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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NORMA PATRICIA ESPARZA,

Defendant.

COMPLAINT TO REVOKE NATURALIZATION

PRELIMINARY STATEMENT

The United States of America ("Plaintiff") brings this civil action against Norma Patricia Esparza ("Defendant") to revoke her naturalized U.S. citizenship under 8 U.S.C. § 1451(a). Plaintiff bases this action on Defendant's criminal conduct prior to naturalizing and her misrepresentations of that conduct during her naturalization proceedings. Prior to naturalizing, Defendant was a participant in the 1995 kidnapping and stabbing-murder of a man whom she met in a bar. After naturalizing, Defendant pleaded guilty to, and was convicted in California of one count of voluntary manslaughter. Defendant willfully misrepresented and concealed her criminal conduct throughout her naturalization process. Had she disclosed her criminal conduct, it would have clarified that she was ineligible to naturalize. Accordingly, as shown below, Defendant illegally procured her naturalization and obtained her naturalization through willful misrepresentation and concealment, and the United States brings this civil action to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel her Certificate of Naturalization.

I. JURISDICTION AND VENUE

1. This is an action 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. [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. Venue is proper in this District pursuant to 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Defendant's last known residence is in Santa Ana, California, within the jurisdiction and venue of this Court.

II. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized U.S. citizen.

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III. FACTUAL BACKGROUND

6. The affidavit of Susanna M. Espinoza, a Special Agent of the U.S. Immigration and Customs Enforcement ("ICE"), an agency within the U.S. Department of Homeland Security ("DHS"), showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

Defendant's Criminal Conduct Leading to Conviction for Voluntary Manslaughter In Violation of California Penal Code section 192(a)

7. On or about April 16, 1995, before her naturalization interview on June 26, 1996, Defendant committed the crime of Voluntary Manslaughter in violation of California Penal Code section 192(a).

8. On October 22, 2012, the District Attorney for Orange County, California, filed a Felony "Special Circumstances" Complaint Warrant, charging Defendant with one count of murder, in violation of California Penal Code section 192(a).

9. The Complaint Warrant further alleged, pursuant to California Penal Code section 190.2(a)(17)(ii), (MURDER DURING COMMISSION OF KIDNAPPING), that Defendant murdered Gonzalo Dominguiz Ramirez while Defendant was engaged in the commission and attempted commission of, and immediate flight after committing and after attempting to commit, the crime of kidnapping in violation of California Penal Code section 207.

10. A true and accurate copy of the October 22, 2012 Complaint Warrant filed against Defendant, except for redactions of immaterial private information, is attached as Exhibit B.

11. On February 27, 2014, the District Attorney for Orange County, California, filed a "Special Circumstances" Information charging Defendant with one count of murder, in violation of California Penal Code section 192(a).

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12. A true and accurate copy of the February 27, 2014 Information, except for redactions of immaterial private information, is attached as Exhibit C.

13. On September 12, 2014, the District Attorney for Orange County, California, filed an Amended "Special Circumstances" Information ("First Amended Information") charging Defendant with one count of murder, in violation of California Penal Code section 192(a) ("Count 1") and with one count of felony Voluntary Manslaughter, in Violation of California Penal Code section 192(a) ("Count 2").

14. A true and accurate copy of the September 12, 2014 First Amended Information, except for redactions of immaterial private information, is attached as Exhibit D.

15. On September 12, 2014, the Superior Court of California, County of Orange, held a hearing at which Defendant entered a plea of guilty to Count 2 of the First Amended Information.

16. On the Advisement and Waiver of Rights For a Felony Guilty Plea Defendant completed on September 12, 2014, Defendant offered the following facts as the basis for her guilty plea: In Orange County, California, on or about April 16, 1995, she aided and abetted four other individuals in the murder of Gonzalo Ramirez and that it was she who identified Ramirez to the others.

17. A true and accurate copy of the Advisement and Waiver of Rights For a Felony Guilty Plea in Defendant's criminal case, except for redactions of immaterial private information, is attached as Exhibit E.

18. On July 15, 2016, the Superior Court of California, County of Orange, held a hearing at which the court pronounced judgment against Defendant on Count 2 of the First Amended Information.

19. At the hearing On July 15, 2016, the Superior Court of California, County of Orange, sentenced Defendant to six years in state prison.

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20. A true and accurate copy of the minutes of hearings for Defendant's criminal case, except for redactions of immaterial private information, is attached as Exhibit F.

Defendant's Naturalization Proceedings

21. On March 16, 1996, Defendant filed her Form N-400, Application for Naturalization (Form N-400) with Immigration and Naturalization Service (INS).[1]

22. A true and accurate copy of Defendant's Form N-400, except for redactions of immaterial private information, is attached as [redacted].

23. Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400 asked, "Have you ever knowingly committed any crime for which you have not been arrested?"

24. Defendant answered, "No" to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400.

25. Under Part 11 (Signature) of her Form N-400, Defendant signed and thus certified, under penalty of perjury, that her application and the evidence submitted with it were all true and correct.

26. On June 26, 1996, Defendant appeared in person before an INS examiner to determine her eligibility for naturalization ("naturalization interview").

27. At the beginning of the naturalization interview, the officer placed Defendant under oath.

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[1] On March 1, 2003, the former Immigration and Naturalization Service ("INS") ceased to exist as an independent agency within the Department of Justice, and its functions were transferred to the newly formed Department of Homeland Security ("DHS"). *See* Homeland Security Act of 2002, Pub. L. No. 107-296, §§ 441, 451, 471, 116 Stat. 2135 (Nov. 25, 2002). The immigration responsibilities of INS were divided among three new entities within DHS, Customs and Border Protection, Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services ("USCIS"). *Id.*

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28. During Defendant's naturalization interview, the officer asked Defendant if she had ever committed a crime for which she had not been arrested.

29. During Defendant's naturalization interview, she answered, orally and under oath, that she had not committed a crime for which she had not been arrested.

30. Defendant never disclosed or discussed—during her naturalization interview or elsewhere in her naturalization application—having ever committed voluntary manslaughter, a crime for which she had not yet been arrested.

31. At the conclusion of her interview, Defendant again signed and thus swore that she knew that the contents of her application, the supplemental page, and corrections were made at her request and that the amended application was true and correct to the best of her knowledge and belief.

32. Based in part on her written responses on the Form N-400 and evidence provided in support of her application and on her sworn oral testimony at the naturalization interview, INS approved Defendant's naturalization application on June 26, 1996.

33. Based on her approved naturalization application, Defendant took the Oath of Allegiance admitting her to U.S. citizenship, and the United States issued Defendant Certificate of Naturalization No. [redacted] on August 16, 1996.

34. A true and accurate copy of Defendant's Certificate of Naturalization, except for redactions of immaterial private information, is attached as Exhibit H.

IV. GOVERNING LAW

Congressionally imposed prerequisites to the acquisition of citizenship

35. No noncitizen has a right to naturalization "unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). The Supreme Court has consistently held that "there must be strict

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compliance with all the congressionally imposed prerequisites to the acquisition of citizenship." *Fedorenko v. United States*, 449 U.S. 490, 506 (1981).

36. Congress has mandated that an individual may not naturalize unless that person "during all periods referred to in this subsection has been and still is a person of good moral character . . . ." *See* 8 U.S.C. § 1427(a)(3). For applicants seeking to naturalize based on their status as a permanent resident, the required statutory period for good moral character begins five years before the date the applicant files the application for naturalization, and it continues until the applicant takes the oath of allegiance and becomes a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

37. Although Congress has not specifically defined what constitutes good moral character for naturalization purposes, the Immigration and Nationality Act lists certain classes of applicants who cannot be found to have the requisite good moral character, *see generally* 8 U.S.C. § 1101(f). This includes individuals who give false testimony for the purpose of obtaining immigration benefits. 8 U.S.C. § 1101(f)(6).

38. Congress also created a "catch-all" provision, which 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." 8 U.S.C. § 1101(f) (flush language).

39. Thus, individuals who commit unlawful acts adversely reflecting upon their moral character during the statutory period cannot meet the good moral character requirement, unless they prove that extenuating circumstances exist. *See* 8 U.S.C. § 1101(f); 8 C.F.R § 316.10(b)(3)(iii).

40. With regard to the commission of unlawful acts, "requiring consideration of an applicant's unlawful acts during the . . . moral character period—whether or not the applicant is convicted for the acts during that period" is

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a permissible interpretation of section 1101(f). *United States v. Dang*, 488 F.3d 1135 (9th Cir. 2007).

The Denaturalization Statute

41. 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, including demonstration of good moral character, or by concealing or misrepresenting facts that are material to the decision on whether to grant naturalization, Congress enacted 8 U.S.C. § 1451.

42. Under 8 U.S.C. § 1451(a), this Court must revoke an order of naturalization and cancel the individual's Certificate of Naturalization if his or her naturalization was *either*:

i. illegally procured, *or*

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

43. 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.

44. Naturalization was procured by concealment of a material fact or by willful misrepresentation, where: (1) the naturalized citizen misrepresented or concealed some fact during the naturalization process; (2) the misrepresentation or concealment was willful; (3) the fact was material; and (4) the naturalized citizen procured citizenship as a result of the misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

45. Where the government establishes that the defendant's citizenship was procured illegally or by concealment or willful misrepresentation of material facts, "district courts lack equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko*, 449 U.S. at 517. And the district court must order

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"such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization . . . effective as of the original date of the order." 8 U.S.C. § 1451(a).

V. CAUSES OF ACTION

COUNT I

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

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

47. As set forth above, to be eligible for naturalization, Defendant was required to establish that she was a person of good moral character during the statutory period, from March 16, 1991, five years before she filed her Form N-400, until the time she took the Oath of Allegiance on August 16, 1996 ("statutory period"). 8 U.S.C. §1427(a)(3); 8 C.F.R. §§ 316.10(a)(1).

48. During the statutory period, Defendant committed an unlawful act that adversely reflects on her moral character when she committed voluntary manslaughter, in violation of section 192(a) of the California Penal Code, on or about April 16, 1995.

49. Defendant was convicted of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, and was sentenced to six years in state prison.

50. Defendant entered a plea of guilty to the charge of voluntary manslaughter, in violation of section 192(a) of the California Penal Code.

51. On the Advisement and Waiver of Rights For a Felony Guilty Plea Defendant completed on September 12, 2014, Defendant offered the following facts as the basis for her guilty plea: In Orange County, California, on or about

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April 16, 1995, she aided and abetted four other individuals in the murder of Gonzalo Ramirez and that it was she who identified Ramirez to the others.

52. The crime to which Defendant pleaded guilty and for which she was convicted constitutes an unlawful act committed during the statutory period that is relevant to a determination of her moral character as contemplated by 8 U.S.C. § 1427(e); 8 C.F.R. § 316.10(a)(2).

53. Defendant cannot establish extenuating circumstances with regard to having committed voluntary manslaughter, in violation of section 192(a) of the California Penal Code.

54. Therefore, Defendant cannot avoid the regulatory bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii); *see also, e.g., United States v. Zhou*, 815 F.3d 639, 644 (9th Cir. 2016).

55. Defendant's commission of voluntary manslaughter, in violation of section 192(a) of the California Penal Code during the statutory period so adversely reflected on Defendant's moral character during the statutory period that no evidence of her good moral character would permit Defendant to satisfy her burden of establishing good moral character as required for naturalization.

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

57. Because Defendant was ineligible to naturalize, she illegally procured her naturalization.

58. Because Defendant illegally procured her naturalization, this Court must revoke her citizenship under 8 U.S.C. § 1451(a).

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COUNT II

ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER

(Three Additional Unlawful Acts Adversely Reflecting on Moral Character)

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

60. As set forth above, to be eligible for naturalization, Defendant was required to establish that she was a person of good moral character during the statutory period, from March 16, 1991, five years before she filed her Form N-400, until the time she took the Oath of Allegiance on August 16, 1996 ("statutory period"). 8 U.S.C. §1427(a)(3); 8 C.F.R. § 316.10(a)(1).

61. Defendant could not establish the requisite good moral character for naturalization because she committed three additional unlawful acts during the statutory period that reflected adversely on her moral character for which there were no extenuating circumstances. *See* 8 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii); *see also, e.g.*, *United States v. Zhou*, 815 F.3d 639, 644 (9th Cir. 2016).

62. Defendant committed three additional unlawful acts during her statutory period that adversely reflect on her moral character when she violated three federal statutes that criminalize making false statements to federal officials.

63. Specifically, Defendant falsely swore in an immigration matter, in violation of 18 U.S.C. § 1546(a) when, on March 16, 1996, in response to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400, Defendant denied, under penalty of perjury, having committing a crime for which she had not been arrested and when, on June 26, 1996, she denied the same, while under oath, during her naturalization interview.

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64. Specifically, Defendant made a false statement, in violation of 18 U.S.C. § 1001, when, on March 16, 1996, in response to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400, Defendant denied, under penalty of perjury, having committing a crime for which she had not been arrested and when, on June 26, 1996, she denied the same, while under oath, during her naturalization interview.

65. Specifically, Defendant committed perjury, in violation of 18 U.S.C. § 1621, when, on or on March 16, 1996, in response to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400, Defendant denied, under penalty of perjury, having committing a crime for which she had not been arrested and when, on June 26, 1996, she denied the same, while under oath, during her naturalization interview.

66. Defendant falsely swore in an immigration matter, made a false statement, and committed perjury, because she knew she had committed voluntary manslaughter, in violation of section 192(a) of the California Penal Code, on or about April 16, 1995, for which she had not yet been arrested; and, with regard to making a false statement and committing perjury, Defendant also knew that committing voluntary manslaughter was unlawful.

67. Defendant knew her responses were false, because Defendant later admitted to and was convicted of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, and was sentenced to six years in state prison.

68. Defendant's crimes of falsely swearing in an immigration matter, making false statements, and committing perjury constitute unlawful acts that adversely reflect on Defendant's moral character as contemplated by 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii).

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69. Defendant cannot establish extenuating circumstances with regard to falsely swearing in an immigration matter, making false statements, and committing perjury.

70. Defendant cannot avoid the regulatory bar on establishing good moral character found under 8 C.F.R. § 316.10(b)(3)(iii).

71. Defendant's deceptive conduct within the statutory period, which sought to conceal her commission of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, so adversely reflect on Defendant's moral character that no evidence of good moral character would permit Defendant to satisfy her burden of establishing good moral character as required for naturalization.

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

73. Because Defendant was ineligible to naturalize, she illegally procured her naturalization.

74. Because Defendant illegally procured her naturalization, this Court must revoke her citizenship under 8 U.S.C. § 1451(a).

COUNT III

ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (FALSE TESTIMONY)

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

76. As set forth above, to be eligible for naturalization, Defendant was required to establish that she was a person of good moral character during the statutory period, from March 16, 1991, five years before she filed her Form N-400,

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until the time she took the Oath of Allegiance on August 16, 1996 ("statutory period"). 8 U.S.C. §1427(a)(3); 8 C.F.R. §§ 316.10(a)(1).

77. Defendant was statutorily barred from establishing the good moral character necessary to naturalize, because during the statutory period, she gave false testimony, under oath, for the purpose of obtaining an immigration benefit, specifically naturalization. *See* 8 U.S.C. § 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi).

78. Defendant provided false testimony for the purpose of obtaining an immigration benefit during her naturalization interview when in response to being asked whether she had committed a crime for which she had not been arrested, Defendant denied orally and under oath having committed any such crime.

79. That answer was false because Defendant had committed the crime of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, on or about April 16, 1995, for which she had not yet been arrested.

80. Defendant knew her testimony was false, because Defendant later admitted to and was convicted of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, and was sentenced to six years in state prison.

81. Defendant gave her false testimony at her naturalization interview with the intent of obtaining the immigration benefit of naturalization.

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

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

84. Because she was ineligible to naturalize, Defendant illegally procured her citizenship.

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85. Because Defendant illegally procured her citizenship, this Court must revoke her naturalization, as provided for by 8 U.S.C. § 1451(a).

COUNT IV

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

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

87. Under 8 U.S.C. § 1451(a), this Court must revoke Defendant's naturalized U.S. citizenship and cancel her Certificate of Naturalization because she procured her naturalization by concealment of a material fact or by willful misrepresentation.

88. Throughout the naturalization process, Defendant willfully misrepresented and concealed her voluntary manslaughter, in violation of section 192(a) of the California Penal Code—a criminal act for which she was later convicted after pleading guilty.

89. At no point during the naturalization process did Defendant disclose her criminal conduct, despite being provided several opportunities to do so.

90. First, on her Form N-400, Defendant denied ever having committed a crime for which she had not been arrested and subsequently signed and thus certified, under penalty of perjury, that her naturalization application and the evidence submitted with it, were all true and correct.

91. Second, during Defendant's naturalization interview, Defendant denied, while under oath, that she had ever committed a crime for which she had not been arrested and subsequently signed and thus swore and certified that she knew that the contents of her application were true and correct.

92. Defendant's repeated misrepresentations regarding her criminal conduct on her Form N-400 and during her naturalization interview were willful,

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because she knew she had committed the crime of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, on or about April 16, 1995, for which she had not been arrested, and for which she would be subsequently convicted of after obtaining U.S. citizenship.

93. Defendant's repeated misrepresentations regarding her criminal conduct on her Form N-400 and during her naturalization interview were willful, because she knew she had committed the crime of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, on or about April 16, 1995, for which she had not been arrested, and for which she would be subsequently convicted of after obtaining U.S. citizenship.

94. Defendant knew her misrepresentations were false, because Defendant later admitted to and was convicted of voluntary manslaughter, in violation of section 192(a) of the California Penal Code, and was sentenced to six years in state prison.

95. Defendant's misrepresentations were material to her naturalization, because the disclosure of her commission of voluntary manslaughter would have had a natural tendency to influence INS's decision whether to approve Defendant's naturalization application.

96. Indeed, Defendant's criminal conduct precluded her from establishing the requisite good moral character to naturalize. Had Defendant disclosed the truth about her criminal conduct, it would have revealed that she was ineligible for naturalization, and INS would not have approved her application nor administered the oath of allegiance.

97. Defendant thus procured her naturalization by willful misrepresentation and concealment of material facts, and this Court must therefore revoke her naturalization pursuant to the requirements of 8 U.S.C. § 1451(a).

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V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States of America, prays for relief as follows:

(1) A declaration that Defendant illegally procured her naturalization;

(2) A declaration that Defendant procured her 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, August 16, 1996;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document which evidences United States citizenship obtained as a result of her August 16, 1996 naturalization;

(5) Judgment requiring Defendant, within ten (10) days of judgment, to surrender and deliver her Certificate of Naturalization, any U.S. passport, passport card, Enhanced Drivers License, or any other indicia of U.S. citizenship issued to her, whether valid or expired, as well as any copies thereof in her possession or control (and to make good faith efforts to recover and then surrender any copies thereof that she knows are in the possession or control of others), to the Attorney General, or her representative, including undersigned counsel; and

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

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Dated: September 22, 2026

Respectfully submitted,

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EXHIBIT A

UNITED STATES OF AMERICA	)	
	)	
LOS ANGELES, CALIFORNIA	)	
	)	
In the Matter of the Revocation of the Naturalization of	)	AFFIDAVIT OF GOOD CAUSE
	)	
	)	
NORMA PATRICIA ESPARZA	)	
	)	

I, Susanna M. Espinoza, declare under penalty of perjury as follows:

I. I am a Special Agent of the Homeland Securities Investigations, United States Department of Homeland Security (DHS). In this capacity, I have access to the official records maintained by DHS, including the immigration file of Norma Patricia Esparza (Ms. Esparza).

II. I have reviewed the records relating to Ms. Esparza's case. Based on this review, I state on information and belief that the information set forth in this Affidavit of Good Cause is true and correct.

III. On March 16, 1996, Ms. Esparza filed an Application for Naturalization, Form N-400 (N-400), with the Los Angeles, California District Office of legacy Immigration and Naturalization Service (INS).[1] On June 26, 1996[2], a legacy INS officer interviewed Ms. Esparza under oath regarding her naturalization application. On the basis of her written application and naturalization interview, legacy INS approved Ms. Esparza's N-400 on June 26, 1996. On August 6, 1996, the legacy INS mailed a Notice of Naturalization Oath Ceremony, Form N-445A, to Ms. Esparza, instructing her to

[1] As of March 1, 2003, the Immigration and Naturalization Service (INS) ceased to exist, and its functions were transferred to various agencies within DHS. *See* Homeland Security Act of 2002, §§ 441, 451, 471, Pub. L. No. 107-296, 116 Stat. 2135 (2002) (codified at 6 U.S.C. §§ 251, 271, 291). This transfer does not affect the issues in this case. Because Ms. Esparza's naturalization application was adjudicated before the transfer, this Affidavit of Good Cause will reference legacy INS as necessary.

[2] The INS officer mistakenly dated the Application for Naturalization, Form N-400, June 26, 1995. This was a clerical error as Ms. Esparza was interviewed on June 26, 1996. See page 2 of the Form N-400.

appear at an Oath Ceremony on August 16, 1996. On August 16, 1996, Ms. Esparza appeared as scheduled, submitted her Form N-445A, took the Oath of Allegiance, and was admitted to United States citizenship. She was issued Certificate of Naturalization number [redacted].

IV. Ms. Esparza was ineligible to naturalize, and consequently illegally procured her citizenship, because at the time of her naturalization, she could not have established that she was a person of good moral character. As an applicant for naturalization pursuant to 8 U.S.C § 1427(a), Ms. Esparza was required to prove that she was, and continued to be, a person of good moral character from March 16, 1991, five years before she filed her application for naturalization, until the time she took the Oath of Allegiance on August 16, 1996 ("statutory period").

A. Ms. Esparza could not have established that she was a person of good moral character during the statutory period because she committed unlawful acts that adversely reflected upon her moral character.

1. Unless there are extenuating circumstances, an applicant for naturalization is precluded from establishing good moral character if, during the statutory period, she commits unlawful acts that adversely reflect upon her moral character.

2. Whether unlawful acts affect an applicant's moral character is a case-by-case determination, considering the standards of the average citizen in the applicant's community of residence.

3. On or about April 16, 1995, during the statutory period and before her naturalization interview, Ms. Esparza committed the illegal acts of:

Voluntary Manslaughter in violation of section 192(a) of the California Penal Code.

4. On September 12, 2014, after she naturalized, Ms. Esparza was convicted of voluntary manslaughter in violation of section 192(a) of the California Penal Code. She was sentenced to six years imprisonment.

5. Voluntary Manslaughter is an unlawful act that adversely reflects upon an individual's moral character, as measured against the standards of the average citizen in the community of residence.

6. As evidenced by her post-naturalization conviction, there were no extenuating circumstances that could have mitigated the effect of Ms. Esparza's actions on her ability to establish good moral character.

7. In addition, Ms. Esparza could not establish the requisite good moral character for naturalization because she committed three additional unlawful acts during the statutory period that reflected adversely on her moral character for which there were no extenuating circumstances. *See* 8 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii); *see also, e.g.*, *United States v. Zhou*, 815 F.3d 639, 644 (9th Cir. 2016).

8. Specifically, Ms. Esparza falsely swore in an immigration matter, in violation of 18 U.S.C. § 1546(a) when, on March 16, 1996, in response to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400, she denied, under penalty of perjury, having committed a crime for which she had not been arrested and when, on June 26, 1996, she denied the same, while under oath, during her naturalization interview.

9. Specifically, Ms. Esparza made a false statement in violation of 18 U.S.C. § 1001, when, on March 16, 1996, in response to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400, she denied under penalty of perjury, having committed a crime for which she had not been arrested and when, on June 26, 1996, she denied the same, which under oath during her naturalization interview.

10. Specifically, Ms. Esparza committed perjury, in violation of 18 U.S.C. § 1621, when, on or about March 16, 1996, in response to Part 7 (Additional Eligibility Factors), Question 15, of her Form N-400, Ms. Esparza denied, under penalty of perjury, having committed a crime for which she had not arrested and when, on June 26, 1996, she denied the same, which under oath, during her naturalization interview.

11. Ms. Esparza falsely swore in an immigration matter, made a false statement, and committed perjury, because she knew she had committed voluntary manslaughter, in violation of section 192(a) of the California Penal Code, on or about April 16, 1995, for which she had not yet been arrested; and, with regard to making a false statement and committing perjury, Ms. Esparza also knew that committing voluntary manslaughter was unlawful.

12. Ms. Esparza's crimes of false swearing in an immigration matter, making false statements, and committing perjury constitute unlawful acts that adversely reflect on her moral character as contemplated by 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii).

13. Because Ms. Esparza committed unlawful acts affecting her moral character within the period in which she was required to establish good moral character, she was precluded from establishing good moral character. Consequently, she illegally procured her naturalization.

B. Ms. Esparza could not have established that she was a person of good moral character during the statutory period because during her naturalization interview on June 26, 1996, conducted under oath, she provided false testimony for the purpose of obtaining her naturalization.

1. An individual who, during the statutory period, provides false testimony with the intent of obtaining an immigration benefit is precluded from establishing good moral character.
2. On June 26, 1996, Ms. Esparza appeared before a legacy INS officer for an interview regarding her application for naturalization.
3. At the beginning of the naturalization interview, Ms. Esparza was placed under oath and affirmed that she would answer all questions truthfully.
4. During the course of the interview, the legacy INS officer asked: (1) whether Ms. Esparza had ever committed any crime for which she had not been arrested, and (2) whether Ms. Esparza had ever been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking or violating any law or ordinance.
5. In response, Ms. Esparza responded that she had not committed a crime for which she had been arrested, nor had she ever been arrested, cited,

charged, indicted, convicted, fined or imprisoned for violating any law or ordinance.

6. Ms. Esparza's testimony was false. In fact, on or about April 16, 1995, during the statutory period and before her naturalization interview on June 26, 1996, Ms. Esparza had committed the crime of Voluntary Manslaughter in violation of California Penal Code section 192(a). Ms. Esparza pled guilty on September 12, 2014, eighteen years after she naturalized.

7. Because Ms. Esparza provided false testimony in order to obtain her U.S. citizenship, she could not have established that she was a person of good moral character. Therefore, she was ineligible to naturalize.

V. Ms. Esparza was ineligible to naturalize because she procured her naturalization by willful misrepresentation and concealment of material facts.

A. Ms. Esparza willfully misrepresented and concealed her criminal activities during her naturalization interview.

1. On June 26, 1996, at the end of her naturalization interview, while still under oath, Ms. Esparza swore that the contents of her written Application for Naturalization, Form N-400, were true.

2. Ms. Esparza's written response to question 15(a) in part 7 which asked, "Have you ever: knowingly committed any crime for which you have not been arrested?" was "No."

3. This representation was false, in fact, on or about April 16, 1995, one and a half years before her naturalization interview, Ms. Esparza

committed voluntary manslaughter in violation of section 192(a) of the California Penal Code.

B. Ms. Esparza's unlawful conduct was material to determining her eligibility for naturalization because it would have had the natural tendency to influence the legacy INS' decision whether to approve her application. In fact, Ms. Esparza's criminal history precluded her from establishing good moral character and rendered her statutorily ineligible for naturalization.

C. Ms. Esparza was able to procure her naturalization by misrepresenting her criminal record. Had she disclosed her criminal record, the legacy INS would not have permitted her to take the Oath of Allegiance until she could show that her criminal record did not affect her ability to establish good moral character.

VI. Based on the facts outlined in the foregoing paragraphs, good cause exists to institute proceedings pursuant to section 340(a) of the INA, 8 U.S.C. § 1451(a), to revoke Ms. Esparza's citizenship and to cancel her Certificate of Naturalization.

VII. Ms. Esparza's last known place of residence is Santa Ana, California.

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 September 18, 2026.

SUSANNA M ESPINOZA 2026.09.18 16:05:23 -07'00'

Susanna M. Espinoza
Special Agent
Homeland Security Investigations
U.S. Department of Homeland Security