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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America, Plaintiff, v. Gurwail Singh Sandhu, Defendant.	No. CV-26-_____ **COMPLAINT TO REVOKE NATURALIZATION**

The United States of America brings this civil action, supported by the accompanying Affidavit of Good Cause, against Gurwail Singh Sandhu to revoke his naturalized United States citizenship under 8 U.S.C. § 1451(a) because Mr. Sandhu illegally procured his naturalization.

I. PRELIMINARY STATEMENT OF THE CASE

In 1996, an immigration judge denied an immigrant application that Mr. Sandhu submitted and ordered him to be deported from the United States. On three occasions in 2007 and 2011, while subject to the deportation order, Mr. Sandhu left the United States and traveled to India.

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By statute, and as courts—including this one—have held, an individual who departs the United States while subject to an order of removal or deportation is inadmissible for 10 years after the date of departure from the United States. 8 U.S.C. § 1182(a)(9)(A)(ii); *see also, e.g.*, *United States v. Hirani*, 824 F.3d 741, 752 (8th Cir. 2016); *United States v. Brown*, No. 18-cv-4213, 2019 WL 5549174, at *2 (D. Ariz. Oct. 28, 2019).

In 2001, Mr. Sandhu sought lawful permanent residence. This application was approved in 2002, and Mr. Sandhu naturalized as a United States citizen in 2012. However, due to his international travel, Mr. Sandhu was inadmissible from January 5, 2007 (the date he first departed the United States after the deportation order) until and including September 10, 2021 (10 years after the date he last departed the United States before he naturalized on March 23, 2012).

Because Mr. Sandhu was inadmissible and ineligible for naturalization, he illegally procured his United States citizenship and, therefore, his naturalization is subject to revocation under 8 U.S.C. § 1451(a). Accordingly, the United States respectfully requests that the Court revoke and set aside the order admitting Mr. Sandhu to citizenship and cancel his certificate of naturalization.

II. PARTIES, JURISDICTION, AND VENUE

1. Plaintiff is the United States of America.

2. Mr. Sandhu is a native of India and a naturalized United States citizen.

3. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Mr. Sandhu to United States citizenship and to cancel his Certificate of Naturalization No. [redacted]

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

5. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Mr. Sandhu resides in this judicial district.

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III. FACTUAL ALLEGATIONS

A. Mr. Sandhu Is Ordered Deported.

6. On November 28, 1995, Mr. Sandhu filed an application for an immigration benefit with Immigration and Naturalization Service ("INS").[1]

7. On December 11, 1995, INS served Mr. Sandhu Form I-221, Order to Show Cause and Notice of Hearing ("OSC"), charging him as deportable pursuant to 8 U.S.C. § 1231(a)(1)(B) in that he entered the United States without inspection.

8. The OSC ordered Mr. Sandhu to appear for a hearing before an Immigration Judge of the Executive Office for Immigration Review.

9. On January 2, 1996, Mr. Sandhu failed to appear at his deportation hearing, and the immigration judge ordered Mr. Sandhu deported from the United States to India.

10. Mr. Sandhu failed to depart the United States pursuant to that order.

B. Mr. Sandhu Obtains Permanent Resident Status.

11. On February 28, 2001, Mr. Sandhu filed with INS Form I-485, Application to Register Permanent Residence or Adjust Status (Form I-485).

12. On March 5, 2002, INS approved Mr. Sandhu's Form I-485, granting him permanent resident status.

C. Mr. Sandhu Departs the United States.

13. On November 7, 2011, Mr. Sandhu filed with USCIS Form N-400, Application for Naturalization (Form N-400), signed on October 31, 2011.

14. On his Form N-400, Mr. Sandhu represented that he departed the United States on January 5, 2007; traveled to India; and returned to the United States on January 13, 2007.

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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). The United States references "INS" or "USCIS" where factually appropriate.

15. On his Form N-400, Mr. Sandhu represented that he departed the United States on June 20, 2011; traveled to India; and returned to the United States on July 11, 2011.

16. On his Form N-400, Mr. Sandhu represented that he departed the United States on September 10, 2011; traveled to India; and returned to the United States on September 27, 2011.

17. Mr. Sandhu did, in fact, depart the United States and travel to India on the dates indicated on his Form N-400.

D. Mr. Sandhu Becomes a Naturalized Citizen.

18. Mr. Sandhu's Form N-400 was approved on February 13, 2012.

19. On March 9, 2012, USCIS issued Mr. Sandhu a Form N-445, Notice of Naturalization Oath Ceremony, which instructed him to appear for a naturalization oath ceremony.

20. On March 23, 2012, Mr. Sandhu appeared at the naturalization oath ceremony, took the oath of allegiance, and was admitted as a citizen of the United States.

21. Mr. Sandhu was issued Certificate of Naturalization No. [redacted]

IV. GOVERNING LAW

22. 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).

23. 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)).

24. Congress enacted 8 U.S.C. § 1451 to address situations in which an individual has "illegally procured" citizenship.

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25. Citizenship is "illegally procured" if the applicant failed to comply with any of the congressionally imposed prerequisites to the acquisition of citizenship. *Fedorenko*, 449 U.S. at 506.

26. Under 8 U.S.C. § 1451(a), an order of naturalization is subject to revocation and a certificate of naturalization is subject to cancellation if naturalization was illegally procured.

27. 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.

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

V. CAUSE OF ACTION

COUNT I

ILLEGAL PROCUREMENT OF NATURALIZATION
Noncitizen Ordered Removed

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

30. An individual who departs the United States while subject to an order of removal or deportation is inadmissible for 10 years after the date of departure from the United States. 8 U.S.C. § 1182(a)(9)(A)(ii).

31. Mr. Sandhu was inadmissible under 8 U.S.C. § 1182(a)(9)(A)(ii) at the time of his naturalization in 2012 because he was subject to an order of removal issued in 1996 and departed the United States multiple times in 2007 and 2011.

32. Because Mr. Sandhu was inadmissible, he was ineligible for naturalization under 8 U.S.C. § 1429.

33. Because Mr. Sandhu was ineligible for naturalization, he illegally procured his naturalization.

34. Because Mr. Sandhu illegally procured his naturalization, his naturalization is subject to revocation under 8 U.S.C. § 1451(a).

PRAYER FOR RELIEF

WHEREFORE, the United States of America respectfully requests:

(1) A declaration that Mr. Sandhu procured his citizenship illegally;

(2) Judgment revoking and setting aside the order admitting Mr. Sandhu to citizenship and canceling Certificate of Naturalization No. 35047374, effective as of the original date of the order and certificate, March 23, 2012.

(3) Judgment forever restraining and enjoining Mr. Sandhu from claiming any rights, privileges, benefits, or advantages related to United States citizenship that he obtained as a result of his March 23, 2012, naturalization;

(4) Judgment requiring Mr. Sandhu to surrender and deliver, within 14 days of the entry of judgment against him, his Certificate of Naturalization No. [redacted] and any copies thereof in his possession—and to make good faith efforts to recover and immediately surrender any copies thereof that he knows are in the possession of others—to the Acting Attorney General through his designee, including undersigned counsel;

(5) Judgment requiring Mr. Sandhu to immediately surrender and deliver, within 14 days of entry of Judgment, any other indicia of United States citizenship, including, but not limited to, United States passports (whether valid or expired), United States passport cards (whether valid or expired), and Enhanced Driver's Licenses (whether valid or expired), and other relevant documents, whether current or expired, and any copies thereof in his possession 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 Acting Attorney General through his designee, including undersigned counsel; and

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

RESPECTFULLY SUBMITTED September 1, 2026.

TIMOTHY COURCHAINE
United States Attorney
District of Arizona

/s/ Lon R. Leavitt

LON R. LEAVITT
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