UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

VARIS JAN SAFI, [redacted], [redacted]
a.k.a. TARIQ MEHMOOD,

Defendant.

Case No. 2:26-cv-05939
COMPLAINT TO REVOKE NATURALIZATION

I. PRELIMINARY STATEMENT

The United States of America ("Plaintiff") brings this civil action against Defendant Varis Jan Safi, a.k.a Tariq Mehmood ("Defendant") to revoke his naturalized U.S. citizenship under 8 U.S.C § 1451(a). Plaintiff alleges that Defendant, illegally procured his naturalization and that he procured his naturalization by willfully misrepresenting and concealing material facts. Defendant used multiple identities to seek immigration benefits and failed to disclose his prior identities throughout his naturalization process.

Defendant's actions and conduct to conceal his actions statutorily barred him from becoming a U.S. citizen. Therefore, with the attached affidavit of good cause, the United States of America brings this action to revoke Defendant's naturalization.

[1] Pursuant to the Privacy Act, 5 U.S.C. § 552a(b), Plaintiff will redact information throughout this document and its exhibits that includes social security numbers, dates of birth, places of birth, alien numbers, passport numbers, phone numbers, and tax information, which are precluded from disclosure.

II. JURISDICTION AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order naturalizing Defendant as a citizen of the United States and to cancel his certificate of naturalization No. [redacted].

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

3. Venue is proper in this district pursuant to 8 U.S.C. § 1451(a) under 28 U.S.C. § 1391, as Defendant's last known address is in Valley Stream, New York, within the jurisdiction and venue of this Court.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant, under the name Varis Jan Safi and using alien number [redacted] (the "Safi-418" identity), is a naturalized U.S. citizen purportedly born in Afghanistan.

6. Defendant, under the name Varis Jan Safi and using alien number [redacted] (the "Safi-694 identity"), is a citizen of Afghanistan with a final exclusion order from the United States.

7. Defendant, under the identity Tariq Mehmood, claimed to be a citizen of Pakistan and was denied admission into the United States.

8. Defendant, under all these three identities, is one and the same person.

IV. FACTUAL ALLEGATIONS

9. The affidavit of Tiffany Guerrero, a Special Agent with Immigration and Customs Enforcement ("ICE"), an agency within the United States Department of Homeland Security

("DHS"), showing good cause for this action, as required under 8 U.S.C. § 1451(a), is attached as Exhibit A.

10. On July 4, 1995, Defendant attempted to gain admission into the United States at John F. Kennedy International Airport with a forged Pakistani passport bearing the name Tariq Mehmood, with a date of birth in 1968 and a nonimmigrant B1/B2 Visa.

11. During secondary passport examination the forgery was discovered, and Defendant stated that he was an Afghan national named Varis Jan Safi with a date of birth in 1978.

12. Defendant admitted that he had been arrested in Afghanistan and that he had spent a year and a half in jail.

13. Defendant said that he purchased a passport in Pakistan bearing the name of Tariq Mehmood for about $1,000 and used that passport to enter the Russian Federation and later to attempt to gain admission into the United States.

14. On July 5, 1995, Defendant was placed in exclusion proceedings under the name Varis Jan Safi and assigned A-file number [redacted].

15. In his exclusion proceedings, Defendant applied for immigration benefits on October 5, 1995.

16. On November 6, 1995, an immigration judge denied Defendant's request for immigration benefits and ordered Defendant excluded from the United States.

17. A true and accurate copy of the exclusion order, except for redactions of personally identifying information, is attached as Exhibit L.

18. Defendant appealed the November 6, 1995 exclusion order to the Board of Immigrations Appeals ("BIA").

19. On August 28, 2001, the BIA remanded Defendant's petition for immigration benefits to the immigration judge.

20. A true and accurate copy of the BIA remand order, except for redactions of personally identifying information, is attached as Exhibit M.

21. On June 13, 2002, Defendant failed to appear for his immigration hearing and was ordered excluded in absentia.

22. While Defendant's appeal of his exclusion order was pending, and before the August 28, 2001 BIA remand of his immigration proceedings, he married a citizen of the United States on October 11, 1996, who filed an I-130 Petition for Alien Relative on Defendant's behalf.

23. On February 24, 1997, Defendant filed a Form I-485 application for admission as a permanent residence or adjust status.

24. A true and accurate copy of Defendant's Form I-485, except for redactions of personally identifying information, is attached as Exhibit D.

25. The INS assigned Defendant a new alien number, [redacted].

26. In his Form I-485, Defendant used the name Varis J. Safi and listed a date of birth in 1971.

27. In his Form I-485, Defendant failed to disclose that he had previously been assigned an alien number.

28. In his Form I-485, Defendant failed to disclose that he was already in exclusion proceedings.

29. In his Form I-485, Defendant stated that he had never been arrested or imprisoned in or outside the United States.

30. In his Form I-485, Defendant stated that he had never been deported from the U.S., removed from the U.S. at government expense, or excluded within the past year.

31. In his Form I-485, Defendant stated that he had never been in exclusion or deportation proceedings.

32. On October 21, 1997, an INS officer interviewed Defendant on his Form I-485.

33. At his interview on his Form I-485, Defendant affirmed the statements listed above in Paragraphs 25-31.

34. Based on Defendant's Form I-485 and on the answers he provided at his interview, the INS granted Defendant's Form I-485 on December 8, 1998.

35. Based on the INS approval of Defendant's Form I-485, Defendant was admitted and acquired permanent resident status, under the Safi-418 identity, on December 8, 1998.

36. On September 4, 2004, Defendant filed an N-400 application for naturalization under the Safi-418 identity.

37. A true and accurate copy of Defendant's N-400 application for naturalization, except for redactions of personally identifying information, is attached as Exhibit C.

38. On September 22, 2005, and November 30, 2005, Defendant appeared before a United States Citizenship and Immigration Services ("USCIS") Immigration Service Officer ("ISO") for interviews regarding his application for naturalization.

39. At the beginning of each naturalization interview, the ISO placed Defendant under oath.

40. During each naturalization interview, Defendant testified orally and under oath that he had never given false or misleading information to any U.S. government official while applying for an immigration benefit.

41. During each naturalization interview, Defendant testified orally and under oath that he had never given false or misleading information to any U.S. government official to gain entry or admission to the United States.

42. During each naturalization interview, Defendant testified orally and under oath that he had never used any other names.

43. During each naturalization interview, Defendant testified orally and under oath that he had never been ordered removed, excluded or deported from the United States.

44. During each naturalization interview, Defendant testified orally and under oath that he had never applied for any kind of relief from removal, exclusion or deportation.

45. During each naturalization interview, Defendant testified orally and under oath that he had never been arrested, cited, or detained by any law enforcement for any reason.

46. During each naturalization interview, Defendant testified orally and under oath that he had never been in jail or prison.

47. Based on the answers Defendant provided in his application for naturalization and on his oral and under oath responses at his naturalization interviews, USCIS approved his application for naturalization, under the Safi-418 identity, on August 18, 2008.

48. On August 29, 2008, Defendant took the Oath of allegiance in his naturalization ceremony, and became a U.S. citizen.

49. USCIS issued Naturalization Certificate number [redacted] to Defendant.

50. A true and accurate copy of Defendant's Naturalization Certificate, except for redactions of personally identifying information, is attached as Exhibit A.

V. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

51. No individual has a right to naturalization "unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). Indeed, the Supreme Court has underscored that "[t]here must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship." *Fedorenko v. United States*, 449 U.S. 490, 506 (1981); *see also id.* (an individual "'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).

52. 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).

53. The required statutory period for good moral character begins five years before the date the applicant files the application for naturalization, and it continues until the applicant takes the oath of allegiance and becomes a U.S. citizen. *Id.*; 8 C.F.R. § 316.10(a)(1).

54. Although Congress has not specifically defined what constitutes good moral character for naturalization purposes, the Immigration and Nationality Act describes certain classes of applicants who cannot be found to have the requisite good moral character. 8 U.S.C. § 1101(f).

55. Congress has also expressly precluded individuals who give false testimony for the purpose of obtaining immigration benefits from being able to establish the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

B. The Denaturalization Statute

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

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

i. illegally procured; or

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

58. 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.

59. Naturalization was procured by concealment of a material fact or 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).

60. Where the government establishes that citizenship was procured illegally or by willful misrepresentation or concealment of material facts, "district courts lack equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko*, 449 U.S. at 517. In such a circumstance, the district court must order "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 and certificate." 8 U.S.C. § 1451(a).

VI.CAUSES OF ACTION

COUNT ONE
ILLEGAL PROCUREMENT OF NATURALIZATION
ALIEN SUBJECT TO EXCLUSION ORDER OR IN EXCLUSION PROCEEDINGS

61. The United States realleges and incorporates by reference the allegations set forth in sections I thorough V of this complaint.

62. "No person shall be naturalized against whom there is outstanding a final finding of deportability pursuant to a warrant of arrest issued under the provision of this chapter or any other act (...) and no application for naturalization shall be considered . . . if there is pending against the applicant a removal proceeding pursuant to a warrant of arrest issued under the provisions of this chapter or any other Act" 8 U.S.C. § 1429.

63. On July 5, 1995, Defendant, under the Safi-694 identity, was placed in exclusion proceedings.

64. In his exclusion proceedings, Defendant applied for certain immigration benefits on October 5, 1995.

65. On November 6, 1995, an immigration judge denied Defendant's application for immigration benefits and ordered him excluded from the United States.

66. Defendant appealed the November 6, 1995 exclusion order to the BIA.

67. On August 28, 2001, the BIA remanded Defendant's application for immigration benefits to the immigration judge.

68. On June 13, 2002, Defendant failed to appear at his immigration hearing.

69. On June 13, 2002, the immigration judge ordered Defendant, under the Safi-694 identity, excluded in absentia.

70. After the statutory period to file an appeal elapsed on June 13, 2002, the exclusion order against Defendant, under the Safi-694 identity, became final.

71. Defendant was not physically removed from the United States.

72. Defendant did not self-deport or otherwise leave the United States pursuant to his exclusion order.

73. Defendant was in exclusion proceedings under the Safi-694 identity when he applied for naturalization on September 4, 2004, under the Safi-418 identity.

74. Because there is a final exclusion order against Defendant, he was and remains ineligible to naturalize. 8 U.S.C. § 1429.

75. Because Defendant was ineligible to naturalize, he illegally procured his U.S. citizenship.

76. Because Defendant illegally procured his U.S. citizenship, this Court must revoke such illegally obtained citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT TWO
ILLEGAL PROCURMENT OF NATURALIZATION
NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE
(Illegal Entrants and Immigration Violators
Misrepresentation - 8 U.S.C. § 1182(a)(6)(C)(i))

77. The United States realleges and incorporates by reference the allegations set forth in sections I thorough V of this complaint.

78. To qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence. 8 U.S.C. §§ 1427(a)(1), 1429.

79. The term "lawfully admitted for permanent residence" means the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws. 8 U.S.C. § 1101(a)(20)

80. To be "lawfully admitted for permanent residence" an alien must have complied with the substantive legal requirements in place at the time the alien was admitted for permanent residence. *De La Rosa v. United States Dep't of Homeland Sec.*, 489 F.3d 551, 555 (2d Cir. 2007).

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

82. Admission that does not comply with the substantive legal requirements is not a lawful admission for permanent residence. *See De La Rosa*, 489 F.3d at 554-55 (2d Cir. 2007); 8 U.S.C. § 1159(b)(5).

83. Defendant sought to procure admission into the United States and other benefits provided for in the INA by fraud or willfully misrepresenting a material fact.

84. At the time Defendant applied for admission as a permanent resident, he had already been assigned Alien Number [redacted].

85. At the time Defendant applied for admission as a permanent resident, Defendant had already been denied an immigration benefit under such.

86. Defendant willfully misrepresented in his application for admission as a permanent resident that he did not have a prior Alien Number.

87. In his application for admission as a permanent resident, Defendant provided a different date of birth than he provided in his prior application for immigration benefits.

88. In his application for admission as a permanent resident, Defendant provided a different date name of one of his parents than he provided in his prior application for immigration benefits.

89. In his application for admission as a permanent resident, Defendant willfully misrepresented that he had never been arrested or imprisoned in or outside the United States.

90. In his application for admission as a permanent resident, Defendant willfully misrepresented that he had never been deported from the U.S., or removed from the U.S. at government expense, or excluded within the past year.

91. In his application for admission as a permanent resident, Defendant willfully misrepresented that he had never been in exclusion or deportation proceedings.

92. Defendant's false statements regarding his identity and his immigration history were material to determining his eligibility for the immigration benefits for which he applied.

93. Defendant's false statements had the natural tendency to influence a decision by the immigration officer(s) to approve his application(s).

94. Therefore, Defendant sought to procure an immigration benefit by fraud or willfully misrepresenting a material fact. 8 U.S.C. § 1182(a)(6)(C)(i).

95. 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.

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

97. 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.

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

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

COUNT THREE
ILLEGAL PROCUREMENT OF NATURALIZATION/NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE
(INS Lacked Statutory Authority to Adjust Status - 8 U.S.C. § 1255(a))

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

101. To qualify for naturalization, an applicant must have been "lawfully admitted" to the United States for permanent residence. *See* 8 U.S.C. §§ 1427(a)(1), 1429

102. As noted above, the term "lawfully" denotes compliance with substantive legal requirements, not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *De La Rosa*, at 555; *In re Koloamatangi,* at 550.

103. USCIS may adjust the status of an alien who was inspected and admitted or paroled into the United States in its discretion if i) the alien makes an application for such adjustment; ii) the alien is eligible to receive an immigrant visa and is admissible to the United States; and iii) an immigrant visa is immediately available for the alien. 8 U.S.C. § 1255(a).

104. Even though adjustment is discretionary and was vested in the INS at the time Defendant submitted his application to adjust status, the applicant must first have satisfied the statutory criteria to be eligible to naturalize. See *Elkins v. Moreno*, 435 U.S. 647, 664-65 (1978).

105. In his application for admission, Defendant provided false statements regarding his identity and immigration history.

106. Because Defendant provided false statements regarding his identity and immigration history in his application for admission, he was not lawfully admitted to the U.S.

107. Because Defendant was not lawfully admitted to the U.S., he failed to meet the statutory eligibility requirements to adjust his status to that of permanent resident. 8 U.S.C. § 1255(a).

108. Because Defendant failed to meet the statutory eligibility requirements to adjust his status to that of permanent resident, INS lacked the authority to grant his application to adjust status.

109. Because Defendant did not lawfully adjust his status to that of permanent resident, he was and is ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

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

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

COUNT FOUR
ILLEGAL PROCUREMENT OF NATURALIZATION/NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE
(INS Lacked Jurisdiction to Adjust Status - 8 U.S.C. § 1229a(a)(1))

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

113. Congress has afforded authority to IJs to conduct removal proceedings under 8 U.S.C. § 1229a(a)(1). *United States v. Suquilanda*, 116 F.4th 129, 137 (2d Cir. 2024).

114. Importantly, the power conferred upon an IJ is statutory, not delegated. *Id.*

115. Defendant was still in exclusion proceedings under the Safi-694 identity when Defendant submitted his application to adjust status under the Safi-418 identity.

116. Moreover, the IJ ordered Defendant excluded under the Safi-694 identity prior to when Defendant submitted his application to adjust status under the Safi-418 identity.

117. Because Defendant was in exclusion proceedings when he applied to adjust status to that of permanent resident, INS lacked jurisdiction to adjust his status. 8 U.S.C. § 1229a(a)(1)-(3).

118. Because Defendant did not lawfully adjust his status to that of permanent resident, he was and is ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

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

120. Because Defendant illegally procured his citizenship, this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

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

121. The United States realleges and incorporates by reference the allegations set forth in sections I thorough V of this complaint.

122. As discussed above, to be eligible for naturalization, an applicant must show that he has been a person of good moral character for the statutory period beginning five years before he files his N-400 and continuing until the time he becomes a naturalized United States citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(1).

123. Congress has expressly precluded individuals who, during the statutory period described above, give false testimony for the purpose of obtaining immigration benefits from being able to establish the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

124. Defendant filed his N-400 on September 4, 2004.

125. Thus, Defendant was required to establish good moral character from September 4, 1999, five years prior to the date on which he filed his N-400, until he took the Oath of Allegiance on August 29, 2008 (his "Statutory Period").

126. Defendant was statutorily precluded from establishing the good moral character necessary to naturalize because, during his Statutory Period, he gave false testimony for the purpose of obtaining an immigration benefit as prescribed in 8 U.S.C. § 1101(f)(6).

127. On September 22, 2005, and again on November 30, 2005, Defendant appeared for interviews on his naturalization application.

128. At the interviews on his naturalization application, a USCIS ISO placed Defendant under oath.

129. At the interviews on his naturalization application, a USCIS ISO asked Defendant many of the same questions that he answered on his naturalization application.

130. At the interviews on his naturalization application, Defendant testified orally and under oath that:

a. He had never given false or misleading information to an U.S. government official to gain entry or admission into the United States;

b. He had never used any names other than the one he listed on his naturalization application;

c. He had never applied for any kind of relief from removal, exclusion, or

deportation;

d. He had never been arrested, cited or detained by law enforcement;

e. He had never been in jail or prison;

f. He had never lied to any U.S. official to gain entry or admission into the United States;

g. There were no pending removal, deportation, or exclusion proceedings against him; and

h. He had never been ordered removed, excluded, or deported.

131. Defendant's testimony described in Paragraph 130 above was false, because, as described above, he had given false or misleading information to an U.S. government official to gain entry or admission into the United States; he had used names other than the one he listed on his naturalization application; he had previously applied for any kind of relief from removal, exclusion, or deportation; he had been arrested, cited or detained by law enforcement; he had been in jail or prison; he had lied to a U.S. official to gain entry or admission into the United States; there were pending removal, deportation, or exclusion proceedings against him; and he had previously been ordered removed, excluded, or deported.

132. Defendant's interviews on his naturalization application were within his Statutory Period.

133. Defendant provided his testimony at his interviews for the purpose of obtaining an immigration benefit, namely naturalization.

134. Defendant provided false testimony during his Statutory Period for the purpose of obtaining an immigration benefit.

135. Accordingly, Defendant was ineligible to naturalize.

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

137. Because Defendant illegally procured his citizenship, this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT SIX
ILLEGAL PROCUREMENT OF NATURALIZATION
LACK OF GOOD MORAL CHARACTER
(Unlawful Acts Adversely Reflecting Moral Character with No Extenuating Circumstances)

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

139. As outlined above, to be eligible for naturalization, Congress has mandated that an applicant must show that he or she has been a person of good moral character for the statutory period beginning five years before he files his N-400 and continuing until the time the applicant becomes a naturalized U.S. citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i).

140. Thus, Defendant's Statutory Period ran from September 4, 1999, the date five years prior to the date on which he filed his N-400, September 4, 2004, until he took the Oath of Allegiance on August 29, 2008.

141. During his Statutory Period, Defendant violated 18 U.S.C. § 1001(a)(1)-(3), reflecting adversely on his moral character, by knowingly and willfully concealing in his naturalization application—a matter within the jurisdiction of the executive branch of the Government of the United States—that he had previously used a different identity to apply for admission to the United States under the Safi-694 identity.

142. During the statutory period, Defendant also concealed the following in violation of 18 U.S.C. § 1001(a)(1)-(3):

a. He had given false or misleading information to an U.S. government official to

gain entry or admission into the United States;

b. He had used names other than the one he listed on his naturalization application;

c. He had applied for relief from removal, exclusion, or deportation;

d. He had been arrested, cited or detained by law enforcement;

e. He had been in jail or prison;

f. He had lied to any U.S. official to gain entry or admission into the United States;

g. There were pending removal, deportation, or exclusion proceedings against him; and

h. He had been ordered removed, excluded, or deported.

143. Defendant also violated 18 U.S.C. § 1546(a) and (b)(3), reflecting adversely on his moral character, during his Statutory Period, when he completed and filed his naturalization application by stating that he had never used any other names to be admitted to the United States and that he had never been involved in exclusion or removal proceedings, and when he hide any other disqualifying factors.

144. No extenuating circumstances exist that would palliate Defendant's guilt for violating 18 U.S.C. § 1001(a)(1)-(3) or § 1546(a) and (b)(3).

145. An applicant is precluded from establishing the good moral character necessary to naturalize if he committed unlawful acts during the statutory period that adversely reflect on his moral character, unless he proves extenuating circumstances exist. *See* 8 C.F.R. § 316.10(b)(3)(iii); 8 U.S.C. § 1101(f)(6).

146. Because Defendant violated 18 U.S.C. § 1001(a)(1)-(3) or § 1546(a) and (b)(3), adversely reflecting on his moral character, during his Statutory Period, and because no

extenuating circumstances exist, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

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

148. Because Defendant illegally procured his citizenship, this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

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

149. The United States realleges and incorporates by reference the allegations set forth in sections I thorough V of this complaint.

150. During the naturalization process, Defendant willfully misrepresented and concealed his immigration history under the Safi-694 identity.

151. On his naturalization application and during the naturalization interviews, Defendant willfully misrepresented that he had never used any other names.

152. On his naturalization application and during the naturalization interviews, Defendant willfully misrepresented that he had never been ordered removed, excluded or deported from the United States.

153. On his naturalization application and during the naturalization interviews, Defendant willfully misrepresented that he had never applied for any kind of relief from removal, exclusion or deportation.

154. On his naturalization application and during the naturalization interviews, Defendant willfully misrepresented that he had never been arrested, cited or detained by any law enforcement officer for any reason.

155. On his naturalization application and during the naturalization interviews, Defendant willfully misrepresented that he had never been incarcerated or imprisoned.

156. Defendant knew each of the statements, misrepresentations, and concealments described in Paragraphs 151-156 to be false.

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

158. Defendant's misrepresentations were material to his naturalization because the disclosure of his immigration history would have had a natural tendency to influence the government's decision whether to approve his form N-400; indeed, they related to statutory eligibility criteria for such benefit.

159. Had Defendant disclosed the truth about his immigration history under his multiple identities, the government would have discovered his statutory ineligibility for naturalization and would not have approved his application or administered the oath of allegiance.

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States, respectfully requests:

(1) A declaration that Defendant illegally procured his United States citizenship;

(2) A declaration that Defendant procured his United States citizenship by concealment of material facts and by willful misrepresentation;

(3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. [redacted], effective as of the original date of the order and certificate, August 29, 2008;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to United States citizenship that he obtained because of his naturalization on August 29, 2008;

(5) Judgment requiring Defendant, within ten (10) days of the entry of judgment, to surrender and deliver his Certificate of Naturalization No. [redacted] and any copies thereof in his possession (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession of others), to the Acting Attorney General, or his designated representative, including the undersigned counsel;

(6) Judgment requiring Defendant, within ten (10) days of the entry of judgment, to surrender and deliver any other indicia of U.S. citizenship, including, but not limited to, United States passports, passport cards, Enhanced Driver's License, and other relevant documents, (whether current or expired), and any copies thereof in his possession—and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others—to the Acting Attorney General, or his designated representative, including the undersigned counsel; and

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

Dated: September 24, 2026

Respectfully submitted,

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United States Attorney

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