IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. SEMIU OLAIYE IJELU, a/k/a SEMIU IJELU, a/k/a SAMIU O. IJELU a/k/a OLAIYA S. IJELY, Defendant.	)	Case No.

COMPLAINT

PRELIMINARY STATEMENT

The United States of America brings this civil action against Defendant Semiu Olaiye Ijelu, a/k/a Semiu Ijelu, a/k/a Samiu O. Ijelu, a/k/a Olaiya S. Ijely, to revoke his naturalized U.S. citizenship under 8 U.S.C. § 1451(a).

Before Defendant naturalized as a U.S. citizen, he entered the United States without inspection and used multiple identities to apply for immigration benefits. He was placed in deportation proceedings and ordered deported to Nigeria under the name Oliaye S. Ijely. Instead of departing the United States, he married a U.S. citizen, applied for adjustment of status based on the marriage, and naturalized under the name Semiu Olaiye Ijelu. At no time during naturalization proceedings

did Defendant reveal that he had used multiple identities in attempting to procure immigration benefits or that he was subject to a final deportation order, both of which made him ineligible for naturalization.

With the attached affidavit showing good cause, the government seeks an order revoking Defendant's naturalization on the grounds that he illegally procured his naturalization and that he willfully misrepresented and concealed material facts during the naturalization process, each of which require the revocation of his U.S. citizenship. The Court should revoke and set aside the order admitting Defendant to U.S. citizenship and cancel his certificate of naturalization under 8 U.S.C. § 1451(a).

I. PARTIES, JURISDICTION, AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel Certificate of Naturalization No. [redacted] issued on April 20, 2009.

2. Plaintiff is the United States of America.

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

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

5. Venue is proper in the Northern District of Georgia under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Defendant resides in Douglasville, Georgia, within the jurisdiction and venue of this Court.

II. FACTUAL ALLEGATIONS

6. The affidavit of David M Begey, an Immigration Services Officer with the U.S. 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. Defendant's First Application for Immigration Benefits

7. Defendant entered the United States without inspection.

8. On or about November 27, 1991, Defendant applied for immigration benefits under the name Samiu O. Ijelu with the former Immigration and Naturalization Service ("INS").[1]

9. The application for immigration benefits described in Paragraph 8 sought relief from exclusion, removal, or deportation.

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[1] On March 1, 2003, the INS ceased to exist as an independent agency within the Department of Justice, and most of its functions were transferred to the newly formed Department of Homeland Security. *See* Homeland Security Act of 2002, Pub. L. No. 107-296, §§ 441, 451, 471, 116 Stat. 2135 (Nov. 25, 2002). The INS was divided into three separate agencies, USCIS, Customs and Border Protection, and Immigration and Customs Enforcement. USCIS assumed naturalization authority from the INS. *Id.* § 1451. This Complaint will refer to INS where appropriate.

10. Defendant submitted a Form G-325A, Biographic Information, with his application for immigration benefits.

11. A true and complete copy of the Form G-325A described in Paragraph 10, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit B.

12. On the Form G-325A, Defendant was asked his name, city and country of birth, and date of birth.

13. He answered that his name was "Samiu O. Ijelu" and that he was born in Monrovia, Liberia, in [redacted].

14. On the Form G-325A, Defendant was asked his father's name and city and country of birth.

15. Defendant answered that his father's name was "Okesanaya Ijelu" and that his father was born in Ganta, Nimba County.

16. Ganta, Nimba County, is in Liberia.

17. On the Form G-325A, Defendant was asked his mother's name and city and country of birth.

18. Defendant answered that his mother's name was "Awawu Enifeni" and that she was born in Monrovia, Liberia.

19. On the Form G-325A, Defendant was asked to list his residences for the last five years.

20. Defendant answered that he lived at [redacted], from February 1968 through November 1990 and that he lived at [redacted], from December 1990 to the present time.

21. On the Form G-325A, Defendant was asked his last address outside of the United States of more than one year.

22. Defendant answered that he lived at [redacted], from February 1968 through November 1990.

23. On or about December 18, 1997, through his attorney, Defendant submitted a request to the INS to withdraw the application for immigration benefits.

B. Defendant's Second Application for Immigration Benefits and His Deportation Order

24. In 1995, Defendant submitted a second application for immigration benefits to the INS under the name Olaiya S. Ijely.

25. The application for immigration benefits described in Paragraph 24 sought relief from exclusion, removal, or deportation.

26. Defendant submitted a Form G-325A, Biographic Information, with the second application for immigration benefits.

27. A true and complete copy of the Form G-325A described in Paragraph 26, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit C.

28. On the Form G-325A, Defendant was asked his name, city and country of birth, and date of birth.

29. Defendant answered that his name was "Olaiya S. Ijely" and that he was born in Ikorodu, Lagos, Nigeria, in February 1969.

30. On the Form G-325A, Defendant was asked his father's name and city and country of birth.

31. Defendant answered that his father's name was "Bashu Ijely" and that his father was born in Lagos, Nigeria.

32. On the Form G-325A, Defendant was asked his mother's name and city and country of birth.

33. Defendant answered that his mother's' name was "Yetunde Tunde" and that she was born in Lagos, Nigeria.

34. On the Form G-325A, Defendant was asked to list his residences for the last five years.

35. Defendant answered that he lived at [redacted], from February 1969 and that he lived at [redacted], from October 1993 to the present time.

36. On the Form G-325A, Defendant was asked his last address outside of the United States of more than one year.

37. Defendant answered that he lived at [redacted], from February 1969.

38. Defendant submitted a Nigerian certificate of birth indicating that he was born in Ikorodu, Lagos, Nigeria, in May 1992 to his father Bashu Ijely and mother Yetunde Tunde.

39. A true and complete copy of the Nigerian birth certificate described in Paragraph 38, except for redactions of personally identifying information immaterial to this action, is attached as [redacted].

40. On or about May 1, 1995, the INS served a Form I-221, Order to Show Cause and Notice of Hearing, on Defendant via personal service.

41. A true and complete copy of the order to show cause, except for redactions of personally identifying and confidential information immaterial to this action, is attached as [redacted].

42. In the order to show cause, the INS charged Defendant as deportable under 8 U.S.C. § 1251(a)(1)(B) because he entered the United States on or about October 10, 1993, without inspection.

43. The order to show cause ordered Defendant to appear for a hearing on May 30, 1995, before an Immigration Judge in the Newark Immigration Court.

44. On or about July 13, 1995, an Immigration Judge found Defendant deportable as charged and ordered him deported to Nigeria.

45. A true and complete copy of the Immigration Judge's decision, except for redactions of personally identifying and confidential information immaterial to this action, is attached as Exhibit F.

46. Defendant was personally served with the Immigration Judge's decision that ordered him deported to Nigeria.

47. Defendant did not appeal the decision that ordered him deported to Nigeria.

48. An INS District Director issued a Form I-205, Warrant of Deportation, commanding Defendant's custody for deportation.

49. A true and complete copy of the Warrant of Deportation, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit G.

50. On or about August 28, 1995, the INS sent a Form I-166, Notice to Deportable Alien to Surrender, to Defendant via certified mail.

51. A true and complete copy of the notice described in Paragraph 44, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit H.

52. The notice stated that Defendant had been found deportable and that the hearing officer ordered his deportation.

53. The notice stated that arrangements had been made for Defendant's departure to Nigeria and that he should report to Room 308 at 970 Broad Street, Newark, New Jersey, at 8:00 a.m. on October 11, 1994, "completely ready for deportation."

54. The notice was addressed to [redacted].

55. On or about September 25, 1995, the INS received a PS Form 3811, acknowledging delivery of the notice.

56. A true and complete copy of the PS Form 3811 is attached as Exhibit I.

57. Defendant did not appear for deportation as directed in the Notice.

C. Defendant's Adjustment Application

58. On or about March 20, 1997, Defendant, under the name Semiu Ijelu, submitted a Form I-485, Application to Register Permanent Residence or Adjust Status, to the INS.

59. A true and complete copy of the adjustment application, except for redactions of personally identifying immaterial to this action, is attached as Exhibit J.

60. In Part 1 of the adjustment application asked Defendant his name, address, and the date and place of his birth.

61. Defendant answered Part 1 of the adjustment application by stating that his name was "Semiu Ijelu;" he resided at [redacted]; and he was born in Nigeria in February 1968.

62. Question 10, Part 3 of the adjustment application asked Defendant if he was "under a final order of civil penalty for violating section 274C of the Immigration Act for use of fraudulent documents, or [if he had], by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the U.S., or any other immigration benefit."

63. Defendant answered Question 10, Part 3 of his adjustment application by checking the box "No."

64. On or about March 20, 1997, Defendant signed the adjustment application certifying under penalty of perjury that its contents were true and correct.

65. On or about March 20, 1997, in support of his adjustment application, Defendant submitted a Form G-325A, Biographic Information, to the INS.

66. A true and complete copy of the Form G-325A described in Paragraph 63, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit K.

67. On the Form G-325A, Defendant was asked his name, city and country of birth, and date of birth.

68. Defendant answered that his name was "Semiu Ijelu" and that he was born in "Logos, Nigeria" in [redacted].

69. The Form G-325A asked Defendant to provide "ALL OTHER NAMES (including names by previous marriages)."

70. Defendant answered "NONE."

71. On the Form G-325A, Defendant was asked his father's name and country of birth.

72. Defendant answered that his father's name was "Saka Ijelu" and that his father was born in Nigeria.

73. On the Form G-325A, Defendant was asked his mother's name and country of birth.

74. Defendant answered that his mother's name was "Enifeni Hwawu" and that she was born in Nigeria.

75. On the Form G-325A, Defendant was asked to list his residences for the last five years.

76. Defendant answered that he lived at [redacted], from November 1991 to the present time.

77. On September 11, 1998, the INS approved Defendant's adjustment application, and he became a conditional permanent resident of the United States.

78. On August 12, 2002, the INS approved Defendant's Form I-751, Petition to Remove the Conditions on Residence, and he became a permanent resident without conditions effective September 11, 1998.

D. Defendant's Naturalization Application

79. On or about July 28, 2007, Defendant submitted a Form N-400, Application for Naturalization, to USCIS.

80. A true and complete copy of the naturalization application, except for redactions of personally identifying information immaterial to this action, is attached as Exhibit L.

81. Question A, Part 1 of the naturalization application ask the applicant to provide his "current legal name," and Defendant answered "Semiu Olaiye Ijelu."

82. Question C, Part 1 of the naturalization application directed the applicant, "If you have ever used other names, provide them below."

83. In response to Question C, Part 1 of the naturalization application, Defendant answered "Elias Ijelu" and "Niyi Jelu."

84. Question B, Part 3 of the naturalization application asked the applicant to provide his date of birth, and Defendant answered that he was born in [redacted].

85. Question D, Part 3 of the naturalization application asked the applicant to provide his country of birth, and Defendant answered that he was born in Nigeria.

86. Question 23, Section D, Part 10 of the naturalization application asked the applicant if he had "**ever** given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion or removal" (emphasis in original).

87. In response to Question 23, Section D, Part 10 of the naturalization application, Defendant answered by checking the box "No."

88. Question 27, Section E, Part 10 of the naturalization application asked the applicant if he had **"ever** been ordered to be removed, excluded, or deported from the United States" (emphasis in original).

89. In response to Question 27, Section E, Part 10 of the naturalization application, Defendant answered by checking the box "No."

90. Question 28, Section E, Part 10 of the naturalization application asked the applicant if he had "**ever** applied for any kind of relief from removal, exclusion or deportation" (emphasis in original).

91. In response to Question 28, Section E, Part 10 of the naturalization application, Defendant answered by checking the box "No."

92. On or about July 28, 2007, Defendant signed the naturalization application, thereby certifying under penalty of perjury that its contents are true and correct.

93. On October 30, 2008, a USCIS Immigration Services Officer ("ISO") interviewed Defendant about his naturalization application and eligibility for naturalization.

94. Before beginning the interview, the ISO placed Defendant under oath.

95. The ISO asked Defendant his current legal name, and Defendant orally and under oath confirmed that his name was Semiu Olaiye Ijelu, as written in response to Question A, Part 1 on his naturalization application.

96. The ISO asked Defendant whether he had ever used any other names, and Defendant orally and under oath confirmed that he had only used the other names Elias Ijelu and Niyi Jelu, as written in response to Question C, Part 1 on his naturalization application.

97. The ISO asked Defendant whether he had ever given false or misleading information to any U.S. government official while applying for any immigration benefit, or to prevent deportation, exclusion, or removal, and Defendant orally and under oath answered "no" to confirm his answer written in response to Question 23, Section D, Part 10 on his naturalization application.

98. The ISO asked Defendant whether he had ever been ordered to be removed, excluded, or deported from the United States, and Defendant orally and under oath answered "no" to confirm his answer written in response to Question 27, Section D, Part 10 on his naturalization application.

99. The ISO asked Defendant whether he had ever applied for any kind of relief from removal, exclusion, or deportation, and Defendant orally and under oath answered "no" to confirm his answer written in response to Question 27, Section E, Part 10 of his naturalization application.

100. The ISO documented Defendant's oral answers described in Paragraphs 93 to 97 by placing a check mark in red ink next to the written answers on the naturalization application when Defendant confirmed his written answers.

101. The Officer documented any answers that Defendant provided at the naturalization interview that differed from Defendant's written answers on his naturalization application by writing the changes in red ink and numbering the changes from one through four.

102. At the conclusion of the interview, Defendant signed the naturalization application attesting under penalty of perjury that the contents of the application and his four corrections are true and correct to the best of his knowledge and belief.

103. At no point during the naturalization process did Defendant disclose that he had used the name Olaiya S. Ijely as described in Paragraph 24.

104. At no point during the naturalization process did Defendant disclose that an Immigration Judge ordered him deported to Nigeria as described in Paragraph 42.

105. At no point during the naturalization process did Defendant disclose that he had submitted two applications for relief from removal, exclusion, or deportation as described in Paragraphs 8 and 9 and Paragraphs 24 and 25.

106. On or about March 30, 2009, based on his written application and on the sworn oral testimony that he provided at the naturalization interview, USCIS approved Defendant's naturalization application.

107. On April 20, 2009, Defendant took the Oath of Allegiance to the United States and was admitted as a citizen of the United States using the name Semiu Olaiye Ijelu.

108. On April 20, 2009, USCIS issued Certificate of Naturalization No. [redacted] to Defendant in the name of "Semiu Olaiye Ijelu."

109. A true and complete copy of the Certificate of Naturalization, except for redactions of personally identifying information immaterial to this action, is attached to this Complaint as Exhibit M.

E. Defendant's Fingerprints

110. On or about November 21, 1991, Defendant had his fingerprints taken at an INS office in Newark, New Jersey, for the application for immigration benefits described in Paragraph 8.

111. Defendant indicated on the fingerprint card used for the November 21, 1991 fingerprints that his name was "Samiu O. Ijelu" and that he was born in Liberia in February 1968.

112. On or about November 21, 1994, Defendant had his fingerprints taken at an INS office in Newark, New Jersey, for the application for immigration benefits described in Paragraph 24.

113. Defendant indicated on the November 21, 1994 fingerprint card that his name was "Olaiya S. Ijely" and that he was born in Lagos, Nigeria, in February 1969.

114. On or about May 1, 1995, Defendant had his fingerprints taken at an INS office under the name Olaiya S. Ijely with a date of birth in February 1969.

115. On or about March 18, 1997, Defendant had his fingerprints taken at an INS office in Newark, New Jersey, for his adjustment application.

116. Defendant indicated on the fingerprint card used for the March 18, 1997 fingerprints that his name was "Semiu Olaiye Ijelu;" that he was born in

Lagos in February 1968; that his father's name was "Saka;" and that his mother's name was "Hwawu."

117. On or about December 26, 2007, Defendant had his fingerprints taken at a USCIS Application Support Center in support of his naturalization application under the name Semiu Ijelu with a date of birth in February 1968.

118. On or about January 7, 2019, Fingerprint Specialist Angela Pratt of the Homeland Security Investigation's Forensic Laboratory analyzed the fingerprint impressions described in Paragraphs 108, 110, 112, 113, and 115 and concluded that they were made by the same individual.

119. A true and complete copy of Fingerprint Specialist Pratt's Laboratory Report [redacted], except for redactions of personally identifying and other confidential information immaterial to this action, is attached as Exhibit N.

120. Samiu O. Ijelu, Semiu Olaiya Ijelu, Olaiya S. Ijely, and Semiu Ijelu are one and the same person.

III. GOVERNING LAW

A. Statutory Prerequisites to the Acquisition of Citizenship through Naturalization

121. 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).

122. 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) ("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).

123. Among other eligibility requirements, Congress has mandated that an alien may not be naturalized if that person is subject to a final deportation order pursuant to a warrant of arrest. 8 U.S.C. § 1429 (2006).

124. Congress also mandated that an applicant for naturalization must demonstrate that he has been *lawfully* admitted to the United States for permanent residence. 8 U.S.C. §§ 1427(a), 1429 (2006).

125. Congress defined the term "lawfully admitted for permanent residence" to mean "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) (1984).

126. Thus, for an alien to be "lawfully admitted," his adjustment of status must be "in compliance with substantive legal requirements of the law," and not merely "admitted in a procedurally regular fashion." *Savoury v. U.S. Att'y Gen.*, 449 F.3d 1307, 1317 (11th Cir. 2006).

127. An alien may adjust to permanent resident if the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent

residence, and if an immigrant visa is immediately available to the alien when he files a petition seeking permanent resident status. 8 U.S.C. § 1255(a) (1984).

128. An alien is inadmissible, and thus not qualified for adjustment to permanent resident status, if he sought to procure or procured admission into the United States or other immigration benefits by fraud or willfully misrepresenting material facts. 8 U.S.C. § 1182(a)(6)(C)(i) (1984).

129. Congress also mandated that an individual may not naturalize unless he or she, "during all periods referred to in [8 U.S.C. § 1427(a)]," has been and still is a person of good moral character. 8 U.S.C. § 1427(a) (2006).

130. This statutory period for the requisite good moral character for a naturalization applicant begins five years before the date the applicant files the application for naturalization and continues until the applicant takes the Oath of Allegiance and becomes a U.S. citizen. 8 U.S.C. §§ 1427(a) (2006); 8 C.F.R. § 316.10(a)(1) (2007).

131. Congress explicitly precluded individuals who give false testimony during the statutory period 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) (2006).

132. An applicant for naturalization is precluded from establishing good moral character if the applicant committed unlawful acts during the statutory

period that adversely reflected on the applicant's moral character, unless the applicant proves that extenuating circumstances exist. 8 U.S.C. § 1101(f) (flush language) (2006); 8 C.F.R. § 316.10(b)(3)(iii) (2007).

B. The Denaturalization Statute

133. 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 on whether to grant his or her naturalization application, Congress enacted 8 U.S.C. § 1451.

134. 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*:

a. illegally procured, *or*

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

135. 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 (quoting 8 U.S.C. § 1451(a)).

136. 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).

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

CAUSES OF ACTION

COUNT I

ILLEGAL PROCUREMENT OF NATURALIZATION
Final Deportation Order Outstanding at Time of Naturalization

138. An individual is ineligible for naturalization if he or she is subject to a final finding of deportability pursuant to a warrant of arrest. 8 U.S.C. § 1429 (2006).

139. As described in Paragraph 42, an immigration judge found Defendant deportable and ordered him deported to Nigeria.

140. As described in Paragraph 46, a warrant was issued for Defendant's arrest and deportation.

141. Defendant's deportation order became final when he failed to appeal after being served with the decision. 8 C.F.R. §§ 3.38, 3.39 (1995).

142. Because Defendant did not depart the United States, his deportation order remained in effect when he applied for naturalization and until he became a United States citizen.

143. Defendant, therefore, was subject to a final deportation order and was ineligible to naturalize when he took the oath of allegiance.

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

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

COUNT II

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (Lack of Jurisdiction to Adjust Status of Alien in Deportation Proceedings)

146. Defendant did not lawfully adjust status because the INS did not have jurisdiction to adjudicate his application for permanent resident status.

147. The term "lawfully" requires compliance with the substantive legal requirements for admission, and not mere procedural regularity. *Savoury*, 449 F.3d at 1317.

148. In 1998, when the INS approved Defendant's adjustment application, immigration courts had exclusive jurisdiction (with exceptions for certain arriving aliens not relevant here) to grant adjustment of status to aliens in deportation or

removal proceedings, including applicants with a final order of deportation or removal, when an administrative reopening has been granted. 8 C.F.R. § 245.2(a)(1) (1998).

149. As described in Paragraphs 38 and 42, the INS placed Defendant, under the identity of Olaiya S. Ijely, in deportation proceedings, and, on July 13, 1995, an immigration judge ordered him deported to Nigeria.

150. The immigration judge's order became final when Defendant failed to appeal the decision after being served with the decision. 8 C.F.R. §§ 3.38, 3.39 (1995).

151. On September 11, 1998, INS granted Defendant conditional permanent resident status. However, because INS adjusted Defendant's status when only an immigration judge was authorized to do so and only upon an administrative motion to reopen, that grant of permanent resident status was not in compliance with the governing regulations. 8 C.F.R. § 245.2(a)(1) (1998).

152. Because Defendant's permanent resident status was not granted in conformity with the governing regulations, he was never lawfully admitted in accordance with the substantive legal requirements to obtain that status.

153. Because Defendant was not lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a) and 1429.

154. Because Defendant was ineligible for naturalization, his naturalization was illegally procured.

155. Because Defendant's naturalization was illegally procured, this Court must revoke his naturalization pursuant to 8 U.S.C. § 1451(a).

COUNT III

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (Procured by Fraud or Willful Misrepresentation)

156. Defendant was not qualified for naturalization because he was not lawfully admitted to the United States for permanent residence "in compliance with the substantive requirements of the law." *Savoury*, 449 F.3d at 1317; 8 U.S.C. §§ 1427(a), 1429 (2006).

157. Defendant was not qualified for permanent resident status because he was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) when he adjusted status. 8 U.S.C. § 1255(a).

158. Defendant was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) because, as described in Paragraphs 60 and 61, he was asked whether he had ever, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the U.S., or any other immigration benefit, and he answered "no."

159. His answer was false fraudulent because, as described in Paragraphs 8 through 22 and in Paragraphs 24 through 37, he submitted two applications for immigration benefits using different identities. At least one of the identities that Defendant presented in the two applications for immigration benefits was fraudulent because he provided different biographic information, including different names, different dates of birth, different places of birth, different parents' names and their places of birth; different residences during overlapping time periods; and different last addresses living outside the United States.

160. Defendant was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) because, as described in Paragraphs 67 and 68, he was asked in adjustment proceedings to provide all other names used, and he answered "NONE."

161. His answer was false and fraudulent because, as described in Paragraphs 24, he had applied for immigration benefits under the name Olaiya O. Ijely.

162. Because Defendant was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i), he was not lawfully admitted for permanent residence. 8 U.S.C. § 1255(a).

163. Because Defendant was not lawfully admitted for permanent residence, he was ineligible for naturalization under 8 U.S.C. §§ 1429.

164. Because Defendant was ineligible for U.S. citizenship, he illegally procured his naturalization.

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

COUNT IV

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

166. Defendant was required to establish that he was a person of good moral character from July 28, 2002, five years before he filed his naturalization application, until the date he naturalized as a U.S. citizen on April 20, 2009 (the "statutory period"). 8 U.S.C. § 1427(a) (2006); 8 C.F.R. § 316.10(a)(1) (2007).

167. Defendant was statutorily barred from showing that he was a person of good moral character because he gave false testimony, orally and under oath, during his October 30, 2008 naturalization interview for the purpose of obtaining an immigration benefit, namely naturalization. 8 U.S.C. §§ 1101(f)(6), 1427(a).

168. Defendant testified falsely during the statutory period of his naturalization when, as described in Paragraph 94, he was asked if had used any other names, and he orally and under oath answered that he used "Elias Ijelu" and "Niyi Jelu" but no other names.

169. His testimony was false because, as described in Paragraph 24, he also used the name Olaiya S. Ijely when he applied for immigration benefits.

170. Defendant testified falsely, under oath, during the statutory period of his naturalization when, as described in Paragraph 95, he was asked if he had ever given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal, and he orally and under oath answered that he had not.

171. His testimony was false because, as described in Paragraphs 156 and 157, he presented different biographic information on two separate applications for immigration benefits, and both could not be true, and because, as described in Paragraph 158, he was asked in adjustment proceedings to provide all other names that he had used, and he answered "NONE," which was false.

172. Defendant testified falsely, under oath, during the statutory period of his naturalization when, as described in Paragraph 96, he was asked if he had ever been ordered to be removed, excluded, or deported from the United States, and he orally and under oath answered that he had not.

173. His testimony was false because, as described in Paragraph 42, he was ordered deported to Nigeria.

174. Because Defendant could not establish the requisite good moral character during the statutory period, he was ineligible for naturalization. 8 U.S.C. § 1427(a) (2006).

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

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

COUNT V

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

177. Under 8 U.S.C. § 1451(a), this Court must revoke Defendant's citizenship and cancel his Certificate of Naturalization because he procured his naturalization by concealment of material facts and by willful misrepresentations.

178. Defendant voluntarily and deliberately misrepresented on his naturalization application and in his naturalization interview that he only used the names Semiu Olaiye Ijelu, Elias Ijelu, and Niyi Jelu, which concealed the fact that he used the name Olaiye S. Ijely when he applied for immigration benefits and was subject to a final finding of deportability.

179. Defendant voluntarily and deliberately misrepresented on his naturalization application and in his naturalization interview that he gave false and

misleading information to USCIS when, as described in Paragraph 157, he applied for immigration benefits using two different identities, at least one of which must have been false.

180. Defendant voluntarily and deliberately misrepresented on his naturalization application that he had never been ordered to be removed, excluded, or deported from the United States when, as described in Paragraph 42, he was ordered deported to Nigeria.

181. Defendant made these representations willfully.

182. Defendant's misrepresentations were material to his naturalization because they would have had the natural tendency to influence USCIS's decision to approve his naturalization application. Indeed, if he had disclosed the truth about his use of two identities to apply for immigration benefits or the fact that he had been ordered deported, he would have disclosed his ineligibility for naturalization, and USCIS would not have approved his naturalization application or administered the oath of allegiance.

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

PRAYER FOR RELIEF

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

1. A declaration that Defendant illegally procured his citizenship;

2. A declaration that Defendant procured his citizenship by concealment of material facts and willful misrepresentations;

3. Judgment revoking and setting aside Defendant's naturalization and canceling Certificate of Naturalization No. [redacted], effective as of April 20, 2009, the original date of the order and certificate;

4. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages in connection with his April 20, 2009 naturalization;

5. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment, his Certificate of Naturalization, and any copies thereof in his possession—and to make good faith efforts to recover and surrender any copies thereof that he knows are in the possession of others—to the Attorney General, or his representative, including undersigned counsel;

6. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment, any other indicia of U.S. citizenship, whether valid or expired, (including, but not limited to, U.S. passports, passport cards, and

Enhanced Driver's Licenses), and any copies thereof in his possession—and to make good faith efforts to recover and surrender any copies thereof that he knows are in the possession of others—to the Attorney General, or his representative, including undersigned counsel; and

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

October 2, 2026

Respectfully submitted,

THEODORE S. HERTZBERG
United States Attorney
Northern District of Georgia

NEELI BEN-DAVID
Assistant United States Attorney
Northern District of Georgia

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

JENNIFER J. KEENEY
Associate Director
Office of Immigration Litigation

JOHN J. W. INKELES
Chief, Denaturalization Unit

J. MAX WEINTRAUB
Senior Litigation Counsel

/s/ Troy Liggett
TROY LIGGETT
Florida Bar No. 086788
Senior Trial Attorney
Denaturalization Unit
Office of Immigration Litigation
United States Department of Justice
P.O. Box 878, Ben Franklin Station
Washington, DC 20044
(202) 532-4765; troy.liggett@usdoj.gov

Attorneys for the United States of America

Exhibit A

Affidavit of Good Cause

UNITED STATES OF AMERICA	)	
	)	
In the Matter of the Revocation	)	**AFFIDAVIT OF GOOD CAUSE**
of the Naturalization of	)	
	)	
Semiu Olaiye Ijelu, [redacted] a.k.a	)	
Samiu O. Ijelu, [redacted] a.k.a	)	
Olaiya S. Ijely, [redacted]	)	

I, David M. Begey, declare under penalty of perjury as follows:

I am an Immigration Services Officer with U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).[1] In my capacity as an Immigration Services Officer, I have access to the official records of DHS, including the immigration files of Semiu Olaiye Ijelu, [redacted], a.k.a. Olaiya S. Ijely, [redacted], ("Ijelu").

I have examined records relating to Ijelu including his immigration files. Based upon my review of personal and immigration records relating to Ijelu, the information set forth in this Affidavit of Good Cause is true and correct.

Based on the facts and law, 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 Ijelu, and to cancel his Certificate of Naturalization.

The last known place of residence for Ijelu is [redacted].

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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.

BACKGROUND

DHS records, including fingerprint comparison, establish that the person who naturalized as Semiu Olaiye Ijelu was previously ordered deported in absentia on July 13, 1995, under the name Olaiya Semiu Ijely.

Immigration History as Samiu O. Ijelu D.O.B. [redacted];

1. On November 27, 1991, the individual in question, using the name Samiu O. Ijelu filed an application for an immigration benefit. Along with this application, he submitted an FD-258 fingerprint card bearing fingerprints taken for Samiu O. Ijelu on November 21, 1991 in Newark, New Jersey. He was assigned alien registration number [redacted]. In the application. signed under the penalty of perjury, Ijelu represented:
    - his name as Samiu O. Ijelu;
    - "none" for other names used;
    - his date of birth as [redacted];
    - he was born in Monrovia, Liberia, and was a Liberian national;
    - he belonged to the Mandigo ethnic group; and
    - he last entered the United States without inspection on December 2, 1990, at New York, New York, by a Ship "Freedom" as a stowaway.

2. In support of his application for an immigration benefit, Ijelu also filed a Form G-325A. On the G-325A, signed under severe penalties for knowingly and willfully falsifying or concealing a material fact, Ijelu represented:
    - his name as Samiu Ijelu;
    - his date of birth as "[redacted]";
    - his nationality as Liberian;
    - his place of birth as Monrovia, Liberia;
    - his father's name as Okesanaya Ijelu, born in Liberia;
    - his mother's name as Awawu Enifeni, born in Liberia; and
    - he had lived in Liberia until November 1990.

3. The application remained pending until March 24, 1997, when Ijelu and his attorney each separately submitted a letter requesting to withdraw Ijelu's application for an immigration benefit.
4. On March 6, 1998, the INS terminated his application.

Immigration History as Olaiya Semiu Ijely D.O.B. [redacted];[redacted]

5. On March 9, 1995, the individual in question, using the name Olaiya Semiu Ijely filed another application for an immigration benefit with the Immigration and Naturalization Service ("INS"). Along with his application, he submitted an FD-258 fingerprint card bearing fingerprints taken for Olaiya S. Ijely on November 21, 1994. He was assigned alien registration number [redacted]. According to the application, he represented:
    - his name was Olaiya S. Ijely
    - "none" for other names used;
    - he was born on [redacted], in Lagos, Nigeria;
    - he was Muslim and of the Yoruba ethnicity;
    - he entered the United States without inspection on "10/10/93," at New York as a stowaway.
6. In connection with his immigration application, he also filed a Form G-325A, Biographic Information ("Form G-325A"), where he represented:
    - his name was Olaiya S. Ijely;
    - his date of birth as "[redacted]";
    - he was born in Nigeria;
    - "none" for other names used; and
    - he had lived in Nigeria until October 1993.
7. On April 17, 1995, he appeared for an interview at the INS Office in Lyndhurst, New Jersey. At the end of the interview, he affirmed that the contents of his immigration application were true and correct.
8. According to his Form I-213, Record of Deportable Alien ("Form I-213"), dated April 17, 1995, he testified under oath and in a sworn statement that:
    - his name was Olaya Ijely;
    - he was born on "[redacted]" in Lagos, Nigeria;

- his mother's name was Tunde Yetunde and she was Nigerian;
- his father's name was Ijely Bashau and he was Nigerian; and
- he entered the United States on "10/10/1993," at New York, New York, without inspection.

9. He also presented a certificate of birth from the Federal Republic of Nigeria which stated that his full name was Olaiya Semiu Ijely, and he was born on [redacted]. The birth certificate also stated his father's name as Bashu Ijely, and his mother's name as Yetunde Tunde.
10. On April 19, 1995, an immigration officer issued a notice informing him that his application had been denied. His case was referred to an immigration judge.
11. On April 20, 1995, the INS Office issued Form I-221, Order to Show Cause and Notice of Hearing ("OSC"), placing him in deportation proceedings. The OSC charged him with deportability pursuant to INA § 241(a)(1)(B), in that he entered the United States without inspection. The OSC instructed him to appear for a hearing before an immigration judge at the immigration court in New Jersey on May 30, 1995, at 9:00 a.m. On May 1, 1995, the OSC was personally served.
12. On May 30, 1995, he appeared for his initial immigration court hearing, which was then rescheduled to July 13, 1995.
13. On July 13, 1995, he failed to appear at his immigration court hearing, and the immigration judge ordered him deported in absentia.
14. On August 28, 1995, the INS issued Form I-166, notice to deportable alien to surrender ("Form I-166"). The Form I-166 informed him of the arrangements made for his return to Nigeria, and required him to report to INS office at 970 Broad Street, Room 308, Newark, New Jersey, on October 11, 1995, at 8:00 a.m. The Form I-166 was mailed via certified mail, and the return receipt was acknowledged on September 22, 1995.
15. On October 11, 1995, he never appeared for deportation, and USCIS has no record that he departed the United States.

Immigration History as Semiu Olaiye Ijelu D.O.B. [redacted]; A[redacted]

16. On March 28, 1997, a United States citizen, Julie Rutledge, filed Form I-130, Petition for Alien Relative ("Form I-130"), on behalf of Semiu Ijelu as her spouse. Concurrently,

Ijelu filed Form I-485, Application to Register Permanent Residence or Adjust Status ("Form I-485").

17. On the Form I-485, signed under penalty of perjury, Ijelu represented:
    - his name as Semiu Ijelu;
    - his date of birth as "[redacted]," in Nigeria;
    - "none" for other names used;
    - his father's first name as Saka;
    - his mother's first name as Hwawu;
    - he was married to Julie Rutledge, a U.S. citizen;
    - "N/A" for alien registration number;
    - he had never been deported from the U.S., or removed from the U.S. at government expense, excluded within the past year, or now in exclusion or deportation proceedings; and
    - he had never been under a final order of civil penalty for violating section 274C of the Immigration Act for use of fraudulent document, or by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the U.S., or any other immigration benefit.
18. Ijelu simultaneously filed a Supplement A to Form I-485. He was assigned alien registration number [redacted]. In the Supplement A, signed under penalty of perjury, he represented:
    - his name as Semiu Ijelu;
    - his date of birth as "[redacted]";
    - his country of birth as Nigeria; and
    - he had entered the United States without inspection.
19. In support of the Form I-485, Ijelu submitted a Form G-325A. On the G-325A, signed under severe penalties for knowingly and willfully falsifying or concealing a material fact, Ijelu represented:
    - his name as Semiu Ijelu;
    - his date of birth as "[redacted]," in Logos, Nigeria;
    - his mother's name as Enifeni Hwawu, born in Nigeria;
    - his father's name as Saka Ijelu, born in Nigeria;

- he was married to Julie Rutledge on March 15, 1997, in Newark, New Jersey; and
- "none" for other names used.

20. In support of his Form I-485, Ijelu also submitted a Registration of Birth from Lagos Island Local Government bearing hand-written information. The document indicated that on March 14, 1968, they had registered the birth of Semiu Olaiye Ijelu, born on [redacted], at Lagos Island, Nigeria to Mr. Saka Ijelu and Mrs. Hwawu Ijelu. Additionally, Ijelu submitted a Certificate of Marriage from the New Jersey State Department of Health. The Certificate indicated that Semiu Ijelu and Julie Rutledge were married on March 15, 1997, in Orange, Essex County. On the certificate, Ijelu listed his date of birth as [redacted] and his parents' names as Hwawu Enifeni (father) and Okesanya Ijelu (mother), both born in Nigeria.
21. According to the fingerprint records associated with the I-485 filing, on November 6, 1991, the same individual, using the name Elias Ijelu (a.k.a. Niyi Jelu), with a date of birth of [redacted], was arrested by the Springfield Police Department in New Jersey. The Complaint from the State of New Jersey charged Ijelu with fraud, larceny, and obstruction of justice. Specifically, the Complaint indicated that Ijelu presented a fictitious driver's license application card to the Springfield Motor Vehicle Agency, knowing the card contained fictitious information - specifically a fraudulent birth certificate. These charges were dismissed on May 23, 1994.
22. On September 11, 1998, INS approved Ijelu's Form I-485, according him conditional permanent resident status.
23. On July 26, 2000, Ijelu filed a Form I-751, Petition to Remove the Conditions on Residence ("Form I-751"). On the Form I-751, signed under penalty of perjury, Ijelu represented:
    - his name as Semiu Ijelu;
    - his date of birth as [redacted] but then changed to [redacted];
    - he had been married on "03/15/1997," in Newark, New Jersey to "Julie L. Ruttedge"; and
    - "none" for other names used.

24. On August 12, 2002, Ijelu was interviewed at the INS office in Newark, New Jersey regarding his Form I-751. At the end of the interview, the INS officer approved his Form I-751, removing the conditions on his permanent resident status.
25. On July 30, 2007, Ijelu filed Form N-400, Application for Naturalization ("Form N-400"). On the Form N-400, signed under penalty of perjury, Ijelu represented:
    - his name as Semiu Olaiye Ijelu;
    - other names used as "Elias Ijelu" and "Niyi Jelu" (names from his criminal record associated with his primary identity);
    - his date of birth was "[redacted]," in Nigeria;
    - he was currently married to Tiffany Matthews, but did not indicate his date of marriage;
    - he was previously married to "Ruthledge Julie from March 15, 1997 to November 13, 2006;
    - he had not traveled outside of the United States;
    - he had 3 children born in the United States;
    - 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 into the United States;
    - removal, exclusion, rescission or deportation proceedings were not pending against him;
    - he had never been removed, excluded or deported from the United States;
    - he had never been ordered to be removed, excluded or deported from the United States; and
    - He had never applied for any kind of relief from removal, exclusion or deportation.
26. On December 26, 2007, Ijelu was fingerprinted at the Application Support Center in Elizabeth, New Jersey in relation to his N-400 application.

27. On October 30, 2008, Ijelu was interviewed regarding his Form N-400 at the USCIS office in Newark, New Jersey. During the course of the interview, Immigration Services

Officer Melinda Santiago[3] placed Ijelu under oath and included the following questions as part of the interview:

- Your current legal name?
- Your date of birth?
- Have you ever used any other names?
- Your country of nationality?
- Your country of birth?
- Have you ever been a member of or associated with any organization, association, fund, foundation, party club, society or similar group in the United States or in any other place?
- Have you ever given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal?
- Have you ever lied to any U.S. government official to gain entry or admission into the United States?
- Are removal, exclusion, rescission or deportation proceedings pending against you?
- Have you ever been ordered to be removed, excluded or deported from the United States?
- Have you ever applied for any kind of relief from removal, exclusion or deportation?

28. In response, Ijelu testified that his name was "Semiu Olaiye Ijelu", his date of birth was "[redacted]8," and he had used the names: Elias Ijelu and Niyi Jelu. Ijelu verbally answered "no" to the remaining questions above. During the course of the interview, four corrections were made to the written answers initially provided on his Form N-400, however, he did not correct the answers to the misrepresentations made above. At the conclusion of the interview, Ijelu swore that the contents of his Form N-400, including the four corrections, were true and correct.

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[3] Since Ijelu's Form N-400 interview, Immigration Services Officer Melinda Santiago has changed her name to Melinda Liebeck.

29. On March 30, 2009, on the basis of Ijelu's written application and the testimony he provided during the naturalization interview, Ijelu's Form N-400 was approved. Ijelu completed and signed a Form N-445, Notice of Naturalization Oath Ceremony ("Form N-445"), stating that he had never knowingly committed any crime or offense, for which he had not been arrested.
30. On April 20, 2009, Ijelu took the Oath of Allegiance and was admitted as a United States citizen. He was issued Certificate of Naturalization No. [redacted].
31. On May 19, 2009, the records for [redacted] were consolidated into [redacted].

ILLEGAL PROCUREMENT OF NATURALIZATION

Illegal Procurement of Naturalization Not Lawfully Admitted for Permanent Residence Final Order of Deportation Outstanding at Adjustment

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. Under the law in effect at the time of Ijelu's adjustment of status to permanent resident, as today, the immigration court generally had exclusive jurisdiction over applications for adjustment of status filed by applicants (other than certain arriving aliens) in deportation or removal proceedings, including applicants with a final order of deportation or removal. 8 C.F.R. § 1245.2(a)(1).
34. Ijelu was subject to an order of deportation under the name of Olaiya S. Ijely as of July 13, 1995, and filed his application for adjustment of status on March 28, 1997, under the name of Semiu Ijelu. Because Ijelu misrepresented certain facts in connection with his application, INS was not aware of the deportation proceedings and the outstanding order of deportation and approved his application for adjustment of status on September 11, 1998.
35. Because the immigration court had exclusive jurisdiction over Ijelu's application for adjustment of status at the time it was approved by INS, he was not lawfully admitted for permanent residence. Accordingly, he illegally procured his naturalization.

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

36. 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.
37. Among the INA provisions applicable at the time of Ijelu's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 245(a) and (i), 8 U.S.C. § 1255(a) and (i).
38. Under the law then in effect, 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).
39. Based on the information contained above, Ijelu willfully misrepresented material facts, specifically, his identity and immigration history.
40. Because Ijelu 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, he illegally procured his naturalization.

Illegal Procurement of Naturalization Lack of Good Moral Character False Testimony

41. As an applicant for naturalization under section 316(a) of the INA, Ijelu 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 admission to citizenship. This period is generally referred to as the "statutory period."
42. Ijelu filed his application for naturalization on July 30, 2007. Accordingly, he was required to establish that he was a person of good moral character from July 30, 2002, until the time of his admission to citizenship on April 20, 2009.
43. 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).

44. Based on the facts contained above, Ijelu provided false testimony while under oath during his naturalization interview. Specifically, Ijelu provided false testimony regarding:
    1) his use of other names;
    2) his date of birth;
    3) his country of birth;
    4) his nationality;
    5) whether he had given false or misleading information to any U.S. government official while applying for an immigration benefit or to prevent deportation;
    6) whether he had lied to gain entry or admission to the United States;
    7) whether removal, exclusion, rescission or deportation proceedings were pending again him;
    8) whether he had ever been ordered removed, excluded or deported from the United States; and
    9) whether he had ever applied for any kind of relief from removal, exclusion or deportation.
45. Because Ijelu provided false testimony to obtain an immigration benefit during the statutory period, he was not eligible for naturalization. Accordingly, he illegally procured his naturalization.

Illegal Procurement of Naturalization Lack of Good Moral Character Unlawful Acts

46. As an applicant for naturalization under section 316(a) of the INA, 8.U.S.C. § 1427, Ijelu 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 admission to citizenship. This period is generally referred to as the "statutory period."
47. Ijelu filed his application for naturalization on July 30, 2007. Accordingly, he was required to establish that he was a person of good moral character from July 30, 2002, until the time of his admission to citizenship on April 20, 2009.
48. 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).

49. Based on the facts contained above, during the statutory period Ijelu committed unlawful acts that adversely reflected on his moral character. Specifically, Ijelu provided false information regarding his identity, immigration history and whether he ever provided false or misleading information, or lied, to a U.S. Government official while applying for an immigration benefit or to prevent deportation. Ijelu could not establish extenuating circumstances. Accordingly, he was not eligible for naturalization and illegally procured his naturalization.

PROCUREMENT OF NATURALIZATION BY WILLFUL MISREPRESENTATION OR CONCEALMENT OF MATERIAL FACTS

50. A naturalized citizen is subject to revocation of naturalization if he procured naturalization by willfully misrepresenting or concealing material facts.
51. Based on the facts contained above, Ijelu willfully misrepresented his identity and immigration history throughout the naturalization process.
52. The misrepresentations made by Ijelu 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, Ijelu 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.
53. Ijelu was able to procure his naturalization because he concealed or misrepresented material facts regarding his identity and immigration history.

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 October 2, 2026 at Mount Laurel, NJ.

DAVID M BEGEY Digitally signed by DAVID M BEGEY
Date: 2026.10.02 07:43:35 -04'00'

David M. Begey
Immigration Services Officer
United States Citizenship and Immigration Services
Department of Homeland Security