above, Defendant was ordered excluded on October 23, 1995, under the name Evion Bosumewi Frimpong. He then departed the United States under

the name Mensah between March 11 and May 4, 1999 on advance parole while subject to an order of exclusion and sought admission to the United States on May 5, 1999, within ten years of his departure. Thus, because Defendant departed the United States while subject to an order of exclusion and sought admission to the United States within ten years of his departure, he was inadmissible to the United States at the time of his adjustment of status.

47. Because Defendant was inadmissible to the United States at the time of his adjustment of status, he was not lawfully admitted for permanent residence in accordance with the substantive requirements for that status.

48. Because Defendant was never lawfully admitted for permanent residence in accordance with the substantive requirements for that status, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429. *See* 8 U.S.C. § 1101(a)(20); *Monet*, 791 F.2d at 753.

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

Count 3—Illegal Procurement of Naturalization
Lack of Good Moral Character
Unlawful Acts With No Extenuating Circumstances

50. The preceding paragraphs are incorporated by reference.

51. As an applicant for naturalization under § 316(a) of the INA, Defendant was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the time of the Oath of Allegiance. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i).

This period is generally referred to as the "statutory period."

52. Defendant filed his application for naturalization on September 16, 2009; accordingly, he was required to establish that he was a person of good moral character from September 16, 2004, until he naturalized on January 15, 2010.

53. Under the law then in effect, an individual could not establish good moral character if, during the statutory period, he committed unlawful acts that adversely reflected on his moral character, unless he could establish extenuating circumstances. INA § 101(f); 8 U.S.C. §1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

54. Based on the facts contained above, during the statutory period Defendant committed unlawful acts that adversely reflected on his moral character. Specifically, Defendant violated 18 U.S.C. § 1001 when he made false statements on his naturalization application regarding his name, date of birth, date of entry, immigration history, and whether he ever provided false or misleading information or lied to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal. Defendant did not and cannot establish extenuating circumstances for this violation considering the deliberate and continuing nature of his violations.

55. Because Defendant committed unlawful acts that adversely reflect upon his moral character during the statutory period during which he was required to maintain good moral character, he was ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1), 1429. *See* 8 U.S.C. §§ 1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

56. 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 4—Illegal Procurement of Naturalization
Lack of Good Moral Character
False Testimony

57. The preceding paragraphs are incorporated by reference.

58. As an applicant for naturalization under section 316(a) of the INA, Defendant was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the Oath of Allegiance. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i). This period is generally referred to as the "statutory period."

59. Defendant filed his application for naturalization on September 16, 2009; accordingly, he was required to establish that he was a person of good moral character from September 16, 2004, until he naturalized on January 15, 2010.

60. Under the law then in effect, an individual who, during the statutory period, provided false testimony for the purpose of obtaining an immigration benefit could not establish good moral character. INA § 101(f)(6); 8 U.S.C. § 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi).

61. Based on the facts contained above, Defendant provided false testimony while under oath during his naturalization interview. Specifically, Defendant provided false testimony regarding whether he had ever committed any crime for which he was not arrested; been arrested or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason; given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent

deportation, exclusion or removal; lied to any U.S. government official to gain entry or admission to the United States; or been ordered removed, excluded or deported from the United States; and applied for any kind of relief from removal, exclusion or deportation.

62. Because Defendant falsely testified during the statutory period during which he was required to maintain good moral character, he was ineligible for naturalization under 8 U.S.C. §§ 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi). *See also* 8 U.S.C. §§ 1427(a)(1), 1429.

63. 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 5—Procurement of Naturalization By Willful Misrepresentation or Concealment of Material Facts

64. The preceding paragraphs are incorporated by reference.

65. A naturalized citizen is subject to revocation of naturalization if he procured naturalization by willfully misrepresenting or concealing material facts.

66. Based on the facts contained above, Defendant willfully misrepresented his identity and immigration history throughout the naturalization process.

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

68. The misrepresentations made by Defendant during the naturalization process were material to determining his eligibility for naturalization because they would

have had the natural tendency to influence the decision whether to approve his naturalization application. In fact, Defendant misrepresented and concealed facts that would have shown that he was not lawfully admitted for permanent residence or a person of good moral character in accordance with all applicable provisions of the INA and thus was ineligible for naturalization under INA § 318, 8 U.S.C. § 1429.

69. Because Defendant procured naturalization by his concealment(s) and misrepresentation(s), he was not eligible for naturalization, and this Court must revoke his citizenship pursuant to 8 U.S.C. § 1451(a).

IV. Prayer for Relief

WHEREFORE, Plaintiff, the United States of America, respectfully requests judgement:

1. Declaring that Defendant illegally procured his citizenship;

2. Declaring that Defendant procured his citizenship by concealment and willful misrepresentation of material facts;

3. Revoking and setting aside Defendant's naturalization and canceling Certificate of Naturalization No. [redacted] effective as of the original date of the order and certificate, January 15, 2010;

4. Forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship obtained as a result of his January 15, 2010 naturalization;

5. Requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, his Certificate of Naturalization 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 through his representative, the undersigned counsel;

6. 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) under any and all identities he has ever used, including any identity not mentioned in this complaint, 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 through his representative, the undersigned counsel; and

7. Granting the United States such other relief as may be lawful and proper in this case

Respectfully submitted,

RYAN RAYBOULD
UNITED STATES ATTORNEY

/s/ Brian W. Stoltz
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UNITED STATES OF AMERICA	)	
	)	
In the Matter of the Revocation of the Naturalization of	)	AFFIDAVIT OF GOOD CAUSE
	)	
Nana Osei Mensah, [redacted] a/k/a	)	
Evion Bosumewi Frimpong, [redacted]	)	

I, Shawn Sanders, declare under penalty of perjury as follows:

I am an Officer with U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).[1] In this capacity, I have access to the official records of DHS, including the immigration files of Nana Osei Mensah, A[redacted], a/k/a. Evion Bosumewi Frimpong, A[redacted] (Mensah).

I have examined records relating to Mensah, including but not limited to, his immigration files. Based upon my review of records relating to Mensah, I state, on information and belief, that the information set forth in this Affidavit of Good Cause is true and correct.

Based on the facts and law contained herein, good cause exists to institute proceedings pursuant to section 340(a) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1451(a)[2], to revoke the citizenship of Mensah and to cancel his Certificate of Naturalization.

The last known place of residence for Mensah is [redacted] Mansfield, Texas 76063-8843.

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[1] Pursuant to the Department of Homeland Security Reorganization Plan, Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), 6 U.S.C. §§ 101-557, as of March 1, 2003, the Immigration and Naturalization Service (INS) was abolished and its functions were transferred to USCIS within the DHS. This Affidavit will refer to INS or USCIS as appropriate.

[2] While some provisions of the Immigration and Nationality Act, as contained in the United States Code, have been renumbered throughout the years, not all provisions have undergone such renumbering. Where necessary, this Affidavit of Good Cause lists the applicable year for a United States Code reference. If no year is included within the citation, it means that the United States Code citation is the same today as it was during the time in question.

Exhibit A

BACKGROUND

DHS records, including fingerprint comparison, establish that the person who naturalized as Mensah is the same person who was previously ordered excluded under the name Evion Bosumewi Frimpong.

Immigration History as Evion Bosumewi Frimpong
D.O.B [redacted] A[redacted]

1. On March 05, 1994, an inspector of the Immigration and Naturalization Service (INS) encountered the individual in question as he disembarked at John F. Kennedy (JFK) International Airport after arrival on board a British Airways flight from London. The INS inspector took the individual's sworn statement in which he represented that:
    - His name was Evion Frimpong Bosumewi.
    - He was born on [redacted], in Ghana and was a citizen of that country.
    - He had no travel documents.
    - His family had been killed in Ghana, and he came to the U.S. to seek help.
    - He wanted to see a judge.
2. The INS inspector personally served him with a Form I-122, Notice to Applicant for Admission Detained/ Deferred for Hearing Before Immigration Judge (I-122) charging him as excludable pursuant to INA § 212(a)(7)(B)(i)(II), § 212(a)(7)(B)(i)(I) and § 212(a)(7)(A)(i)(I) for being an alien not in possession of a valid, unexpired non-immigrant visa, travel document or immigrant visa, respectively. The I-122 further notified him that he was to appear for a hearing before the immigration court in New York City on May 5, 1994.
3. INS assigned him A-Number A[redacted]
4. On May 5, 1994, he appeared before the immigration court in New York City, and the court changed the venue of proceedings to the immigration court in Arlington, Virginia.
5. On July 20, 1994, through his counsel of record Robert J. Sidi, he filed a motion to change venue back to New York City, which the immigration court subsequently granted on August 3, 1994.
6. On September 29, 1994, he appeared in immigration court in New York City, and the immigration judge set October 31, 1994, as the filing deadline for any applications for relief.

7. On October 21, 1994, through counsel, he filed an application with the immigration court seeking relief from exclusion and/or deportation. On the application for relief, signed under penalty of perjury, he represented that:
    - His name was "Evion Bosumtwi Frimpong."
    - He was born on [redacted] in Temale, Ghana.
    - He last arrived in the U.S. on March 5, 1994, at JFK International Airport in New York, NY.
8. Concurrently with the application, he submitted Form G-325A, Biographic Information in which he represented that:
    - His name was Evion Bosumtwi Frimpong.
    - He was born on [redacted], in Ghana.
    - His A-Number was [redacted]
    - His father was Francis Frimpong, and his mother was Fatima Frimpong and they were both deceased.
9. On October 23, 1995, he failed to appear for his exclusion hearing before the immigration court. The immigration judge ordered him excluded from the United States, *in absentia*. The immigration judge also denied his applications for relief for lack of prosecution.
10. On January 17, 1997, INS sent him, and his counsel of record, a Form I-166, Notice to Alien to Appear for Deportation. The notice stated that he was to appear on March 7, 1997, at 9:00 a.m., at 26 Federal Plaza, New York, New York 10278, 12th Floor, ready for deportation to Ghana. The notice was sent to him and his counsel by certified mail with return receipt requested. The U.S. Postal Service returned the letter sent to him with an annotation stating, "Forwarding Order Expired." INS received the signed return receipt that was sent to the attorney of record, Robert J. Sidi.
11. On March 7, 1997, he failed to appear for his deportation.

Immigration History as Nana Osei Mensah
D.O.B [redacted], A[redacted]

12. On May 23, 1997, the individual in question, using the name Nana Osei Mensah, married Janis Wilburn, a United States citizen.

13. On September 25, 1997, Janis Wilburn filed a Form I-130, Petition for Alien Relative (I-130) with INS for the benefit of Mensah as her spouse.
14. INS assigned to Mensah A-Number [redacted]
15. Concurrently with the I-130, Mensah filed a Form I-485, Application to Register Permanent Residence or Adjust Status (I-485) and a Supplement A to Form I-485. On the I-485, signed under penalty of perjury, Mensah represented that:
    - His name was Nana Osei Mensah.
    - He was born on [redacted] in Kumasi, Ashanti, Ghana.
    - He did not have an A-Number.
    - He last arrived in the U.S., "without inspection" at Chicago, Illinois on October 10, 1996.
    - His spouse was Janis M. Mensah.
    - He had never, either by fraud or willful misrepresentation of a material fact, sought to procure, or procured, a visa, other documentation, entry into the U.S. or any immigration benefit.
    - He had never been deported from the U.S., or removed from the U.S. at government expense, excluded within the past year, or was now in exclusion or deportation proceedings.
    - He had never been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations.
16. On Supplement A to Form I-485, signed under penalty of perjury, Mensah represented that:
    - His name was Nana Osei Mensah.
    - He did not have an A-Number.
    - His date of birth was [redacted]
    - He last entered the United States without inspection.
17. In support of the I-130 and I-485, Mensah submitted a Form G-325A, Biographic Information on which he represented:
    - His name was Nana Osei Mensah.
    - He was born on [redacted] in Accra, Ghana.
    - He did not have an A-Number.
    - His father was Joseph Mensah and his mother was Mary Owusu and they resided in Accra, Ghana.

18. On March 11, 1999, Mensah filed a Form I-131, Application for Travel Permit, which was approved on March 12, 1999. INS issued to him a Form I-512, Authorization for Parole of an Alien into the United States (I-512) authorizing multiple entries valid until March 11, 2000.
19. Sometime after INS issued the I-512, Mensah departed the United States.
20. On May 5, 1999, Mensah was paroled back into the United States at Detroit, MI.
21. On December 16, 1999, Mensah and his petitioning spouse appeared for an interview at the INS office in Dallas, Texas to determine Mensah's eligibility to adjust status. In further support of his application, Mensah presented a document entitled "Certified Copy of Entry in Register of Births." This document listed his name as Nana Osei Mensah, his date of birth as [redacted] his place of birth as Ghana, and his parents as Joseph Osei Mensah and Mary Owusu. The date of registration listed on the document was March 14, 1997. During the interview, he testified that his entry into the U.S. on October 10, 1996 was with the use of a fraudulent passport.
22. INS approved the I-130 and the I-485 on December 16, 1999, following the interview, and Mensah was accorded lawful permanent resident status under the classification IR-6, spouse of a U.S. citizen.
23. On September 16, 2009, Mensah filed a Form N-400, Application for Naturalization (N-400) to USCIS. On the N-400, signed under penalty of perjury, Mensah represented that:
    - His current legal name was Nana Osei Mensah.
    - His A-Number was A[redacted]
    - The question asking him if he ever used any other names was "N/A" (not applicable).
    - His date of birth was [redacted]
    - He had never been arrested, cited or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason.
    - 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.
    - He had never lied to any U.S. government official to gain entry or admission to the United States.
    - He had never been ordered removed, excluded or deported from the United States.

- He had never applied for any relief from removal, exclusion or deportation.

24. On December 8, 2009, a USCIS Immigration Services Officer (ISO) interviewed Mensah at the Dallas Field Office to determine his eligibility for naturalization. The ISO placed Mensah under oath and Mensah testified that:
    - His name was Nana Osei Mensah.
    - He was born on [redacted] in Ghana.
    - He had never committed any crime for which he was not arrested.
    - He had never been arrested or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason.
    - 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.
    - He had never lied to any U.S. government official to gain entry or admission to the United States.
    - He had never been ordered removed, excluded or deported from the United States.
    - He had never applied for any kind of relief from removal, exclusion or deportation.
25. During the naturalization interview, Mensah made two corrections to the written answers that he initially provided on his N-400 but neither of those corrections were as to the testimony referenced above. At the conclusion of the interview, Mensah and the interviewing officer both signed the attestation on Part 13, where Mensah swore (affirmed) under penalty of perjury that the contents of the application and all corrections, numbered 1 through 2, and evidence submitted were true and correct.
26. USCIS approved Mensah's N-400 on December 08, 2009, following the interview.
27. On January 15, 2010, Mensah took the Oath of Allegiance and was admitted as a citizen of the United States. USCIS issued him Certificate of Naturalization No. [redacted]

ILLEGAL PROCUREMENT OF NATURALIZATION

Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Inadmissible Based on Fraud or Misrepresentation

28. To be eligible for naturalization, an applicant must have been lawfully admitted for permanent residence in accordance with all applicable provisions of the INA. INA § 318, 8 U.S.C. § 1429.

29. Among the INA provisions applicable at the time of Mensah's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 245(a); 8 U.S.C. §1255(a).

30. Under the law then in effect, as today, an individual who by fraud or 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. INA § 212(a)(6)(C)(i); 8 U.S.C. § 1182(a)(6)(C)(i).

31. Based on the information contained above, Mensah willfully misrepresented material facts, specifically, his identity and immigration history.

32. Because Mensah misrepresented material facts, he was inadmissible to the United States at the time of his adjustment of status and was not lawfully admitted for permanent residence; accordingly, Mensah illegally procured his naturalization.

Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Inadmissible Based on Final Order of Exclusion Executed Prior to Adjustment

33. To be eligible for naturalization, an applicant must have been lawfully admitted for permanent residence in accordance with all applicable provisions of the INA. INA § 318; 8 U.S.C. § 1429.

34. Among the INA provisions applicable at the time of Mensah's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 245(a); 8 U.S.C. § 1255(a).
35. Under the law then in effect, an individual who had been deported or removed, or who had departed the United States while subject to an order of exclusion, deportation, or removal, was inadmissible for 10 years after the date of departure from the United States. INA § 212(a)(9)(A)(ii), 8 U.S.C. § 1182(a)(9)(A)(ii).
36. Based on the information contained above, Mensah was ordered excluded on October 23, 1995 under the name Evion Bosumewi Frimpong. He departed the United States under the name Mensah between March 11 and May 4, 1999, on advance parole while subject to an order of exclusion and sought admission to the United States on May 5, 1999, within ten years of his departure.
37. Because Mensah was inadmissible to the United States at the time of his adjustment of status, he was not lawfully admitted for permanent residence; accordingly, he illegally procured his naturalization.

Illegal Procurement of Naturalization
Lack of Good Moral Character
Unlawful Acts

38. As an applicant for naturalization under section 316(a) of the INA, Mensah was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the time of the Oath of Allegiance. This period is generally referred to as the "statutory period."
39. Mensah filed his application for naturalization on September 16, 2009; accordingly, he was required to establish that he was a person of good moral character from September 16, 2004, until he naturalized on January 15, 2010.
40. Under the law then in effect, an individual could not establish good moral character if, during the statutory period, he committed unlawful acts that adversely reflected on his moral character, unless he could establish extenuating circumstances. INA § 101(f); 8 U.S.C. §1101(f); 8 C.F.R. § 316.10(b)(3)(iii).
41. Based on the facts contained above, during the statutory period Mensah committed unlawful acts that adversely reflected on his moral character. Specifically, Mensah made false statements regarding his identity, immigration history, and whether he ever

provided false or misleading information or lied to any United States government official while applying for any immigration benefit or to prevent deportation. Mensah cannot establish extenuating circumstances for this violation considering the deliberate and continuing nature of his violations. Accordingly, he was not eligible for naturalization and illegally procured his naturalization.

Illegal Procurement of Naturalization
Lack of Good Moral Character
False Testimony

42. As an applicant for naturalization under section 316(a) of the INA, Mensah was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the time of the Oath of Allegiance. This period is generally referred to as the "statutory period."
43. Mensah filed his application for naturalization on September 16, 2009; accordingly, he was required to establish that he was a person of good moral character from September 16, 2004, until he naturalized on January 15, 2010.
44. Under the law then in effect, an individual who, during the statutory period, provided false testimony for the purpose of obtaining an immigration benefit could not establish good moral character. INA § 101(f)(6); 8 U.S.C. § 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi).
45. Based on the facts contained above, Mensah provided false testimony while under oath during his naturalization interview. Specifically, Mensah provided false testimony regarding whether he had ever:
    - committed any crime for which he was not arrested.
    - been arrested, cited or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason.
    - given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion or removal.
    - lied to any U.S. government official to gain entry or admission to the United States.
    - been ordered removed, excluded or deported from the United States; and
    - applied for any kind of relief from removal, exclusion or deportation.

46. Because Mensah provided false testimony to obtain an immigration benefit during the statutory period, he was not eligible for naturalization; accordingly, he illegally procured his naturalization.

PROCUREMENT OF NATURALIZATION BY WILLFUL MISREPRESENTATION OR CONCEALMENT OF MATERIAL FACTS

47. A naturalized citizen is subject to revocation of naturalization if he procured naturalization by willfully misrepresenting or concealing material facts.
48. Based on the facts contained above, Mensah willfully misrepresented his identity and immigration history throughout the naturalization process.
49. The misrepresentations made by Mensah during the naturalization process were material to determining his eligibility for naturalization because they would have had the natural tendency to influence the decision whether to approve his naturalization application. In fact, Mensah misrepresented and concealed facts that would have shown that he was not lawfully admitted for permanent residence in accordance with all applicable provisions of the INA and thus was ineligible for naturalization under INA § 318, 8 U.S.C. § 1429.
50. Because Mensah procured naturalization by his concealment(s) and misrepresentation(s), he was not eligible for naturalization.

DECLARATION IN LIEU OF JURAT
(28 U.S.C. § 1746)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 7, 2026 at Los Angeles, California.

Digitally signed by SHAWN R EVANS SANDERS
Date: 2026.07.07 16:49:37 -04'00'

Shawn Sanders
Adjudication Officer
United States Citizenship and Immigration Services
Department of Homeland Security