

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION**

**CASE NO. 0:26cv61629**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	<b>COMPLAINT TO REVOKE</b>
vs.	)	<b>NATURALIZATION</b>
	)	
ANDREA MARROQUIN,	)	
a/k/a Andrea Marroquin Rubiano,	)	
a/k/a Andrea Reyes,	)	
a/k/a Andrea Johanna Marroquin Rubiano,	)	
	)	
Defendant.	)	
_____	)	

**I.      PRELIMINARY STATEMENT**

The United States of America brings this civil action against Defendant Andrea Marroquin, a/k/a Andrea Marroquin Rubiano, a/k/a Andrea Reyes, a/k/a Andrea Johanna Marroquin Rubiano, to revoke her naturalized U.S. citizenship under 8 U.S.C. § 1451(a).

Before she became a U.S. citizen, Defendant conspired to fraudulently obtain mortgage loans using straw buyers and to launder the proceeds, in violation of federal law, an enterprise fueled by Defendant’s inheritance of a Colombian drug trafficking fortune. After naturalizing, Defendant was charged with and pled guilty to these crimes. Nevertheless, throughout her naturalization proceedings, defendant misrepresented and concealed her criminal conduct, and thus she unlawfully procured her naturalization. When Defendant applied to become a permanent resident, she concealed her criminal activity as well as the facts that she was simultaneously married to two people, one of whom was not a United States citizen, and that she had a United States citizen son by her non-citizen husband, all of which were material facts that Defendant concealed and willfully misrepresented.

This action under 8 U.S.C. § 1451(a) is based on Defendant's criminal conduct prior to naturalizing, for which she was charged and of which she was convicted after naturalizing; her lacking the required good moral character to naturalize because, during the relevant time period, she testified falsely; and her concealing or willfully misrepresenting material facts for her naturalization. Specifically, before she became a citizen of the United States, Defendant engaged in criminal activity that she concealed throughout the naturalization process and that disqualified her from U.S. citizenship. Accordingly, as shown below, Defendant unlawfully naturalized, and this Court must order the denaturalization of Defendant.

## **II. PARTIES, JURISDICTION, AND VENUE**

1. This is an action filed under 8 U.S.C. § 1451(a) to revoke and set aside the decision admitting Defendant to U.S. citizenship and to cancel Defendant's Certificate of Naturalization No. 32188024.
2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1345 for this cause of action under 8 U.S.C. § 1451(a).
3. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391, because Defendant resides in this District.
4. Plaintiff is the United States of America, suing on behalf of itself.
5. Defendant is a native of Colombia and obtained her U.S. citizenship through naturalization.
6. Defendant's last known address of residence is in Hollywood, Florida.

### III. FACTUAL BACKGROUND

7. The affidavit of David Jansen, a Special Agent with Homeland Security Investigations, 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 Fraud Schemes & Federal Conviction

8. Beginning in 2003, Defendant, together with others, began submitting false loan applications to obtain mortgage loans for which they would not otherwise qualify.

9. They would use the loans to purchase real estate, then would default on the loans and seek to dispose of the property through short sales.

10. They would sell the properties to straw buyers, who would in turn obtain the loans necessary for the purchases through false representations to FDIC-insured financial institutions.

11. The straw buyers would default on the loans, but Defendant and her co-conspirators would keep the money from the proceeds and, on at least some occasions, the property, too.

12. Defendant's actions caused financial institutions to suffer a loss of \$565,000.

13. During the same time period, Defendant purchased real estate using assets she obtained from bank frauds as down payments.

14. During the course of the conspiracy, Defendant engaged in monetary transactions involving more than \$550,000 but less than \$1.5 million in criminally-derived proceeds.

15. Defendant received assistance from others in the movements of funds for these transactions.

16. On April 3, 2014, Defendant was charged by an Indictment with, among other offenses, Conspiracy to Commit Wire and Bank Fraud and Conspiracy to Commit Money

Laundrying, in violation of 18 U.S.C. §§ 1349 and 1956(h). *See* Indictment, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Apr. 3, 2014), ECF No. 3 (attached hereto as Exhibit B).

17. On July 23, 2019, Defendant and her attorney signed a Plea Agreement that was filed in her criminal case. *See* Plea Agreement, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Apr. 3, 2014), ECF No. 129 (attached hereto as Exhibit C).

18. The parties and counsel signed a Factual Proffer on July 22, 2019, in which they stipulated to facts supporting Defendant's guilty pleas. *See United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Jul. 23, 2019), ECF No. 130.

19. The Factual Proffer contains Defendant's admission to the facts alleged in the preceding paragraphs 8-15.

20. The facts alleged in the preceding paragraphs 8-15 summarize Defendant's participation in the crimes of Conspiracy to Commit Bank and Wire Fraud and Conspiracy to Commit Money Laundering.

21. On July 23, 2019, Defendant appeared before the U.S. District Court for the Southern District of Florida and pleaded guilty to one count of Conspiracy to Commit Bank and Wire Fraud, in violation of 18 U.S.C. § 1349, and one count of Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 1956(h). *See* PAPERLESS Minute Entry: Change of Plea Hearing, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Jul. 23, 2019), ECF No. 123 (attached hereto as Exhibit D); Exhibit B.

22. During a detention hearing on May 17, 2019, the Government proffered that Defendant's father "was a well-known major Colombian drug kingpin" who "was murdered in

. . . 1998[] [or] 1999.” See Transcript of Detention Hearing at 9:17-20, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. May 17, 2019), ECF No. 102.

- a. Defendant inherited her father’s drug proceeds, which were in the tens of millions of dollars. See Transcript of Detention Hearing at 9:20-21, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. May 17, 2019), ECF No. 102.
- b. Defendant’s uncle, with whom she was close, was also a major drug trafficker who was convicted of mortgage fraud several years before in the Southern District of Florida. See Transcript of Detention Hearing at 9:22-10:1, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. May 17, 2019), ECF No. 102.
- c. The lead agent investigating Defendant’s case testified, described the proffer as truthful, accurate, and complete, and adopted it as his testimony. See Transcript of Detention Hearing at 11:18-12:6, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. May 17, 2019), ECF No. 102.
- d. At Defendant’s sentencing hearing, the Government argued for a six-level enhancement to Defendant’s sentence for conspiracy to commit money laundering because the money she laundered was the drug trafficking proceeds she inherited from her father. See Transcript of Sentencing Hearing on December 13, 2019, at 15:12-20, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Dec. 13, 2019), ECF No. 191.
- e. Defendant’s counsel acknowledged that the proceeds were from drug trafficking but argued that a lower enhancement should apply because Defendant had already accepted them and openly owned them. See Transcript of Sentencing Hearing on

December 13, 2019, at 8:20-9:17, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Dec. 13, 2019), ECF No. 191.

23. Following the entry of her guilty plea, the U.S. District Court for the Southern District of Florida convicted Defendant of one count of Conspiracy to Commit Wire and Bank Fraud, in violation of 18 U.S.C. § 1349, and one count of Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 1956(h). *See* Judgment in a Criminal Case at 1, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Dec. 16, 2019, sentence imposed on December 13, 2019), ECF No. 169 (attached hereto as Exhibit E).

24. As a result of her conviction, the Court sentenced Defendant to 58 months in prison for both counts, to be served concurrently. *See* Amended Judgement in a Criminal Case at 2, *United States v. Andrea Marroquin*, No. 14-cr-20209 (S.D. Fla. Dec. 17, 2019), ECF No. 170 (amending to reflect proper sentence of 58 months imposed on December 13, 2019) (attached hereto as Exhibit F).

B. Defendant's Acquisition of Permanent Residence, Naturalization Application, and Oath Ceremony

25. Defendant entered the United States on January 8, 2001, on a nonimmigrant visitor's visa. *See* Defendant's passport with visa and entry stamp (attached hereto as Exhibit G).

26. At the time, she was married to Mr. Jorge Enrique Figueroa Monroy ("Mr. Figueroa"), a native and citizen of Colombia who did not accompany Defendant. *See* Translation of Colombian Marriage Certificate (attached hereto as Exhibit H), Colombian Marriage Certificate (attached hereto as Exhibit I).

27. While still married to Mr. Figueroa, on March 17, 2001, Defendant Married Mr. Luis Fernando Reyes, a United States citizen, in Pembroke Pines, Florida. *See* Florida Marriage Certificate (attached hereto as Exhibit J).

28. Defendant had two children when she entered the country in 2001, a daughter born in Colombia and a son born during a previous entry into the United States in 2000, both her children by Mr. Figueroa. *See* Translation of Daughter's Birth Certificate (attached hereto as Exhibit K), Defendant's Form N-400, Application for Naturalization ("naturalization application") (attached hereto as Exhibit L).

29. On July 13, 2001, Mr. Reyes filed a Form I-130, Petition for Alien Relative ("I-130") (attached hereto as Exhibit M) with the Immigration and Naturalization Service ("INS"),<sup>1</sup> seeking an immigrant visa for Defendant based on their marriage.

30. Mr. Reyes's I-130 did not disclose Defendant's marriage to Mr. Figueroa despite the form asking for the names of the beneficiary's prior husbands or wives, if any. *See* Exhibit M.

31. Contemporaneous with the filing of Mr. Reyes's I-130, Defendant filed a Form I-485, Application to Register Permanent Residence or Adjust Status ("adjustment application") (attached hereto as Exhibit N), with the INS. *See* Exhibit M, Exhibit N.

32. Despite the adjustment application requiring the listing of all the applicant's sons or daughters, Defendant did not list her son. *See* Exhibit N.

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<sup>1</sup> The INS was abolished, effective March 1, 2003, as a result of the enactment of the Homeland Security Act. *See* Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135, §§ 441, 471 (Nov. 25, 2002). Following the dissolution of the INS, U.S. Citizenship and Immigration Services within the Department of Homeland Security became responsible for the adjudication of immigration benefits, including asylum applications, immigrant visa petitions, and naturalization applications. 6 U.S.C. § 271(b). This Complaint references INS or USCIS where factually appropriate.

33. Along with the adjustment application, Defendant filed a Form G-325A, Biographic Information (“G-325A”) (attached hereto as Exhibit O).

34. Despite the G-325A requiring the listing of former spouses, Defendant wrote that she had “NONE.” *See* Exhibit O.

35. INS officer Leo Gracia interviewed Defendant and Mr. Reyes for the I-130 and I-485 on November 2, 2001, and approved both applications the same day. *See* Exhibit L, Exhibit M, Form I-181, Memorandum of Creation of Record of Lawful Permanent Residence (“I-181”) (attached hereto as Exhibit P).

36. Defendant divorced Mr. Figueroa, her first husband, on January 16, 2002. *See* Exhibit H, Exhibit I.

37. On or about October 16, 2006, Defendant applied to naturalize and become a U.S. citizen by filing her naturalization application with U.S. Citizenship and Immigration Services (“USCIS”). *See* Exhibit L.

38. On her naturalization application, Defendant entered “1” in response to Part 8, Question A, which asked how many times she had been married, including annulled marriages. *See* Exhibit L.

39. In response to Part 8, Question B on her naturalization application, asking for her current spouse’s information, she provided Mr. Reyes’s information. *See* Exhibit L.

40. On her naturalization application, Defendant checked “No” in response to Part 10, Question 15, which asked: “Have you **ever** committed a crime or offense for which you were **not** arrested?” *See* Exhibit L.

41. On her naturalization application, Defendant checked “No” in response to Part 10, Question 23, which asked: “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?" *See* Exhibit L.

42. On or about August 4, 2006, Defendant signed the naturalization application under penalty of perjury, thereby certifying that her answers to the questions therein were true and correct. *See* Exhibit L.

43. On May 28, 2009, Wendy Deaette, an officer with USCIS, orally interviewed Defendant regarding her naturalization application to determine her eligibility for naturalization.

44. At the beginning of the interview, Officer Deaette placed Defendant under oath.

45. During the interview, Officer Deaette asked Defendant, consistent with Part 10, Question 15 of Defendant's Naturalization Application, whether she had ever committed a crime or offense for which she was not arrested.

46. Defendant verbally confirmed her written response to Part 10, Question 15 of her naturalization application, testifying under oath that she had never committed a crime or offense for which she was not arrested.

47. Defendant's testimony regarding her commission of a crime or offense was false.

48. At her naturalization interview, Defendant did not disclose her involvement in the crimes of Conspiracy to Commit Wire and Bank Fraud and Conspiracy to Commit Money Laundering.

49. During the interview, Officer Deaette asked Defendant, consistent with Part 10, Question 23 of Defendant's naturalization application, whether she had ever given false or misleading information to any U.S. Government official while applying for any immigration benefit.

50. Defendant verbally confirmed her written response to Part 10, Question 23 of her Naturalization Application, testifying under oath that she had never given false or misleading information to any U.S. Government official while applying for any immigration benefit.

51. Defendant's testimony regarding the submission of false or misleading information to a U.S. Government official while applying for any immigration benefit was false.

52. At her naturalization interview, Defendant did not disclose that she had provided false or misleading information to the INS when she concealed her marriage to Mr. Figueroa or to USCIS while applying for naturalization when she falsely checked "No" to Part 10, Question 15 of her N-400, which asked if Defendant had ever committed a crime or offense for which she was not arrested.

53. Defendant's answer of "No" to Part 10, Question 15 of her N-400 was false or misleading because she had engaged in criminal conspiracies to commit wire and bank fraud and money laundering between 2003 through 2011, to which she later admitted and for which she was later convicted.

54. Her failing to disclose her marriage to Mr. Figueroa was misleading because doing so prevented the INS from inquiring into the bona fides of her marriage to Mr. Reyes, which was the basis for her acquiring permanent residency.

55. In fact, at no point during the naturalization process did Defendant disclose to USCIS that she had concealed her prior (and previously simultaneous) marriage and engaged in conspiracies to commit wire and bank fraud and money laundering.

56. At the end of the interview, Defendant again signed the naturalization application under penalty of perjury in the presence of Officer Deaette and swore that the contents of her

application, including ten numbered changes and seven pages of additional evidence, were true and correct to the best of her knowledge.

57. One of Defendant's numbered changes was that she divorced Mr. Reyes on April 2, 2008.

58. Based upon the information Defendant supplied on her naturalization application and on the sworn answers she gave during her May 28, 2009 naturalization interview, USCIS approved the application.

59. On August 19, 2009, Defendant took the Oath of Allegiance to become a U.S. citizen. *See* Form N-445, Notice of Naturalization Oath Ceremony ("N-445") (attached hereto as Exhibit Q).

60. On the N-445, Defendant again had to answer the question of whether she knowingly committed any crime or offense for which she had not been arrested, to which she responded "no." *See* Exhibit Q.

61. Defendant signed the N-445, certifying that her answers were true and correct as of the day of her naturalization oath ceremony, and orally confirmed her answers under oath. *See* Exhibit Q.

62. On August 19, 2009, Defendant was issued Certificate of Naturalization No. 32188024. *See* Form N-550, Certificate of Naturalization (attached hereto as Exhibit R).

#### **IV. GOVERNING LAW**

##### **A. Congressionally Imposed Prerequisites to the Acquisition of U.S. Citizenship.**

63. 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 the Nation can rightfully obtain them only upon the terms and conditions specified by Congress.” (quoting *Ginsberg*, 243 U.S. at 474)).

64. Among other requirements, 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). 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).

65. 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. 8 U.S.C. § 1101(f).

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

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

68. Individuals who commit unlawful acts adversely reflecting upon their moral character cannot meet the good moral character requirement, unless they prove that extenuating circumstances existed. *See* 8 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii).

69. Thus, an individual unlawfully procured naturalization if he or she committed unlawful acts during the statutory period, even if he or she was convicted of those crimes after being granted citizenship. *See United States v. Jean-Baptiste*, 395 F.3d 1190, 1193-94 (11th Cir. 2005), *cert. denied*, 546 U.S. 852 (2005).

70. In addition to and independent from the illegal procurement ground of denaturalization, 8 U.S.C. § 1451 provides that a naturalized U.S. citizen can be denaturalized where the applicant “procured” his or her naturalization by “concealment of a material fact or by willful misrepresentation.” 8 U.S.C. § 1451(a).

B. The Denaturalization Statute

71. 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.

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

- i. illegally procured, *or*
- ii. procured by concealment of a material fact or by willful misrepresentation.

73. 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.

74. 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).

75. 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.

## V. CAUSES OF ACTION

### COUNT I

#### **ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (UNLAWFUL ACTS)**

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

77. To be eligible for naturalization, Defendant was required to establish that she was a person of good moral character from October 16, 2001, until August 19, 2009, which was the date she became a U.S. citizen.

78. Defendant could not establish the requisite good moral character for naturalization because she committed unlawful acts during the statutory period that reflected adversely on her moral character, and there were no extenuating circumstances that would lessen her guilt. 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

79. Specifically, as set forth above at paragraphs 8 through 20, from approximately 2003 through 2011, Defendant conspired with others to engage in wire and bank fraud and money laundering, leading to a loss to FDIC-insured financial institutions of \$565,000 and the laundering of between \$500,000 and \$1.5 million.

80. On July 13, 2019, Defendant appeared before the U.S. District Court for the Southern District of Florida and pleaded guilty to one count each of Conspiracy to Commit Wire and Bank Fraud and Money Laundering.

81. On December 16, 2019, the U.S. District Court for the Southern District of Florida adjudicated Defendant guilty of Conspiracy to Commit Wire and Bank Fraud and Conspiracy to Commit Money Laundering.

82. Defendant committed the crimes of Conspiracy to Commit Wire and Bank Fraud and Conspiracy to Commit Money Laundering and the underlying fraud within the statutory period.

83. The crimes of Conspiracy to Commit Wire and Bank Fraud and Conspiracy to Commit Money Laundering, and the underlying fraud, are crimes that adversely reflected upon Defendant's moral character.

84. Defendant cannot establish extenuating circumstances regarding the conspiratorial conduct and fraudulent acts underlying her guilty plea pursuant to 18 U.S.C. §§ 1349 and 1956(h) that would render her conduct less reprehensible than it otherwise would be or that tend to palliate or mitigate her guilt. She therefore cannot avoid the regulatory bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii).

85. Defendant's unlawful conduct precluded her under 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii) from showing that she had the good moral character necessary to become a naturalized U.S. citizen.

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

87. Because Defendant was ineligible to naturalize, she illegally procured her naturalization, and this Court must revoke her citizenship, as provided for by 8 U.S.C. § 1451(a).

## COUNT II

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

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

89. To be eligible for naturalization, Defendant was required to establish that she was a person of good moral character from October 16, 2001, until the date she became a U.S. citizen, on August 19, 2009.

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

91. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit when she swore, under oath, during her May 28, 2009 naturalization interview, that she had never committed a crime or offense for which she had not been arrested.

92. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit when she swore, under oath, during her May 28, 2009 naturalization interview, that she had never given false or misleading information to any U.S. Government official while applying for any immigration benefit.

93. Defendant's testimony on each of the foregoing issues was knowingly false and for the purpose of obtaining an immigration benefit, namely naturalization.

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

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

96. Because she was ineligible to naturalize, Defendant illegally procured her citizenship, and this Court must revoke her citizenship, as provided for by 8 U.S.C. § 1451(a).

### **COUNT III**

#### **ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (CONCEALING HER FIRST MARRIAGE AND HER SON)**

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

98. To be eligible for naturalization, Defendant needed to have been lawfully admitted for permanent residence under 8 U.S.C. § 1427(a)(1).

99. Defendant was inadmissible when she sought to acquire permanent resident status because she sought to procure an immigration benefit by fraud or willfully misrepresenting a material fact. 8 U.S.C. § 1182(a)(6)(C)(i).

100. Defendant willfully misrepresented her marital status on her I-485 and Biographic Information, hiding the fact that she was simultaneously (or ever) married to Mr. Figueroa and Mr. Reyes.

101. Had Defendant revealed that she was married to two people at the same time, she would have given the INS reason to inquire whether her marriage to Mr. Reyes was bona fide or she only entered into it for immigration purposes.

102. Congress forbade USCIS from granting an I-130 for anyone who married to avoid immigration laws. 8 U.S.C. § 1154(c).

103. Had USCIS been aware of Defendant's marriage to Mr. Figueroa, it would have had grounds to question whether her marriage to Mr. Reyes two months after she entered the country was an attempt to evade immigration laws.

104. Defendant's concealing her son's existence also bears on the bona fides of her marriage to Mr. Reyes, for Mr. Figueroa is her son's father even though he was born while Defendant was previously in the United States.

105. Defendant's disclosing her daughter on her I-485 does not lessen the significance of her concealing her son, for her son is her second child by Mr. Figueroa, was born in the United States, and was born a little more than a year before she married Mr. Reyes.

106. Defendant's attempting to procure an immigration benefit – permanent residence – through concealing her son's existence and her marriage to Mr. Figueroa makes her inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i), which in turn makes her grant of permanent residence unlawful and renders her ineligible for naturalization.

#### **COUNT IV**

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

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

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

109. As set forth above, throughout the naturalization process, Defendant willfully misrepresented and concealed her involvement in a criminal conspiracy to commit wire and bank fraud between 2003 and 2011, for which she later pleaded guilty in the U.S. District Court for the Southern District of Florida to one count of Conspiracy to Commit Wire and Bank Fraud and one count of Conspiracy to Commit Money Laundering.

110. Specifically, Defendant represented on her Naturalization Application and during her naturalization interview that she had never knowingly committed any crime or offense for which she had not been arrested, despite knowing that such representations were false and misleading.

111. Defendant also represented during her naturalization interview that she had never given false or misleading information to any U.S. Government official while applying for any immigration benefit, despite knowing that her representation was false and misleading.

112. Defendant further concealed her marriage to Mr. Figueroa and the fact that she was married to Mr. Figueroa and Mr. Reyes at the same time.

113. Her marriage to Mr. Figueroa and her being married to Mr. Figueroa and Mr. Reyes are material facts because the concealment cut off the agency's inquiry into whether she was eligible for the immigrant visa she received.

114. Defendant knew the representations that she had never knowingly committed any crime or offense for which she had not been arrested were false because starting in 2003, she had been member of conspiracies to commit wire and bank fraud and money laundering that she had joined with knowledge of its unlawful purpose, as she later admitted to in her Plea Agreement and for which she was later convicted.

115. Defendant knew the representation that she had never given false or misleading information to any U.S. Government official while applying for any immigration benefit was false because she had signed her N-400 and submitted them to USCIS on December 21, 2009, after stating on both forms that she had never committed any crime for which she was not arrested, even though starting in 2003, she had been member of a conspiracy to wire and bank fraud that she had joined with knowledge of its unlawful purpose, as she later admitted to in her Plea Agreement and for which she was later convicted.

116. Defendant's misrepresentations were material to her naturalization because the disclosure of her fraudulent scheme would have had a natural tendency to influence USCIS's decision whether to approve Defendant's Naturalization Application as they related to statutory eligibility criteria for such benefit.

117. Had Defendant disclosed the truth about her criminal conduct, USCIS would have discovered her statutory ineligibility for naturalization and could not have approved her application or administered the oath of allegiance.

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

#### **PRAYER FOR RELIEF**

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

1. A declaration that Defendant illegally procured her citizenship;
2. A declaration that Defendant procured her citizenship by concealment and willful misrepresentation of material facts;

3. Judgment revoking and setting aside Defendant's naturalization and canceling Certificate of Naturalization No. 32188024, effective as of the original date of the order and certificate, August 19, 2009;

4. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship that he obtained as a result of her August 19, 2009, naturalization;

5. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against her, her Certificate of Naturalization and any copies thereof in her possession – and to make good faith efforts to recover and immediately surrender any copies thereof that she 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 against her, any other indicia of U.S. citizenship (including, but not limited to, U.S. passports, passport cards, and Enhanced Drivers Licenses, whether valid or expired), and any copies thereof in her possession – and to make good faith efforts to recover and then surrender any copies thereof that she 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.

Dated: June 4, 2026

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Respectfully submitted,

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