

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JHEROMELL OBEJERA ARCILLA,

Defendant.

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Case No. 8:26-cv-2246

**COMPLAINT TO REVOKE
NATURALIZATION**

I. PRELIMINARY STATEMENT OF THE CASE

This is a civil action in which the United States of America (“Plaintiff”) seeks to revoke the naturalized citizenship that Jheromell Obejera Arcilla (“Defendant”) obtained in 2019. Defendant illegally procured U.S. naturalization and procured it by concealment of a material fact or by willful misrepresentation when he committed unlawful acts, misrepresented and concealed his criminal conduct, and lied under oath to immigration officials during his naturalization proceedings.

After Defendant naturalized as a U.S. citizen in 2019, the Montgomery County, Maryland, Police Special Victims Investigations Division investigated Defendant for sexual abuse against his biological cousin’s daughter, who was 15 and 16 years old at the time of the abuse and who resided in the same house as Defendant. The investigation revealed that Defendant sexually abused the victim *just weeks* prior to his naturalization and continued the abuse after his naturalization. In 2020, a grand jury indicted Defendant on multiple sexual abuse counts for conduct occurring between 2019 and 2020. Defendant pleading guilty to sexual abuse in 2021.

Defendant’s misrepresentations and concealments on his naturalization application and at his naturalization interview deprived the U.S. government of any opportunity to meaningfully

explore Defendant's crime, which rendered him ineligible to naturalize. In orally testifying under oath to the government at his interview in support of his application, Defendant falsely answered questions in a manner that concealed the material fact that he *had* committed a crime for which he had not been arrested and that he *had* provided false information in order to obtain an immigration benefit, namely naturalization. Thus, in 2019, Defendant obtained his naturalization both through illegal procurement and by willful misrepresentation and concealment of material facts regarding his crime. The United States accordingly brings this civil action to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel his Certificate of Naturalization.

II. JURISDICTION AND VENUE

1. This is an action filed under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel his Certificate of Naturalization No. 41024150.

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

3. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391, because Defendant resides in this District.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized U.S. citizen whose last known address of residence is in Montgomery County, Maryland.

IV. FACTUAL BACKGROUND

6. The affidavit of Shantia Ricketts, Supervisory Detention and Deportation Officer with U.S. Immigration and Customs Enforcement ("ICE"), U.S. Department of Homeland Security

(“DHS”), showing good cause for this action as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.¹

NATURALIZATION PROCEEDINGS

Naturalization Application

7. Defendant was born in the Philippines in 1987.
8. Defendant entered the United States on or about July 18, 2008, as a permanent resident.
9. On or about April 30, 2018, Defendant filed with U.S. Citizenship and Immigration Services (“USCIS”) a Form N-400, Application for Naturalization (“naturalization application”).
10. A true and accurate copy of Defendant’s naturalization application is attached as Exhibit B.
11. In his naturalization application, Defendant answered “No” to Question 14, subpart E, which asked: “Were you EVER involved in any way with any of the following: . . . Forcing, or trying to force, someone to have any kind of sexual contact or relations?”
12. In his naturalization application, Defendant answered “No” to Question 22, which asked: “Have you EVER committed, assisted in committing, or attempted to commit, a crime or offense for which you were NOT arrested?”
13. In his naturalization application, Defendant answered “No” to Question 31, which asked: “Have you EVER given any U.S. Government officials any information or documentation that was false, fraudulent, or misleading?”
14. In his naturalization application, Defendant answered “No” to Question 32, which

¹ Pursuant to Federal Rule of Civil Procedure 5.2, certain information has been redacted from Exhibits A through G filed on the electronic docket of this action.

asked: “Have you EVER lied to any U.S. Government officials to gain entry or admission into the United States or to gain immigration benefits while in the United States?”

15. Defendant signed his naturalization application on or about April 27, 2018, under penalty of perjury, thereby certifying that his answers to the questions therein were complete, true, and correct.

Naturalization Interview

16. On May 2, 2019, a USCIS officer orally interviewed Defendant regarding his naturalization application to determine his eligibility for naturalization.

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

18. During the naturalization interview, the USCIS officer asked Defendant questions from his written naturalization application and simultaneously confirmed each of his responses in an electronic system.

19. A true and accurate copy of Defendant’s electronic naturalization application is attached as Exhibit C.

20. During the naturalization interview, Defendant orally testified under oath that he was never involved in any way with forcing, or trying to force, someone to have any kind of sexual contact or relations, consistent with his written response to Question 14, subpart E, of his naturalization application.

21. During the naturalization interview, Defendant orally testified under oath that he had never committed, assisted in committing, or attempted to commit, a crime or offense for which he was not arrested, consistent with his written response to Question 22 of his naturalization application.

22. During the naturalization interview, Defendant orally testified under oath that he had never given any U.S. Government officials any information or documentation that was false, fraudulent, or misleading, consistent with his written response to Question 31 of his written naturalization application.

23. During the naturalization interview, Defendant orally testified under oath that he had never lied to any U.S. Government officials to gain entry or admission into the United States or to gain immigration benefits while in the United States, consistent with his written response to Question 32 of his written naturalization application.

24. During the naturalization interview, Defendant made changes to his naturalization application, which the interviewing USCIS officer indicated on Defendant's electronic naturalization application.

25. At the end of the naturalization interview, Defendant signed the naturalization application in the presence of the USCIS officer and again swore under penalty of perjury that the contents of his naturalization application, including the changes, were complete, true, and correct.

26. Based on the information supplied by Defendant in his naturalization application and in the sworn answers he gave during his naturalization interview, USCIS approved the naturalization application on May 6, 2019.

Oath of Allegiance

27. On May 21, 2019, based on Defendant's approved naturalization application and on the responses he provided that same day on Form N-445, Notice of Naturalization Oath

Ceremony, Defendant was administered the oath of allegiance, admitted to U.S. citizenship, and issued Certificate of Naturalization No. 41024150.

28. A true and accurate copy of Defendant's Certificate of Naturalization is attached as Exhibit D.

**DEFENDANT'S CRIME AND
RESULTING FALSE STATEMENTS AND TESTIMONY**

Defendant's Sexual Abuse

29. In April 2019, Defendant and his biological cousin's daughter, A.L.,² lived at the same residence in Silver Spring, Maryland.

30. Defendant was born in 1987.

31. In April 2019, Defendant was 31 years old.

32. A.L. was born in 2003.

33. In April 2019, A.L. was 15 years old.

34. On the evening of April 27, 2019, Defendant entered the room where A.L. was attempting to sleep and climbed into bed with her.

35. Defendant then attempted to remove A.L.'s pants.

36. A.L. pretended to be asleep and kicked Defendant.

37. After approximately thirty minutes, Defendant left the room.

38. In June 2019 at approximately 2:00 a.m., Defendant again entered the room where A.L. was attempting to sleep and again climbed into bed with her.

39. Defendant then pulled down A.L.'s spandex shorts and his own pants and inserted his penis into A.L.'s vagina.

² Because A.L. was a minor at the time of the events described in this complaint, this complaint refers to her using only her initials to respect her privacy.

40. A.L. pushed Defendant in his chest with her elbow and attempted to scoot away from him and to the other side of the bed.

41. Despite A.L.'s efforts, Defendant continued with his actions and had vaginal intercourse with A.L.

42. Between June 2019 and June 2020, Defendant had vaginal intercourse with A.L. once or twice every week.

43. Defendant's sexual abuse against A.L. ceased in late June 2020, when A.L. went to her doctor due to medical complications related to this abuse.

Defendant's Guilty Plea to Sexual Abuse

44. In August 2020, the Montgomery County, Maryland, Police Special Victims Investigations Division opened an investigation into A.L.'s allegations of sexual abuse by Defendant.

45. In October 2020, a grand jury indicted Defendant on three counts of sexual offenses in violation of the Maryland criminal code.

46. A true and accurate copy of the Indictment, *State of Maryland v. Arcilla*, No. 137869C (Montgomery Cty. Cir. Ct. Oct. 29, 2020), is attached as Exhibit E.

47. Count One of the indictment, Sex Abuse of a Minor, charged that "on or about April 27, 2019, through June 27, 2020, in Montgomery County, Maryland, [Defendant] being a household member and a family member of A.L. ... did cause sexual abuse to A.L. ..., a minor, in violation of Section 3-602(b)(2) of the Criminal Law Article against the peace, government, and dignity of the State."

48. In August 2021, pursuant to the indictment based on Defendant's conduct beginning on April 27, 2019, and ending June 27, 2020, as referenced above in paragraphs 29

through 43, Defendant pleaded guilty to Sex Abuse of a Minor, in violation of Maryland Criminal Law Code § 3-602(b)(2).

49. A true and accurate copy of the Plea Memorandum, *State of Maryland v. Arcilla*, No. 137869C (Montgomery Cty. Cir. Ct. Aug. 24, 2021), is attached as Exhibit F.

50. A true and accurate copy of the Plea Hearing Transcript, *State of Maryland v. Arcilla*, No. 137869C (Montgomery Cty. Cir. Ct. Aug. 27, 2021), is attached as Exhibit G.

Defendant's False Statements and Testimony

51. In testifying under oath at his naturalization interview, Defendant's response to Question 14, subpart E, that he was never involved in any way with forcing, or trying to force, someone to have any kind of sexual contact or relations, was false.

52. As outlined above in paragraphs 25 through 30, just days before his naturalization interview, Defendant *had* been involved with forcing, or trying to force, someone to have sexual contact or relations.

53. In testifying under oath at his naturalization interview, Defendant's response to Question 22, that he had never committed, assisted in committing, or attempted to commit, a crime or offense for which he had not been arrested, was false.

54. As outlined above in paragraphs 25 through 30, just days before his naturalization interview, Defendant *had* committed a crime for which he was not arrested, namely, the crime of Sex Abuse of a Minor to which he pleaded guilty in 2020.

55. In testifying under oath at his naturalization interview, Defendant's response to Question 31, that he had never given any U.S. government officials any information or documentation that was false, fraudulent, or misleading, was false.

56. As outlined above in paragraphs 14 through 19, Defendant *had* “given any U.S. Government officials any information or documentation that was false, fraudulent, or misleading,” because, at his naturalization interview, Defendant provided false or misleading information to a U.S. government official through the responses he provided to Question 14, subpart E, and to Question 22 of his naturalization application.

57. In testifying under oath at his naturalization interview, Defendant’s response to Question 32, that he had never lied to any U.S. government officials to gain immigration benefits while in the United States, was false.

58. As outlined above in paragraphs 14 through 20, Defendant *had* “lied to any U.S. Government officials . . . to gain immigration benefits while in the United States” because, at his naturalization interview, Defendant lied to a U.S. government official through the responses he provided to Question 14, subpart E, Question 22, and to Question 31 on his naturalization application.

V. GOVERNING LAW

CONGRESSIONALLY IMPOSED PREREQUISITES TO THE ACQUISITION OF CITIZENSHIP

59. No applicant 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) (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).

60. Congress has mandated that an individual may not naturalize if, upon application,

that person “cannot demonstrate . . . an understanding of the English language, including an ability to read, write, and speak words in ordinary usage in the English language[.]” 8 U.S.C. § 1423(a)(1); *see also* 8 C.F.R. § 312.1.

61. Congress has also 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” 8 U.S.C. § 1427(a)(3). The required statutory period for good moral character typically begins five years before the date the applicant files the naturalization application, and it continues until the applicant takes the oath of allegiance and becomes a U.S. citizen. *See id.*; 8 C.F.R. § 316.10(a)(1).

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

63. Additionally, Congress has explicitly precluded individuals who give false testimony for the purpose of obtaining immigration benefits from establishing the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

64. Further, Congress created a “catch-all” provision, which states, “The fact that any person is not within any of the foregoing classes shall not preclude a finding that for other reasons such person is or was not of good moral character.” 8 U.S.C. § 1101(f) (flush language).

65. Thus, an individual who, during the statutory period, commits an unlawful act adversely reflecting upon his or her moral character cannot meet the good moral character requirement unless he or she establishes extenuating circumstances. *See* 8 C.F.R. § 316.10(b)(3)(iii); *see also* 8 U.S.C. § 1101(f) (flush language).

THE NATURALIZATION REVOCATION STATUTE

66. 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.

67. 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.

68. 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.

69. 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. *See Kungys v. United States*, 485 U.S. 759, 767 (1988).

70. Where the government establishes that the 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.

VI. CAUSES OF ACTION

COUNT ONE

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

71. Plaintiff re-alleges and incorporates by reference the factual and legal allegations contained in Sections II through V of this complaint.

72. Defendant was statutorily required to establish that he was a person of good moral character from April 30, 2013, five years before he filed his naturalization application, until the date he became a U.S. citizen on May 21, 2019 (Defendant's "statutory period"). *See* 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

73. Defendant could not establish the requisite good moral character for naturalization because he committed unlawful acts, including a violation of Maryland Criminal Law Code § 3-602(b)(2), during his statutory period, that reflected adversely upon his moral character. *See* 8 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii).

74. No extenuating circumstances exist that would ameliorate or palliate Defendant's guilt with regard to Defendant's unlawful activity.

75. Because no extenuating circumstances exist, Defendant cannot avoid the regulatory bar on establishing good moral character at 8 C.F.R. § 316.10(b)(3)(iii).

76. Because Defendant committed unlawful acts that adversely reflected on his moral character during the statutory period, and he cannot demonstrate extenuating circumstances, he was barred under 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii) from showing that he had the good moral character necessary to naturalize as a U.S. citizen.

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

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

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

COUNT TWO

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

80. Plaintiff re-alleges and incorporates by reference the factual and legal allegations contained in Sections II through V of this complaint.

81. Defendant was statutorily required to establish that he was a person of good moral character from April 30, 2013, five years before he filed his naturalization application, until the date he became a U.S. citizen on May 21, 2019. *See* 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

82. Defendant was statutorily precluded from showing that he was a person of good moral character during his statutory good moral character period, because he gave false testimony, orally and under oath, for the purpose of obtaining an immigration benefit, specifically naturalization. *See* 8 U.S.C. § 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi).

83. As outlined above in paragraphs 14 through 20 and in paragraphs 25 through 30, Defendant provided false testimony after being placed under oath during his naturalization interview on May 2, 2019.

84. Despite having tried to force A.L. to have sexual contact or relations with him on April 27, 2019, Defendant falsely testified orally and under oath at his naturalization interview that

he had never been involved in any way with forcing, or trying to force, someone to have any kind of sexual contact or relations.

85. Despite having committed sexual abuse against A.L. on April 27, 2019, and not having been arrested for this crime by the time of his naturalization interview, Defendant falsely testified orally and under oath at his naturalization interview that he had never committed a crime or offense for which he had not been arrested.

86. Despite having given false information at his naturalization interview in responding that he had never tried to force someone to have any kind of sexual contact or relations and that he had never committed a crime or offense for which he was not arrested, Defendant falsely testified orally and under oath at his naturalization interview that he had never given any U.S. government officials any information or documentation that was false, fraudulent, or misleading.

87. Despite having given false information at his naturalization interview in responding that he had never tried to force someone to have any kind of sexual contact or relations, that he had never committed a crime or offense for which he had not been arrested, and that he had never given any U.S. government officials any information or documentation that was false, fraudulent, or misleading, Defendant falsely testified orally and under oath at his naturalization interview that he had never lied to any U.S. government officials to gain immigration benefits while in the United States.

88. Defendant provided the foregoing false testimony for the purpose of obtaining an immigration benefit, namely, naturalization.

89. Because Defendant provided false testimony under oath for the purpose of obtaining naturalization—an enumerated statutory bar—he was barred under 8 U.S.C. § 1101(f)(6) from showing that he had the good moral character necessary to become a naturalized U.S. citizen.

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

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

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

COUNT THREE

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

93. Plaintiff re-alleges and incorporates by reference the factual and legal allegations contained in Sections II through V of this complaint.

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

95. As outlined above in paragraphs 14 through 20 and in paragraphs 25 through 30, during his interview, Defendant concealed and willfully misrepresented the following facts:

- a. Defendant's commission of sexual abuse against A.L. on April 27, 2019, for which he had not been arrested by the time of his naturalization interview; and
- b. Defendant's provision of false information to a U.S. government official while applying for the immigration benefit of naturalization.

96. Defendant knew his representations were false and misleading.

97. Because Defendant knew his representations were false and misleading, he therefore made such misrepresentations willfully.

98. Defendant's concealment and misrepresentation of his crime, as well as his provision of false information, were material to determining his eligibility for naturalization, because they had the natural tendency to influence a decision by USCIS to approve his naturalization application.

99. Indeed, Defendant's crime impacted his ability to meet the restrictions on good moral character under 8 U.S.C. § 1101(f)(3).

100. Defendant procured his naturalization as a result of his misrepresentations.

101. Had Defendant disclosed his criminal conduct and provision of false information, USCIS would likely have denied Defendant's naturalization application and would not have allowed him to take the oath of allegiance because of his ineligibility.

102. Defendant thus procured his naturalization by willful misrepresentation and concealment of material facts.

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests:

- (1) A declaration that Defendant illegally procured his naturalization;
- (2) A declaration that Defendant procured his naturalization by concealment of material facts and by willful misrepresentation;
- (3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. 41024150, effective as of the original date of the order and certificate, May 21, 2019;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document that evidences U.S. citizenship obtained as a result of his May 21, 2019 naturalization;

(5) Judgment requiring Defendant to surrender and deliver, within ten days of Judgment, his Certificate of Naturalization, as well as any copies thereof in his possession or control (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others), to the Acting Attorney General or to his representative, including undersigned counsel;

(6) Judgment requiring the Defendant to surrender and deliver, within ten days of Judgment, any other indicia of U.S. citizenship (whether valid or expired), including, but not limited to, U.S. passports, U.S. passport cards, and Enhanced Driver's Licenses, if applicable, as well as any copies thereof in his possession or control (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others), to the Acting Attorney General or to his representative, including undersigned counsel; and

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

Dated: June 5, 2026

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Respectfully submitted,

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