

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO CRISTANCHO,

Defendant.

No. 1:26-cv-2240

**COMPLAINT TO REVOKE
NATURALIZATION**

Plaintiff, the United States of America, by and through its undersigned counsel, files this civil action against Defendant Fernando Cristancho (“Defendant”) to revoke his naturalized United States citizenship pursuant to 8 U.S.C. § 1451(a), and alleges as follows:

I. PRELIMINARY STATEMENT

Defendant fraudulently and unlawfully procured citizenship by concealing criminal conduct in which he engaged prior to naturalizing and for which he was charged and convicted. Specifically, before he became a U.S. citizen, Defendant, a Catholic priest, sexually groomed and then sexually assaulted a parishioner from when he was 11 to 13 years old. After naturalizing, Defendant admitted in a guilty plea and factual proffer, to his crimes, which included fellatio and anal penetration of his victim. But throughout his naturalization proceedings, Defendant misrepresented and concealed his criminal conduct, thus unlawfully procuring his naturalization.

Based on Defendant’s actions described further below and in the attached affidavit showing good cause, the United States brings this civil action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to 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 Defendant's Certificate of Naturalization Number 27584515.

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. Prior to his incarceration, Defendant resided in Harford County, Maryland, within the District of Maryland.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized United States citizen, who is a native of Colombia.

IV. FACTUAL ALLEGATIONS

6. The affidavit of Ronald Dorman, a Special Agent with Immigration and Customs Enforcement, a component of the U.S. Department of Homeland Security ("DHS"), showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached hereto as Exhibit A.

A. Defendant's Entry into the United States for Religious Work

7. Defendant was born in Colombia in 1956.

8. On October 10, 1996, Defendant entered the United States on an R-1 visa for nonimmigrant religious workers.

9. Upon entering the United States, Defendant was employed as an assistant priest in a Catholic church in the Diocese of Arlington, Virginia.

10. On November 4, 1996, Defendant sought permanent resident status in the United States as a religious worker by filing a Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant (“Form I-360”).

11. Defendant’s Form I-360 was approved on November 8, 1996.

12. Defendant’s subsequently filed application to adjust status to permanent resident was approved on May 23, 1997.

13. On November 14, 1997, Defendant was dismissed from the church in Arlington, Virginia, where he had been working.

14. In 1999, Defendant began working as priest in the Archdiocese of Baltimore and served as an Associate Pastor in a church in Harford County, Maryland, until his dismissal in 2002.

B. Defendant’s Pre-Naturalization Sexual Abuse of Minor Victim

15. Defendant met his victim (“Minor Victim”) in approximately 1998, when Minor Victim was eight years old.

16. Minor Victim and his family were parishioners where Defendant was a priest.

17. Defendant began a friendship with Minor Victim’s grandmother, and he communicated with Minor Victim’s grandmother, including for the purpose of meeting with Minor Victim, through the use of mobile phones.

18. In approximately 2001, when Minor Victim was 11 years old, Defendant began a course of inappropriate conduct, including asking Minor Victim for back rubs and offering him alcohol, that culminated in sexual abuse.

19. Defendant also took Minor Victim to dinner, kissed him, acted as if they were in a romantic relationship, and told him that he loved him.

20. Defendant showed Minor Victim pornography, including movies of sex acts between males, and suggested they do the same sexual activities.

21. In summer 2002, Defendant invited himself to attend a camping trip with Minor Victim's family, where he arranged to sleep in a tent next to Minor Victim.

22. While in the tent with Minor Victim, Defendant asked Minor Victim to place his legs between Defendant's to "alleviate back pain," and Minor Victim did what Defendant asked.

23. Following the camping trip, Defendant arranged for Minor Victim to assist him around Defendant's home and with Defendant's infant triplets.

24. Defendant had fathered the triplets via artificial insemination, in violation of Catholic church policies.

25. Defendant arranged Minor Victim's visits, including spending weekends without Minor Victim's family present, using mobile phones or the internet.

26. Defendant sexually abused Minor Victim over the course of these weekends visits, beginning in 2002 and continuing to at least fall 2003.

27. Defendant's sexual abuse included touching Minor Victim's penis with his hands, putting his mouth on Minor Victim's penis on approximately 10 separate occasions, attempting to put his penis in Minor Victim's mouth, anally penetrating Minor Victim with his penis on approximately 5 to 6 separate instances, and coercing Minor Victim to use his penis to penetrate Defendant's anus.

C. Defendant's Naturalization Application, Interview, and Oath Allegiance

28. On May 9, 2002, Defendant applied for U.S. citizenship by filing with USCIS a Form N-400 Application for Naturalization ("N-400").

29. A true, complete, and certified copy of that N-400, except for redactions of personally identifying information that is immaterial to this action, is attached hereto as Exhibit B.

30. Prior to filing his N-400, Defendant signed it under a certification stating that, under penalty of perjury, his responses on his N-400 were “true and correct.”

31. In response to Part 10.D, question 15 of his N-400, which asked, “Have you **EVER** committed a crime or offense for which you were not arrested?” Defendant checked the box for “No.”

32. On May 7, 2002, Defendant signed his naturalization application under penalty of perjury under the laws of the United States of America, thereby certifying that the application, and the evidence submitted with it, were all true and correct.

33. On January 9, 2003, a USCIS immigration services officer interviewed Defendant about his N-400 (“Naturalization Interview”).

34. At the conclusion of the Naturalization Interview, Defendant again signed his naturalization application, in the presence of the USCIS officer, thereby swearing under penalty of perjury that he knew that the contents of his application and that his amended application was true and correct to the best of his knowledge and belief.

35. On January 9, 2003, when Defendant signed his naturalization application, his sexual abuse of Minor Victim, which started in 2002 and did not end until at least fall 2003, was ongoing.

36. That same day, January 9, 2003, the legacy Immigration and Naturalization Service approved Defendant’s N-400.

37. That same day, January 9, 2003, Defendant took the oath of allegiance, was naturalized, and was issued Naturalization Certificate No. 27584515 (“Naturalization Certificate”).

38. A true, complete, and certified copy of the Naturalization Certificate, except for redactions of personally identifying information that is immaterial to this action, is attached hereto as Exhibit C.

D. Federal Criminal Charges and Conviction

39. In June 2016, Minor Victim sought counseling and disclosed Defendant’s actions to the Archdiocese of Baltimore, but the abuse was not disclosed to any law enforcement agency at that time.

40. In August 2017, Defendant entered a Walgreens in Abingdon, Maryland, to print photographs from a kiosk.

41. Defendant enlisted the help of a Walgreens employee because he could not connect his iPhone the photo kiosk.

42. As the Walgreens employee assisted, she noticed images of naked minor children in Defendant’s photo gallery.

43. The Walgreens employee contacted law enforcement, and the Harford County Sheriff’s Office launched an investigation.

44. The Harford County Sheriff’s Office investigation yielded information regarding a pattern of predatory behavior and other minor victims of Defendant.

45. On February 21, 2018, Defendant was indicted on a charge of production of child pornography, in violation of 18 U.S.C. § 2251(a).

46. On June 23, 2021, Defendant was charged in a second superseding indictment. *See* Second Superseding Indictment, *United States v. Cristancho*, No. 1:18-cr-00098-ELH (D. Md. June 23, 2021), Dkt No. 88 (“Second Superseding Indictment”).

47. A true and complete copy of the Second Superseding Indictment, except for redactions made prior to its public filing, is filed herewith as Exhibit D.

48. The Second Superseding Indictment charged Defendant with one count of coercion and enticement, in violation of 18 U.S.C. § 2422(b), six counts of sexual exploitation of a child, in violation of 18 U.S.C. § 2251(a), and three counts of possession of child pornography, in violation of 18 U.S.C. §§ 2252A(a)(5)(B) & 2256.

49. Count One of the Second Superseding Indictment charged Defendant with Coercion and Enticement, in violation of 18 U.S.C. § 2422(b) and alleged that from at least in or about August 2002, up to and including at least fall 2023, Defendant unlawfully, willfully, and knowingly used a facility and means of interstate and foreign commerce to persuade, induce, entice, and coerce Minor Victim, an individual who had not attained the age of 18 years, to engage in the type of sexual activity for which a person can be charged with a criminal offense.

50. On October 3, 2021, Defendant signed a written plea agreement that was filed in his criminal proceedings the following day. *See* Plea Agreement and Factual Proffer, *United States v. Cristancho*, No. 1:18-cr-00098-ELH-1 (D. Md. Oct. 4, 2021), Dkt. No. 121 (“Plea Agreement and Factual Proffer”).

51. A true and complete copy of the Plea Agreement and Factual Proffer is filed herewith as Exhibit E.

52. The Plea Agreement and Factual Proffer included a stipulation of facts signed by Defendant in which Defendant admitted to the sexual grooming and sexual abuse described above at paragraphs 15 to 27.

53. In the Plea Agreement and Factual Proffer, Defendant admitted to the sexual abuse and production of child sex abuse materials involving four other minor victims.

54. On October 4, 2021, Defendant pleaded guilty to Count One of the Second Superseding Indictment, Coercion and Enticement in violation of 18 U.S.C. § 2422(b), with the remaining counts of the Second Superseding Indictment dismissed.

55. The District Court sentenced Defendant to 264 months (22 years) in prison, followed by supervised release for a term of life, and registration as a sex offender. *See* Judgment, *United States v. Cristancho*, No. 1:18-cr-00098-ELH-1, Dkt. No. 144 (“Judgment”).

56. A true and complete copy of the Judgment is attached hereto as Exhibit F.

57. Defendant is currently incarcerated at Federal Correctional Institution Petersburg Low, in Petersburg, Virginia, with a projected release date of May 4, 2036.

V. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

58. No individual “has the slightest right to naturalization unless all statutory requirements are complied with.” *United States v. Ginsberg*, 243 U.S. 472, 475 (1917). The Supreme Court has emphasized that “there 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.* (noting that 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).

59. 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).

60. The required statutory period for good moral character begins five years before the date the individual files the application for naturalization, and it continues until the individual takes the oath of allegiance and becomes a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

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

62. An applicant for naturalization is precluded from establishing good moral character if, during the statutory period, he or she commits unlawful acts that adversely reflect on his or her moral character. *See* 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii); *see also United States v. Jean-Baptiste*, 395 F.3d 1190, 1194 (11th Cir. 2005) (holding that a naturalized citizen, who committed an offense during the statutory period prior to taking the oath of allegiance but who was not indicted, arrested, and convicted until after naturalization, was subject to denaturalization for lack of good moral character). Congress has also expressly precluded individuals who give false testimony for the purpose of obtaining immigration benefits from being able to establish the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

63. 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).

64. 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 C.F.R § 316.10(b)(3)(iii).

65. 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).

B. An Individual Who Illegally Procures Citizenship Must Be Denaturalized

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 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 admitting an individual to citizenship 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 has been 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 United States establishes that the defendant's citizenship was illegally procured or procured by concealment of a material fact or willful misrepresentation, "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
LACK OF GOOD MORAL CHARACTER
(UNLAWFUL ACTS)**

71. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Paragraphs 1 through 71 of this Complaint.

72. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during the statutory period—*i.e.*, from May 9, 1997 (the date five years before he filed his N-400), until January 9, 2003, the date he became a U.S. citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

73. An applicant for naturalization is statutorily precluded from establishing the requisite good moral character for naturalization where he commits unlawful acts during the statutory period that reflect adversely on his moral character, and there were no extenuating circumstances that would lessen his guilt. 8 C.F.R. § 316.10(b)(3)(iii).

74. As set forth above at paragraphs 15 to 27, during his statutory period, Defendant committed the unlawful act of coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), against a child in the church community where Defendant served as a priest, from the time the child was 11 to 13 years old.

75. On October 4, 2021, Defendant pleaded guilty to and was convicted of committing, during his statutory period, from 2002 and up to and including fall 2003, the unlawful act of

coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), against a child in the church community where Defendant served as a priest, from the time the child was 11 to 13 years old.

76. Defendant cannot establish extenuating circumstances with regard to his criminal conduct that would render his conduct less reprehensible than it otherwise would be or that tend to palliate or mitigate his guilt. He therefore cannot avoid the regulatory bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii).

77. Defendant's coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), against a child in the church community where Defendant served as a priest, from the time the child was 11 to 13 years old, so adversely reflect on Defendant's moral character that no evidence of good moral character would permit Defendant to satisfy his burden of establishing good moral character as required for naturalization.

78. Defendant's unlawful conduct precluded him 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 become a naturalized U.S. citizen.

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

80. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and this Court must revoke his citizenship under 8 U.S.C. § 1451(a).

COUNT II

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

81. The United States re-alleges and incorporates by reference the factual and legal allegations contained in Paragraphs 1 through 81 of this Complaint.

82. Under 8 U.S.C. § 1451(a), the Court must revoke an individual's citizenship and cancel his certificate of naturalization where it was procured by concealment of a material fact and by willful misrepresentation.

83. As alleged above in Paragraphs 28 through 35, throughout the naturalization process, Defendant willfully misrepresented and concealed the criminal conduct that he committed during his statutory period.

84. Specifically, Defendant misrepresented on his naturalization application that he had never committed any crime for which he had not been arrested.

85. Defendant knew that representation was false because Defendant had knowingly committed coercion and enticement of a minor to engage in illegal sexual activity, in violation of 18 U.S.C. § 2422(b), a crime for which he had not been arrested as of the date of his filing of his Naturalization Application on January 9, 2003.

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

87. Defendant's misrepresentations were material to his naturalization because the disclosure of his criminal activity would have had a natural tendency to influence the Government's decision whether to approve Defendant's N-400; indeed, his misrepresentations related to statutory eligibility criteria for such benefit.

88. Had Defendant disclosed the truth about his criminal conduct, the Government would have discovered his statutory ineligibility for naturalization and would not have approved his application or administered the oath of allegiance.

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States, respectfully requests:

- (1) A declaration that Defendant illegally procured his citizenship;
- (2) A declaration that Defendant procured his citizenship by concealment and willful misrepresentation of material facts;
- (3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. 27584515, effective as of the original date of the order and certificate, January 9, 2003;
- (4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship;
- (5) Judgment requiring Defendant, within ten (10) days of the entry of judgment, to surrender and deliver his Certificate of Naturalization No. 27584515 and any copies thereof in his possession (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession of others) to the Acting Attorney General through the undersigned counsel located in Washington, D.C.;
- (6) Judgment requiring Defendant, within ten (10) days of the entry of judgment, to surrender and deliver any other indicia of U.S. citizenship, including, but not limited to, U.S. passports, state-issued Enhanced Drivers Licenses, Permits, or Non-Driver Identification Cards, and other relevant documents, whether current or expired, and any copies thereof in his possession (and to make good faith efforts to recover and then surrender any copies thereof that he knows are

in the possession or control of others), to the Acting Attorney General through the undersigned counsel located in Washington, D.C.; and

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

Dated: Baltimore, Maryland
June 5, 2026

Kelly O. Hayes
United States Attorney for the
District of Maryland

Respectfully submitted,

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U.S. Department of Justice
Civil Division

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EXHIBIT A

Affidavit of Good Cause

UNITED STATES OF AMERICA)
)
DISTRICT OF MARYLAND)
)
In the Matter of the Revocation) AFFIDAVIT OF GOOD CAUSE
of the Naturalization of)
)
Fernando Cristancho)
A [REDACTED] 237)

I, Ronald Dorman, declare under penalty of perjury as follows:

1. I am a Deportation Officer with U.S. Immigration and Customs Enforcement, a component of the U.S. Department of Homeland Security (“DHS”). In this capacity, I have access to the official records of DHS, including the immigration file of Fernando Cristancho (“CRISTANCHO”), Alien Number A [REDACTED] 237.

2. I have examined records relating to CRISTANCHO, including, but not limited to, his immigration file. Based upon my review of these records, I state that the information set forth in this Affidavit of Good Cause is true and correct.

3. Based on the facts and law contained herein, good cause exists to institute proceedings pursuant to section 340(a) of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1451(a), to revoke the U.S. citizenship of CRISTANCHO and to cancel his Certificate of Naturalization No. 27584515.

FACTUAL BACKGROUND

4. CRISTANCHO was born in the Colombia on [REDACTED], 1956.

5. On or about October 10, 1996, at Miami, Florida, CRISTANCHO was admitted to the U.S. as a non-immigrant religious worker (visa classification R-1) by the U.S. Immigration and Naturalization Service (“INS”) with authorization to remain in the U.S. for a period not to

exceed October 9, 1999, pursuant to section 101(a)(15)(R) of the INA, 8 U.S.C. § 1101(a)(15)(R).

6. On or about November 4, 1996, INS received a Form I-360, *Petition for Amerasian, Widow, or Special Immigrant*, submitted by the Good Shepherd Catholic Church in Alexandria, Virginia on CRISTANCHO's behalf pursuant to section 101(a)(27)(C)(iii), 8 U.S.C. § 1101(a)(27)(C)(iii). It was approved by INS on November 8, 1996.

7. On or about December 6, 1996, INS received a Form I-485, *Petition to Register Permanent Residence or Adjust Status*, submitted by CRISTANCHO. It was approved by INS on or about May 23, 1997, and CRISTANCHO's status was adjusted to that of a permanent resident pursuant to section 245 of the INA, 8 U.S.C. § 1255.

8. On or about May 9, 2002, INS received a Form N-400, *Application for Naturalization* ("Form N-400" or "naturalization application"), submitted by CRISTANCHO pursuant to section 316(a) of the INA, 8 U.S.C. § 1427(a).

9. On his naturalization application, CRISTANCHO checked the box marked "No" in response to Question 15 in Part 10.D., which asked: "Have you **EVER** committed a crime or offense for which you were NOT arrested?"

10. On or about May 7, 2002, CRISTANCHO signed his naturalization application under penalty of perjury under the laws of the United States of America, thereby certifying that the application, and the evidence he submitted with it, were all true and correct.

11. On or about January 9, 2003, CRISTANCHO appeared in person before an INS Officer for an interview to determine his eligibility for naturalization. At the beginning of the interview, the Officer placed CRISTANCHO under oath.

12. At the conclusion of the interview, CRISTANCHO again signed his naturalization application, in the presence of the Officer, thereby swearing and certifying under penalty of perjury under the laws of the United States of America that he knew that the contents of his application, subscribed by him, including the seven numbered changes¹ made at his request, and that his amended application was true and correct to the best of his knowledge and belief.

13. Based on his written responses on the Form N-400, documentation provided in support of the application, and his testimony at the naturalization interview, INS approved CRISTANCHO's application for naturalization on January 9, 2003.

14. On or about January 9, 2003, CRISTANCHO completed a Form N-445, *Notice of Naturalization Oath Ceremony* ("Form N-445"). On his Form N-445, CRISTANCHO checked the box marked "No" in response to Question 3, which asked: "After the date you were first interviewed on your Application for Naturalization, Form N-400:...[h]ave you knowingly committed any crime or offense, for which you have not been arrested, or have you been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance, including traffic violations?"

15. CRISTANCHO signed the Form N-445 on January 9, 2003, certifying that the answers he provided were made by him and that they were true and correct.

16. Based on the written statements he made on his Form N-400, documentation provided in support of the Form N-400, his testimony under oath during the naturalization interview, and his statements on the Form N-445, CRISTANCHO was permitted to take the oath

¹ The seven numbered changes to the Form N-400 that CRISTANCHO made during the naturalization interview related to his immigration classification, home address, address history, international travel, and children – none of which is relevant to the instant matter.

of allegiance and he became a naturalized U.S. citizen on January 9, 2003. The same day, INS issued CRISTANCHO Certificate of Naturalization No. 27584515.

17. As set forth below, CRISTANCHO illegally procured his naturalization because he could not have established that he was a person of good moral character on account of his commission of unlawful acts which adversely reflected upon his moral character.

CRISTANCHO additionally procured his naturalization by concealment of material facts and willful misrepresentations—a separate ground for denaturalization under 8 U.S.C. § 1451(a).

ILLEGAL PROCUREMENT OF NATURALIZATION

18. As an applicant for naturalization pursuant to section 316(a) of the INA, 8 U.S.C. § 1427(a), CRISTANCHO was required to prove that he was a person of good moral character from May 9, 1997, five years before he filed his application for naturalization, until January 9, 2003, the date on which he was admitted to U.S. citizenship (the “statutory period”).

19. On or about June 23, 2021, in the U.S. District Court for the District of Maryland, a second superseding indictment was issued charging CRISTANCHO with eleven felony offenses. Count one charged CRISTANCHO with using any means of interstate commerce to persuade, induce, entice, and coerce a child to engage in sexual activity for which any person can be charged with a criminal offense—namely, that from on or about August 2002 through on or about January 2004, he attempted to and did persuade, induce, entice, and coerce Minor Victim 1, who had not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense, in violation of Title 18 U.S.C. § 2422(b). Counts two through eleven of the second superseding indictment involving Minor Victim’s 2 through 5 all allege sexual offenses committed against or involving children. Although CRISTANCHO subsequently confessed under oath before the court to being guilty of every offense as charged in

the second superseding indictment, counts two through eleven were exclusively committed after the statutory period and are therefore not relevant to the instant matter.

20. On or about October 4, 2021, in the U.S. District Court for the District of Maryland, CRISTANCHO pleaded guilty at arraignment to one count of coercion and enticement of a child, a felony, in violation of Title 18 U.S.C. § 2422(b), as charged in count one of the second superseding indictment.

21. On or about May 11, 2022, in the U.S. District Court for the District of Maryland, CRISTANCHO was adjudicated guilty of the above listed offense. CRISTANCHO was sentenced to 264 months of imprisonment.

22. Pursuant to the judgment issued by the court, the offenses to which CRISTANCHO was adjudicated guilty, and for which the Court entered judgment against him, were committed from on or about August 2002 through on or about January 2004, both during and after the statutory period.

I. CRISTANCHO illegally procured his naturalization because he committed unlawful acts that adversely reflected on his moral character, which precluded him from establishing the requisite good moral character to naturalize.

23. CRISTANCHO was statutorily precluded from establishing the good moral character necessary to naturalize because he committed unlawful acts during the statutory period that adversely reflected on his moral character.

24. Absent extenuating circumstances, an applicant for naturalization is precluded from establishing good moral character if, during the statutory period, he or she commits unlawful acts that adversely reflect on his or her moral character. *See* 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii); *see also United States v. Jean-Baptiste*, 395 F.3d 1190, 1194 (11th Cir. 2005) (holding that a naturalized citizen, who committed an offense during the statutory

period prior to taking the oath of allegiance but who was not indicted, arrested, and convicted until after naturalization, was subject to denaturalization for lack of good moral character).

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

26. As set forth above, beginning as early as August 2002 and continuing until January 2004, both during and after the statutory period, CRISTANCHO knowingly committed the offense of coercion and enticement of a minor, in violation of 18 U.S.C. § 2422(b).

27. Committing coercion and enticement of a minor, *i.e.*, knowingly using any means of interstate commerce to engage in sexual activity with a child for which any person can be charged with a criminal offense, is an unlawful act that adversely reflects on an individual's moral character, as measured against the standards of the average citizen in the community of residence.

28. The crime of coercion and enticement of a child in violation of 18 U.S.C. § 2422(b) is a felony, punishable by up to a life term of imprisonment per violation and is an unlawful act that adversely reflected on CRISTANCHO's moral character as contemplated by 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii).

29. As evidenced by his post-naturalization confession, written plea agreement, and conviction, there were no extenuating circumstances that could have mitigated the effect of CRISTANCHO's actions on his ability to establish good moral character.

30. Because CRISTANCHO committed unlawful acts adversely affecting his moral character during the statutory period, he is precluded from establishing the requisite good moral character to naturalize. Consequently, he illegally procured his naturalization.

II. CRISTANCHO illegally procured his naturalization by concealment of a material fact or willful misrepresentation.

31. CRISTANCHO's U.S. citizenship must be revoked and his Certificate of Naturalization canceled because he procured his naturalization by willful misrepresentation and concealment of material facts.

32. An individual who procures naturalization through willful misrepresentation or concealment of material facts is subject to revocation of naturalization. 8 U.S.C. § 1451(a).

33. CRISTANCHO concealed and misrepresented the material fact of his criminal activity during the naturalization process.

34. As set forth above, throughout the naturalization process, CRISTANCHO willfully misrepresented and concealed that he had committed the crime of coercion and enticement of a child, in violation of 18 U.S.C. § 2422(b). Specifically, CRISTANCHO swore under penalty of perjury on his naturalization application that he had never committed a crime or offense for which he had not been arrested and affirmed that response under penalty of perjury during his naturalization interview, despite knowing that such representations were false and misleading. Accordingly, CRISTANCHO made these representations willfully.

35. CRISTANCHO's misrepresentations and omissions were material to determining his eligibility for naturalization because the disclosure of his criminal conduct would have had the natural tendency to influence USCIS's decision to approve his naturalization application. In fact, as set forth above, CRISTANCHO's criminal conduct precluded him from establishing the requisite good moral character to naturalize. Had CRISTANCHO disclosed the truth about his criminal conduct, his ineligibility for naturalization would have been disclosed, and USCIS would not have approved his application or administered the oath of allegiance.

36. CRISTANCHO thus procured his naturalization by willfully misrepresenting and concealing material facts and his naturalization must be revoked under 8 U.S.C. § 1451(a).

CONCLUSION

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

38. CRISTANCHO most recently resided at [REDACTED] Bel Air, Maryland 21014. Therefore, venue is proper in this district.

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 this 28th day of May, 2026.



Ronald Dorman
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
Cary, North Carolina

EXHIBIT B

N-400 Application for Naturalization



U.S. Department of Justice
Immigration & Naturalization Service

Fallon Federal Building
31 Hopkins Plaza
Baltimore, MD 21201

Date: JAN X 9 2003

Name: FERNANDO CRISTIANEIRO A-File # [REDACTED] 237

Dear Sir/Madam:

Congratulations! You have been found to be eligible to become a citizen of the United States. In order to complete the citizenship process, you must appear to take the oath of allegiance at the time and place specified below:

Date: same as above

Time: 11:30 am 3:00 pm

Place: Room 101, Fallon Federal Building, 31 Hopkins Plaza, Baltimore, MD 21201

You must bring your Alien Registration Card (I-551), any Reentry Permit or Refugee Travel Document, and **this notice** with you to the ceremony. You must be processed by an employee of this Service prior to taking the oath of allegiance.

You will be issued a Certificate of Naturalization after you have taken the oath of allegiance, which contains biographical information, such as your complete and correct name, and date of birth, as it was indicated on your naturalization application, and/or provided during your naturalization interview. You should advise the INS officer who conducted your interview of any errors, changes, or corrections that would be needed to this information at the time of your interview.

Louis D. Crocetti, Jr.
District Director

(IMPORTANT: PLEASE COMPLETE AND BRING THE ATTACHED FORM)

Please do not write below this line

0 I-551 ADIT Texas _____ I-551 Destroyed _____ Reentry Permit Destroyed

In connection with your application, please answer each of the questions by checking "YES" or "NO." You should answer these questions the day you are to appear for the citizenship oath ceremony. These questions refer to actions since the date you were first interviewed on your Application for Naturalization. They do not refer to anything that happened before that interview.

After you have answered every question, sign your name, fill in the date and place of signing, and provide your current address.

You must bring this completed questionnaire with you to the oath ceremony, as well as the documents indicated on the front, and give them to the Immigration employee at the oath ceremony. You may be questioned further on your answers at that time.

AFTER the date you were first interviewed on your Application for Naturalization, Form N-400:

- | | ANSWERS |
|--|---|
| 1. Have you married, or been widowed, separated, or divorced? (if "yes" Please bring documented proof of marriage, death, separation, or divorce)? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| 2. Have you traveled outside the United States? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| 3. Have you knowingly committed any crime or offense, for which you have not been arrested, or have you been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance, including traffic violations? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| 4. Have you joined any organization, including the Communist party, or become associated or connected therewith in any way? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| 5. Have you claimed exemption from military service? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| 6. Has there been any change in your willingness to bear arms on behalf of the United States; to perform non-combatant service in the armed forces of the United States; to perform work of national importance under civilian direction, if | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| 7. Have you practiced polygamy; received income from illegal gambling; been a prostitute, procured anyone for prostitution or been involved in any other unlawful commercialized vice; encouraged or helped any alien to enter the United States illegally; illicitly trafficked in drugs or marijuana; given any false testimony to obtain immigration benefits; or been a habitual drunkard? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |

I certify that each of the answers shown above were made by me or at my direction, and that they are true and correct.

Signed at (city and state) Baltimore MD on (date) Jan 9/03
Fernando Estancho Bel Air, MD 21014
(Full Signature) (Full Address and ZIP Code)

U.S. Department of Justice
Immigration and Naturalization Service

OMB No. 1115-0009

Application for Naturalization

Print clearly or type your answers using CAPITAL letters. Failure to print clearly may delay your application. Use black or blue ink.

Part 1. Your Name (The Person Applying for Naturalization)

A. Your current legal name.

Family Name (Last Name)

CRISTANCHO

Given Name (First Name)

FERNANDO

Full Middle Name (If applicable)

B. Your name exactly as it appears on your Permanent Resident Card.

Family Name (Last Name)

CRISTANCHO

Given Name (First Name)

FERNANDO

Full Middle Name (If applicable)

C. If you have ever used other names, provide them below.

Family Name (Last Name)

Given Name (First Name)

Middle Name

Family Name (Last Name)	Given Name (First Name)	Middle Name

D. Name change (optional)

Please read the Instructions before you decide whether to change your name.

1. Would you like to legally change your name? Yes No

2. If "Yes," print the new name you would like to use. Do not use initials or abbreviations when writing your new name.

Family Name (Last Name)

Given Name (First Name)

Full Middle Name

Part 2. Information About Your Eligibility (Check Only One)

I am at least 18 years old AND

- A. I have been a Lawful Permanent Resident of the United States for at least 5 years.
- B. I have been a Lawful Permanent Resident of the United States for at least 3 years, AND I have been married to and living with the same U.S. citizen for the last 3 years, AND my spouse has been a U.S. citizen for the last 3 years.
- C. I am applying on the basis of qualifying military service.
- D. Other (Please explain) _____

Write your INS "A"- number here:

A. [REDACTED] 237

FOR INS USE ONLY

Bar Code



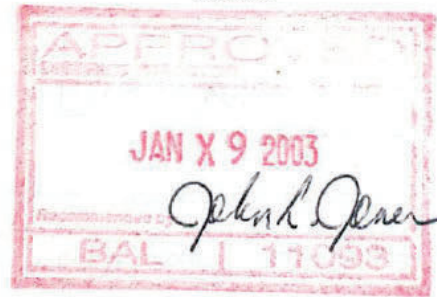
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31
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316a

Action



STATISTICS

Part 3. Information About You

Write your INS Form I-485 number
A [REDACTED] 237

A. Social Security Number [REDACTED] 5833
B. Date of Birth (Month/Day/Year) [REDACTED] 1956
C. Date You Became a Permanent Resident (Month/Day/Year) 05/23/1997

D. Country of Birth COLOMBIA
E. Country of Nationality COLOMBIA. SRU ①

F. Are either of your parents U.S. citizens? (if yes, see Instructions) Yes No

G. What is your current marital status? Single, Never Married Married Divorced Widowed
 Marriage Annulled or Other (Explain) _____

H. Are you requesting a waiver of the English and/or U.S. History and Government requirements based on a disability or impairment and attaching a Form N-648 with your application? Yes No

I. Are you requesting an accommodation to the naturalization process because of a disability or impairment? (See Instructions for some examples of accommodations.) Yes No

If you answered "Yes", check the box below that applies:
 I am deaf or hearing impaired and need a sign language interpreter who uses the following language _____
 I use a wheelchair.
 I am blind or sight impaired.
 I will need another type of accommodation. Please explain: _____

Part 4. Addresses and Telephone Numbers

A. Home Address - Street Number and Name (Do NOT write a P.O. Box in this space) [REDACTED] Apartment Number [REDACTED]
City BEL AIR County HARFORD State MD ZIP Code 21014 Country USA
~~FOREST HILL~~

B. Care of [REDACTED] Mailing Address - Street Number and Name (If different from home address) [REDACTED] Apartment Number [REDACTED]
City BEL AIR State MARYLAND ZIP Code 21014 Country USA

C. Daytime Phone Number (If [REDACTED]) Evening Phone Number (If any) () E-mail Address (If any) [REDACTED]@hotmail.com

Part 5. Information for Criminal Records Search

Write your INS "A"- number here:

A [REDACTED] 237

Note: The categories below are those required by the FBI. See Instructions for more information.

A. Gender

Male Female

B. Height

[REDACTED] Feet [REDACTED] inches

C. Weight

[REDACTED] Pound

D. Race

White Asian or Pacific Islander Black American Indian or Alaskan Native Unknown

E. Hair color

Black Brown Blonde Gray White Red Sandy Bald (No Hair)

F. Eye color

Brown Blue Green Hazel Gray Black Pink Maroon Other

Part 6. Information About Your Residence and Employment

A. Where have you lived during the last 5 years? Begin with where you live now and then list every place you lived for the last 5 years. If you need more space, use a separate sheet of paper.

Street Number and Name, Apartment Number, City, State, Zip Code and Country	Dates (Month/Year)	
	From	To
Current Home Address - Same as Part 4.A	___/___/___	Present
[REDACTED] FOREST HILL MD	11/1/98	___/___/___
[REDACTED] Alexandria VA, 22308	09/1997	___/1998
[REDACTED] Alexandria VA ²²³⁰⁹	03/1995	09/1997
⑤ see part 3	___/___/___	___/___/___

B. Where have you worked (or, if you were a student, what schools did you attend) during the last 5 years? Include military service. Begin with your current or latest employer and then list every place you have worked or studied for the last 5 years. If you need more space, use a separate sheet of paper.

Employer or School Name	Employer or School Address (Street, City and State)	Dates (Month/Year)		Your Occupation
		From	To	
St. Ignatius Church	533 E. JARRETTVILLE Road, FOREST HILL, MD	11/1998	___/___/___	Associate PASTOR
SAI	USSF 1424 K street N.W 4th Floor Washington DC.	06/1998	08/1998	SUMMER part time job.
Good shepherd Church	8710 Mount Vernon Hwy Alexan dria VA.	03/1995	09/1998	Associate PASTOR
		___/___/___	___/___/___	
		___/___/___	___/___/___	

Part 7. Time Outside the United States
 (Including Trips to Canada, Mexico, and the Caribbean Islands)

Write your INS "A" number here:
 A [REDACTED] 237

- A. How many total days did you spend outside of the United States during the past 5 years? 100 days
- B. How many trips of 24 hours or more have you taken outside of the United States during the past 5 years? 9 trips
- C. List below all the trips of 24 hours or more that you have taken outside of the United States since becoming a Lawful Permanent Resident. Begin with your most recent trip. If you need more space, use a separate sheet of paper.

Date You Left the United States (Month/Day/Year)	Date You Returned to the United States (Month/Day/Year)	Did Trip Last 6 Months or More?		Countries to Which You Traveled	Total Days Out of the United States
04/16/2002	04/18/2002	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	3
01/22/2002	01/28/2002	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	7
12/13/2001	12/16/2001	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	4
04/05/2001	04/09/2001	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	5
01/18/2001	02/01/2001	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	15
06/12/2000	07/03/2000	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	22
07/12/1999	08/05/1999	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	25
02/06/1998	02/09/1998	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	4
01/11/1998	01/25/1998	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	15
___/___/___	___/___/___	<input type="checkbox"/> Yes	<input type="checkbox"/> No	⑥ no others	

Part 8. Information About Your Marital History

A. How many times have you been married (including annulled marriages)? N/A If you have NEVER been married, go to Part 9.

B. If you are now married, give the following information about your spouse:

1. Spouse's Family Name (Last Name) Given Name (First Name) Full Middle Name (If applicable)

2. Date of Birth (Month/Day/Year) 3. Date of Marriage (Month/Day/Year) 4. Spouse's Social Security Number

5. Home Address - Street Number and Name Apartment Number

City State ZIP Code

Part 8. Information About Your Marital History (Continued)

Write your INS "A"- number here:

A _____

C. Is your spouse a U.S. citizen? Yes No

D. If your spouse is a U.S. citizen, give the following information:

1. When did your spouse become a U.S. citizen? At Birth Other

If "Other," give the following information:

2. Date your spouse became a U.S. citizen

____/____/____

3. Place your spouse became a U.S. citizen (Please see Instructions)

City and State

E. If your spouse is NOT a U.S. citizen, give the following information :

1. Spouse's Country of Citizenship

2. Spouse's INS "A"- Number (If applicable)

A _____

3. Spouse's Immigration Status

Lawful Permanent Resident Other _____

F. If you were married before, provide the following information about your prior spouse. If you have more than one previous marriage, use a separate sheet of paper to provide the information requested in questions 1-5 below.

1. Prior Spouse's Family Name (Last Name) Given Name (First Name) Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

U.S. Citizen
 Lawful Permanent Resident
 Other _____

3. Date of Marriage (Month/Day/Year)

____/____/____

4. Date Marriage Ended (Month/Day/Year)

____/____/____

5. How Marriage Ended

Divorce Spouse Died Other _____

G. How many times has your current spouse been married (including annulled marriages)?

If your spouse has EVER been married before, give the following information about your spouse's prior marriage.

If your spouse has more than one previous marriage, use a separate sheet of paper to provide the information requested in questions 1 - 5 below.

1. Prior Spouse's Family Name (Last Name) Given Name (First Name) Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

U.S. Citizen
 Lawful Permanent Resident
 Other _____

3. Date of Marriage (Month/Day/Year)

____/____/____

4. Date Marriage Ended (Month/Day/Year)

____/____/____

5. How Marriage Ended

Divorce Spouse Died Other _____

A. How many sons and daughters have you had? For more information on which sons and daughters you should include and how to complete this section, see the Instructions.

~~3~~

B. Provide the following information about all of your sons and daughters. If you need more space, use a separate sheet of paper.

Full Name of Son or Daughter	Date of Birth (Month/Day/Year)	INS "A"- number (if child has one)	Country of Birth	Current Address (Street, City, State & Country)
[REDACTED]	[REDACTED] 2001	A _____	USA	[REDACTED] Bel Air, MD 21014
[REDACTED]	[REDACTED] 2001	A _____	USA	AS ABOVE
[REDACTED]	[REDACTED] 2001	A _____	USA	AS ABOVE
	_ / _ / _	A (1) no others		
	_ / _ / _	A _____		
	_ / _ / _	A _____		
	_ / _ / _	A _____		
	_ / _ / _	A _____		

Part 10. Additional Questions

Please answer questions 1 through 14. If you answer "Yes" to any of these questions, include a written explanation with this form. Your written explanation should (1) explain why your answer was "Yes," and (2) provide any additional information that helps to explain your answer.

A. General Questions

- Have you **EVER** claimed to be a U.S. citizen (in writing or any other way)? Yes No
- Have you **EVER** registered to vote in any Federal, state, or local election in the United States? Yes No
- Have you **EVER** voted in any Federal, state, or local election in the United States? Yes No
- Since becoming a Lawful Permanent Resident, have you **EVER** failed to file a required Federal, state, or local tax return? Yes No
- Do you owe any Federal, state, or local taxes that are overdue? Yes No
- Do you have any title of nobility in any foreign country? Yes No
- Have you ever been declared legally incompetent or been confined to a mental institution within the last 5 years? Yes No

Part 10. Additional Questions (Continued)

Write your INS "A"- number here:

A XXXXXXXXXX 237

B. Affiliations

8. a. 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? Yes No

b. If you answered "Yes," list the name of each group below. If you need more space, attach the names of the other group(s) on a separate sheet of paper.

Name of Group	Name of Group
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

9. Have you **EVER** been a member of or in any way associated (*either directly or indirectly*) with:

- a. The Communist Party? Yes No
- b. Any other totalitarian party? Yes No
- c. A terrorist organization? Yes No

10. Have you **EVER** advocated (*either directly or indirectly*) the overthrow of any government by force or violence? Yes No

11. Have you **EVER** persecuted (*either directly or indirectly*) any person because of race, religion, national origin, membership in a particular social group, or political opinion? Yes No

12. Between March 23, 1933, and May 8, 1945, did you work for or associate in any way (*either directly or indirectly*) with:

- a. The Nazi government of Germany? Yes No
- b. Any government in any area (1) occupied by, (2) allied with, or (3) established with the help of the Nazi government of Germany? Yes No
- c. Any German, Nazi, or S.S. military unit, paramilitary unit, self-defense unit, vigilante unit, citizen unit, police unit, government agency or office, extermination camp, concentration camp, prisoner of war camp, prison, labor camp, or transit camp? Yes No

C. Continuous Residence

Since becoming a Lawful Permanent Resident of the United States:

- 13. Have you **EVER** called yourself a "nonresident" on a Federal, state, or local tax return? Yes No
- 14. Have you **EVER** failed to file a Federal, state, or local tax return because you considered yourself to be a "nonresident"? Yes No

D. Good Moral Character

For the purposes of this application, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record.

- 15. Have you **EVER** committed a crime or offense for which you were NOT arrested? Yes No
- 16. Have you **EVER** been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason? Yes No
- 17. Have you **EVER** been charged with committing any crime or offense? Yes No
- 18. Have you **EVER** been convicted of a crime or offense? Yes No
- 19. Have you **EVER** been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? Yes No
- 20. Have you **EVER** received a suspended sentence, been placed on probation, or been paroled? Yes No
- 21. Have you **EVER** been in jail or prison? Yes No

If you answered "Yes" to any of questions 15 through 21, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Why were you arrested, cited, detained, or charged?	Date arrested, cited, detained, or charged (Month/Day/Year)	Where were you arrested, cited, detained or charged? (City, State, Country)	Outcome or disposition of the arrest, citation, detention or charge (No charges filed, charges dismissed, jail, probation, etc.)

Answer questions 22 through 33. If you answer "Yes" to any of these questions, attach (1) your written explanation why your answer was "Yes," and (2) any additional information or documentation that helps explain your answer.

- 22. Have you **EVER**:
 - a. been a habitual drunkard? Yes No
 - b. been a prostitute, or procured anyone for prostitution? Yes No
 - c. sold or smuggled controlled substances, illegal drugs or narcotics? Yes No
 - d. been married to more than one person at the same time? Yes No
 - e. helped anyone enter or try to enter the United States illegally? Yes No
 - f. gambled illegally or received income from illegal gambling? Yes No
 - g. failed to support your dependents or to pay alimony? Yes No
- 23. 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? Yes No
- 24. Have you **EVER** lied to any U.S. government official to gain entry or admission into the United States? Yes No

Part 10. Additional Questions (Continued)

Write your INS "A"- number here:

A [REDACTED] 237

E. Removal, Exclusion, and Deportation Proceedings

- 25. Are removal, exclusion, rescission or deportation proceedings pending against you? Yes No
- 26. Have you **EVER** been removed, excluded, or deported from the United States? Yes No
- 27. Have you **EVER** been ordered to be removed, excluded, or deported from the United States? Yes No
- 28. Have you **EVER** applied for any kind of relief from removal, exclusion, or deportation? Yes No

F. Military Service

- 29. Have you **EVER** served in the U.S. Armed Forces? Yes No
- 30. Have you **EVER** left the United States to avoid being drafted into the U.S. Armed Forces? Yes No
- 31. Have you **EVER** applied for any kind of exemption from military service in the U.S. Armed Forces? Yes No
- 32. Have you **EVER** deserted from the U.S. Armed Forces? Yes No

G. Selective Service Registration

- 33. Are you a male who lived in the United States at any time between your 18th and 26th birthdays in any status except as a lawful nonimmigrant? Yes No

If you answered "NO", go on to question 34.

If you answered "YES", provide the information below.

If you answered "YES", but you did NOT register with the Selective Service System and are still under 26 years of age, you must register before you apply for naturalization, so that you can complete the information below:

Date Registered (Month/Day/Year) Selective Service Number

If you answered "YES", but you did NOT register with the Selective Service and you are now 26 years old or older, attach a statement explaining why you did not register.

H. Oath Requirements (See Part 14 for the text of the oath)

Answer questions 34 through 39. If you answer "No" to any of these questions, attach (1) your written explanation why the answer was "No" and (2) any additional information or documentation that helps to explain your answer.

- 34. Do you support the Constitution and form of government of the United States? Yes No
- 35. Do you understand the full Oath of Allegiance to the United States? Yes No
- 36. Are you willing to take the full Oath of Allegiance to the United States? Yes No
- 37. If the law requires it, are you willing to bear arms on behalf of the United States? Yes No
- 38. If the law requires it, are you willing to perform noncombatant services in the U.S. Armed Forces? Yes No
- 39. If the law requires it, are you willing to perform work of national importance under civilian direction? Yes No

Part 11. Your Signature

Write your INS "A" number here:

A [redacted] 237

I certify, under penalty of perjury under the laws of the United States of America, that this application, and the evidence submitted with it, are all true and correct. I authorize the release of any information which INS needs to determine my eligibility for naturalization.

Your Signature

Date (Month/Day/Year)

Fernando Cristancho

05/07/2002

Part 12. Signature of Person Who Prepared This Application for You (if applicable)

I declare under penalty of perjury that I prepared this application at the request of the above person. The answers provided are based on information of which I have personal knowledge and/or were provided to me by the above named person in response to the exact questions contained on this form.

Preparer's Printed Name

Preparer's Signature

Date (Month/Day/Year)

Preparer's Firm or Organization Name (If applicable)

Preparer's Daytime Phone Number

Preparer's Address - Street Number and Name

City

State

ZIP Code

Do Not Complete Parts 13 and 14 Until an INS Officer Instructs You To Do So

Part 13. Signature at Interview

I swear (affirm) and certify under penalty of perjury under the laws of the United States of America that I know that the contents of this application for naturalization subscribed by me, including corrections numbered 1 through 7 and the evidence submitted by me numbered pages 1 through 0, are true and correct to the best of my knowledge and belief.

Subscribed to and sworn to (affirmed) before me

JOHN L. JONES

JAN 9 2003

Officer's Printed Name or Stamp

Date (Month/Day/Year)

Complete Signature of Applicant

Officer's Signature

Fernando Cristancho

[Signature]

Part 14. Oath of Allegiance

If your application is approved, you will be scheduled for a public oath ceremony at which time you will be required to take the following oath of allegiance immediately prior to becoming a naturalized citizen. By signing below, you acknowledge your willingness and ability to take this oath:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen;

that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

that I will bear true faith and allegiance to the same;

that I will bear arms on behalf of the United States when required by the law;

that I will perform noncombatant service in the Armed Forces of the United States when required by the law;

that I will perform work of national importance under civilian direction when required by the law; and

that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God.

Printed Name of Applicant

Complete Signature of Applicant

FERNANDO CRISTANCHO

Fernando Cristancho

U.S. Department of Justice
Immigration and Naturalization Service

Naturalization Interview Results

A#:



237

On JAN 9 2003, you were interviewed by INS Officer JOHN JONES.

- You passed the tests of English and U.S. history and government.
- You passed the test of U.S. history and government and the English language requirement was waived.
- The Service has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- You will be given another opportunity to be tested on your ability to _____ speak / _____ read / _____ / write English.
- You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- Please follow the instructions on the Form N-14.
- INS will send you a written decision about your application.
- You did not pass the second and final test of your _____ English ability / _____ knowledge of U.S. history and government. You will not be rescheduled for another interview for this N-400. INS will send you a written decision about your application.
- A) **Congratulations! Your application has been recommended for approval.** At this time, it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.
- B) _____ A decision cannot yet be made about your application.

It is very important that you:

- ✓ Notify INS if you change your address.
- ✓ Come to any scheduled interview.
- ✓ Submit all requested documents.
- ✓ Send any questions about this application in writing to the officer named above. Include your full name, A-number, and a copy of this paper.
- ✓ Go to any oath ceremony that you are scheduled to attend.
- ✓ Notify INS as soon as possible in writing if you cannot come to any scheduled interview or oath ceremony. Include a copy of this paper and a copy of the scheduling notice.

EXHIBIT C

Naturalization Certificate

No. 27584515



DEPARTMENT OF JUSTICE

OFFICE OF THE COMMISSIONER

Personal description of holder as of date of naturalization:

Date of birth: [redacted] 1956

Sex: MALE

Height: [redacted] feet [redacted] inches

Marital status: SINGLE

Country of former nationality: COLOMBIA

INS Registration No. [redacted] 237

I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.

(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Attorney General

at: BALTIMORE, MARYLAND

The Attorney General having found that:

FERNANDO CRISTANCHO

then residing in the United States, intends to reside in the United States when so required by the Naturalization Laws of the United States, and had in all other respects complied with the applicable provisions of such naturalization laws and was entitled to be admitted to citizenship, such person having taken the oath of allegiance in a ceremony conducted by the

U.S. IMMIGRATION AND NATURALIZATION SERVICE

at: BALTIMORE, MARYLAND

on: JAN 09 2003

that such person is admitted as a citizen of the United States of America.

[Signature]

Commissioner of Immigration and Naturalization

IT IS PUNISHABLE BY U. S. LAW TO COPY, PRINT OR PHOTOGRAPH THIS CERTIFICATE, WITHOUT LAWFUL AUTHORITY.

EXHIBIT D

Second Superseding Indictment

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

FERNANDO CRISTANCHO,

Defendant.

CRIMINAL NO. ELH-18-098

(Coercion and Enticement, 18 U.S.C. § 2422(b); Sexual Exploitation of a Child, 18 U.S.C. § 2251(a); Possession of Child Pornography, 18 U.S.C. § 2252A(a)(5)(B); Aiding and Abetting, 18 U.S.C. § 2; Forfeiture, 18 U.S.C. §§ 2253 and 2428)

SECOND SUPERSEDING INDICTMENT

General Allegations

The Grand Jury for the District of Maryland charges that:

At all times relevant to this Second Superseding Indictment,

1. Defendant **FERNANDO CRISTANCHO** (hereinafter "**CRISTANCHO**"), was born in 1956 in the Republic of Colombia.

2. **CRISTANCHO** was ordained as a priest in the Roman Catholic Diocese of Istmina-Tado, in the Republic of Colombia.

3. **CRISTANCHO** moved to the United States in or about 1995 and was employed as an assistant priest in a Catholic Church in the Diocese of Arlington, Virginia.

4. **CRISTANCHO** was dismissed from the Diocese of Arlington in or about 1997.

5. In or about 1999, **CRISTANCHO** was granted faculties to work as a priest in the Archdiocese of Baltimore, and he began work as an Associate Pastor in a Catholic Church in Harford County, Maryland.

6. From in or about 1999 through 2017, **CRISTANCHO** lived in Harford County, Maryland.

7. 

[REDACTED]

8. [REDACTED]

[REDACTED]

9. [REDACTED]

10. In or about July 2002, **CRISTANCHO** was removed from his position as a priest in Harford County, Maryland, and his faculties to act as a priest were revoked.

11. Following the revocation of his faculties to act as a priest, **CRISTANCHO** continued to host religious services in the homes of parishioners in Harford County, Maryland.

12. A minor male, Minor Victim 1, was a victim of the crimes alleged herein, in Count One. [REDACTED]

[REDACTED]

13. [REDACTED]

[REDACTED]

14. From in or about 2002 through 2003, [REDACTED]

[REDACTED]

CRISTANCHO routinely sexually molested Minor Victim 1.

15. [REDACTED]

[REDACTED]

16. [REDACTED]

[REDACTED]

[REDACTED]

17. A minor male, "Minor Victim 2," was a victim of the crimes alleged herein, in Count Three. [REDACTED]

[REDACTED]

[REDACTED]

18. A minor female, “Minor Victim 3,” was a victim of the crimes alleged herein, in Count Three. [REDACTED]

[REDACTED]

19. A minor female, “Minor Victim 4,” was a victim of the crimes alleged herein, in Count Two. [REDACTED]

[REDACTED]

20. A minor male, “Minor Victim 5,” was a victim of the crimes alleged herein, in Counts Four, Five, Six and Seven. [REDACTED]

[REDACTED]

[REDACTED]

COUNT ONE
(Coercion and Enticement)

1. Paragraphs One through Fourteen of the General Allegations are realleged and specifically incorporated herein.

2. From on or about August 2002 through on or about January 2004, in the District of Maryland and elsewhere, the defendant,

FERNANDO CRISTANCHO,

using any facility and means of interstate and foreign commerce, knowingly attempted to and did persuade, induce, entice, and coerce Minor Victim 1, who had not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense.

18 U.S.C. §§ 2422(b), 2427

18 U.S.C. § 2

COUNT TWO

(Sexual Exploitation of a Child)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Eleven, Fifteen, Sixteen, and Nineteen of the General Allegations are realleged and specifically incorporated herein.

2. On or about January 18, 2012, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly employ, use, persuade, induce, entice and coerce a minor female to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing visual depictions of such conduct, and said visual depictions were produced using materials that were mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, that is, a series of eight (8) image files, which depict Minor Victim 4, a prepubescent minor female, naked and partially naked, one of which is focused on Minor Victim 4's exposed genitals, said image files having been stored on a SanDisk Micro SD card, S/N 3041DGPSQ17Y, a product of China.

18 U.S.C. § 2251(a)

18 U.S.C. § 2

COUNT THREE
(Sexual Exploitation of a Child)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Eleven and Seventeen and Eighteen of the General Allegations are realleged and specifically incorporated herein.

2. On or about December 27, 2012, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO

did knowingly employ, use, persuade, induce, entice and coerce a minor male and a minor female to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing visual depictions of such conduct, and said visual depictions were produced using materials that were mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, that is, a series of 15 image files, which depict Minor Victim 2, a minor male, and Minor Victim 3, a minor female, naked and partially naked, two of which are focused on Minor Victim 2's exposed genitals, and one of which is focused on Minor Victim 3's exposed genitals, said image files having been stored on a Walgreens SD card, S/N BE0829213508D, a product of China.

18 U.S.C. §§ 2251(a)

18 U.S.C. § 2

COUNT FOUR
(Sexual Exploitation of a Child)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Eleven, Fifteen, Sixteen, and Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about March 10, 2015, in the District of Maryland, the defendant, **FERNANDO CRISTANCHO**, did knowingly employ, use, persuade, induce, entice and coerce a minor male to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing visual depictions of such conduct, and said visual depictions were produced using materials that were mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, that is, a series of four (4) image files, which depict Minor Victim 5, a prepubescent minor male, naked and partially naked, at least one of which is focused on Minor Victim 5's exposed genitals, said image files having been stored on an iPhone 6s A1688, IMEI 355769073028319, a product of China.

18 U.S.C. § 2251(a)
18 U.S.C. § 2

COUNT FIVE

(Sexual Exploitation of a Child)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Eleven, Fifteen, Sixteen, and Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about July 4, 2015, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly employ, use, persuade, induce, entice and coerce a minor male to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing visual depictions of such conduct, and said visual depictions were produced using materials that were mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, that is, a series of five (5) image files, which depict Minor Victim 5, a prepubescent minor male, naked and partially naked, at least one of which is focused on Minor Victim 5's exposed genitals, as Minor Victim 5 is touching his penis with both hands, said image files having been stored on an iPhone 6s A1688, IMEI 355769073028319, a product of China.

18 U.S.C. § 2251(a)

18 U.S.C. § 2

COUNT SIX
(Sexual Exploitation of a Child)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Eleven, Fifteen, Sixteen, and Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about August 3, 2017, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly employ, use, persuade, induce, entice and coerce a minor male to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing visual depictions of such conduct, and said visual depictions were produced using materials that were mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, that is, two (2) image files and two (2) video files, which depict Minor Victim 5, a prepubescent minor male, naked, and are focused on Minor Victim 5's exposed genitals, said image and video files having been produced by and stored on an iPhone 6s A1688, IMEI 355769073028319, a product of China.

18 U.S.C. § 2251(a)

18 U.S.C. § 2

COUNT SEVEN
(Sexual Exploitation of a Child)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Eleven, Fifteen, Sixteen, and Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about August 6, 2017, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly employ, use, persuade, induce, entice and coerce a minor male to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing visual depictions of such conduct, and said visual depictions were produced using materials that were mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, that is, three (3) image files and three (3) video files, which depict Minor Victim 5, a prepubescent minor male, naked, and are focused on Minor Victim 5's exposed genitals, said image and video files having been produced by and stored on an iPhone 6s A1688, IMEI 355769073028319, a product of China.

18 U.S.C. § 2251(a)

18 U.S.C. § 2

COUNT EIGHT
(Possession of Child Pornography)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about September 19, 2017, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly possess and knowingly access with intent to view any book, magazine, periodical, film, videotape, computer disk, and any other material that contained an image of child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the defendant possessed a SanDisk Micro SD card, S/N 3041DGPSQ17Y, a product of China, which contained one or more visual depictions of prepubescent minors engaged in sexually explicit conduct.

18 U.S.C. §§ 2252A(a)(5)(B) & 2256

18 U.S.C. § 2

COUNT NINE

(Possession of Child Pornography)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about September 19, 2017, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly possess and knowingly access with intent to view any book, magazine, periodical, film, videotape, computer disk, and any other material that contained an image of child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the defendant possessed a Walgreens SD card, S/N BE0829213508D, a product of China, which contained one or more visual depictions of prepubescent minors engaged in sexually explicit conduct.

18 U.S.C. §§ 2252A(a)(5)(B) & 2256

18 U.S.C. § 2

COUNT TEN

(Possession of Child Pornography)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Twenty of the General Allegations are realleged and specifically incorporated herein.

2. On or about September 19, 2017, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly possess and knowingly access with intent to view any book, magazine, periodical, film, videotape, computer disk, and any other material that contained an image of child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the defendant possessed an iPhone 6s A1688, IMEI 355769073028319, a product of China, which contained one or more visual depictions of prepubescent minors engaged in sexually explicit conduct.

18 U.S.C. §§ 2252A(a)(5)(B) & 2256

18 U.S.C. § 2

COUNT ELEVEN
(Possession of Child Pornography)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs One through Twenty of the General Allegations are realleged and specifically incorporated herein.
2. From on or about July 4, 2015, through on or about September 19, 2017, in the District of Maryland, the defendant,

FERNANDO CRISTANCHO,

did knowingly possess and knowingly access with intent to view any book, magazine, periodical, film, videotape, computer disk, and any other material that contained an image of child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the defendant did maintain a “Google” internet-based email and file storage account with the email address [REDACTED]@gmail.com,” which account contained one or more visual depictions of prepubescent minors engaged in sexually explicit conduct.

18 U.S.C. §§ 2252A(a)(5)(B) & 2256
18 U.S.C. § 2

FORFEITURE ALLEGATION

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. of Crim. P. 32.2, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. §§ 2253 and 2428, 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c) as a result of the defendant's conviction under any of the offenses set forth in Counts One through Eleven of this Indictment.

Coercion and Enticement Forfeiture

2. Upon conviction of the offense in Count One of this Indictment, the defendant,

FERNANDO CRISTANCHO,

shall forfeit to the United States, pursuant to 18 U.S.C. § 2428(a):

- a. any interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and
- b. any property, real or personal, constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation.

Production and Possession of Child Pornography Forfeiture

3. Upon conviction of any of the offenses in Counts Two through Eleven of this Indictment, the defendant,

FERNANDO CRISTANCHO,

shall forfeit to the United States, pursuant to 18 U.S.C. § 2253(a):

- a. any visual depiction described in Title 18, United States Code, Sections, 2251, 2251A, 2252, or 2252A, 2252B, or 2260 or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, received or possessed in violation of Title 18, United States Code, Chapter 110;

b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

Property Subject to Forfeiture

4. The property to be forfeited includes, but is not limited to, the following:

- a. SanDisk Micro SD card, S/N 3041DGPSQ17Y; and
- b. Walgreens SD card, S/N BE0829213508D; and
- c. iPhone 6s, Model A1688, IMEI 355769073028319.

Substitute Assets

5. If the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty;


the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C.

§ 853(p), as incorporated by 18 U.S.C. § 2253(b) and 28 U.S.C. § 2461(c).

18 U.S.C. §§ 2253, 2428

21 U.S.C. § 853

28 U.S.C. § 2461

Jonathan F. Lenzner / 

Jonathan F. Lenzner

Acting United States Attorney

A TRUE BILL

Foreperson

Date: June ____, 2021

EXHIBIT E

Plea Agreement and Factual Proffer



U.S. Department of Justice

*United States Attorney
District of Maryland*

Paul E. Budlow
Assistant United States Attorney
Paul.Budlow@usdoj.gov

Suite 400
36 S. Charles Street
Baltimore, MD 21201-3119

DIRECT: 410-209-4917
MAIN: 410-209-4800
FAX: 410-962-3091

Paul E. Budlow 10.3.2021

October 3, 2021

Joseph Murtha, Esq.
1301 York Road, Suite 200
Timonium, MD 21093

Re: *United States v. Fernando Cristancho*,
Criminal No. ELH-18-098

RC
OCT 4 PM 12:00
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BALTIMORE

Dear Mr. Murtha:

This letter, together with the Sealed Supplement, confirms the plea agreement (this "Agreement") that has been offered to your client, Fernando Cristancho (hereinafter "Defendant"), by the United States Attorney's Office for the District of Maryland ("this Office"). If the Defendant accepts this offer, please have the Defendant execute it in the spaces provided below. If this offer has not been accepted by October 3, 2021, it will be deemed withdrawn. The terms of the Agreement are as follows:

Offense of Conviction

1. The Defendant agrees to plead guilty to Count One of the Second Superseding Indictment, which charges the Defendant with Coercion and Enticement, in violation of 18 U.S.C. § 2422(b). The Defendant admits that the Defendant is, in fact, guilty of the offense and will so advise the Court.

Elements of the Offense

2. The elements of the offense to which the Defendant has agreed to plead guilty, and which this Office would prove if the case went to trial, are as follows:

That on or about the time alleged in the Second Superseding Indictment, in the District of Maryland:

a. First, the Defendant used a facility and means of interstate and foreign commerce;

b. Second, the Defendant used the interstate facility to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years to engage in any sexual activity for which any person can be charged with a criminal offense.

Penalties

3. The maximum penalties provided by statute for the offense(s) to which the Defendant is pleading guilty are as follows:

COUNT	STATUTE	MANDATORY MINIMUM IMPRISONMENT	MAXIMUM IMPRISONMENT	MAXIMUM SUPERVISED RELEASE	MAXIMUM FINE	SPECIAL ASSESSMENT
1	18 U.S.C. § 2422(b)	5 years	30 years	Life (min. 5y)	\$250,000	\$100

a. Prison: If the Court orders a term of imprisonment, the Bureau of Prisons has sole discretion to designate the institution at which it will be served.

b. Supervised Release: If the Court orders a term of supervised release, and the Defendant violates the conditions of supervised release, the Court may order the Defendant returned to custody to serve a term of imprisonment as permitted by statute, followed by an additional term of supervised release.

c. Restitution: The Court may order the Defendant to pay restitution pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664.

d. Payment: If a fine or restitution is imposed, it shall be payable immediately, unless the Court orders otherwise under 18 U.S.C. § 3572(d). The Defendant may be required to pay interest if the fine is not paid when due.

e. Forfeiture: The Court may enter an order of forfeiture of assets directly traceable to the offense, substitute assets, and/or a money judgment equal to the value of the property subject to forfeiture.

f. Collection of Debts: If the Court imposes a fine or restitution, this Office's Financial Litigation Unit will be responsible for collecting the debt. If the Court establishes a schedule of payments, the Defendant agrees that: (1) the full amount of the fine or restitution is nonetheless due and owing immediately; (2) the schedule of payments is merely a minimum schedule of payments and not the only method, nor a limitation on the methods, available to the United States to enforce the judgment; and (3) the United States may fully employ all powers to collect on the total amount of the debt as provided by law. Until the debt is paid, the Defendant agrees to disclose all assets in which the Defendant has any interest or over which the Defendant exercises direct or indirect control. Until the money judgment is satisfied, the Defendant

authorizes this Office to obtain a credit report in order to evaluate the Defendant's ability to pay, and to request and review the Defendant's federal and state income tax returns. The Defendant agrees to complete and sign a copy of IRS Form 8821 (relating to the voluntary disclosure of federal tax return information) and a financial statement in a form provided by this Office.

Sex Offender Registration

4. The Defendant understands and agrees that, as a consequence of the Defendant's conviction for the crimes to which the Defendant is pleading guilty, the Defendant will be required to register as a sex offender in the place where the Defendant resides, is an employee, and is a student, pursuant to the Sex Offender Registration and Notification Act (SORNA), and the laws of the state of the Defendant's residence. Failure to do so may subject the Defendant to new charges pursuant to 18 U.S.C. § 2250.

Waiver of Rights

5. The Defendant understands that by entering into this Agreement, the Defendant surrenders certain rights as outlined below:

a. If the Defendant had pled not guilty and persisted in that plea, the Defendant would have had the right to a speedy jury trial with the close assistance of competent counsel. That trial could be conducted by a judge, without a jury, if the Defendant, this Office, and the Court all agreed.

b. If the Defendant elected a jury trial, the jury would be composed of twelve individuals selected from the community. Counsel and the Defendant would have the opportunity to challenge prospective jurors who demonstrated bias or who were otherwise unqualified, and would have the opportunity to strike a certain number of jurors peremptorily. All twelve jurors would have to agree unanimously before the Defendant could be found guilty of any count. The jury would be instructed that the Defendant was presumed to be innocent, and that presumption could be overcome only by proof beyond a reasonable doubt.

c. If the Defendant went to trial, the Government would have the burden of proving the Defendant guilty beyond a reasonable doubt. The Defendant would have the right to confront and cross-examine the Government's witnesses. The Defendant would not have to present any defense witnesses or evidence whatsoever. If the Defendant wanted to call witnesses in defense, however, the Defendant would have the subpoena power of the Court to compel the witnesses to attend.

d. The Defendant would have the right to testify in the Defendant's own defense if the Defendant so chose, and the Defendant would have the right to refuse to testify. If the Defendant chose not to testify, the Court could instruct the jury that they could not draw any adverse inference from the Defendant's decision not to testify.

e. If the Defendant were found guilty after a trial, the Defendant would have the right to appeal the verdict and the Court's pretrial and trial decisions on the admissibility of evidence to see if any errors were committed which would require a new trial or dismissal of the charges. By pleading guilty, the Defendant knowingly gives up the right to appeal the verdict and the Court's decisions.

f. By pleading guilty, the Defendant will be giving up all of these rights, except the right, under the limited circumstances set forth in the "Waiver of Appeal" paragraph below, to appeal the sentence. By pleading guilty, the Defendant understands that the Defendant may have to answer the Court's questions both about the rights being given up and about the facts of the case. Any statements that the Defendant makes during such a hearing would not be admissible against the Defendant during a trial except in a criminal proceeding for perjury or false statement.

g. If the Court accepts the Defendant's plea of guilty, the Defendant will be giving up the right to file and have the Court rule on pretrial motions, and there will be no further trial or proceeding of any kind in the above-referenced criminal case, and the Court will find the Defendant guilty.

h. By pleading guilty, the Defendant will also be giving up certain valuable civil rights and may be subject to deportation or other loss of immigration status, including possible denaturalization. The Defendant recognizes that if the Defendant is not a citizen of the United States, or is a naturalized citizen, pleading guilty may have consequences with respect to the Defendant's immigration status. Under federal law, conviction for a broad range of crimes can lead to adverse immigration consequences, including automatic removal from the United States. Removal and other immigration consequences are the subject of a separate proceeding, however, and the Defendant understands that no one, including the Defendant's attorney or the Court, can predict with certainty the effect of a conviction on immigration status. The Defendant is not relying on any promise or belief about the immigration consequences of pleading guilty. The Defendant nevertheless affirms that the Defendant wants to plead guilty regardless of any potential immigration consequences.

Advisory Sentencing Guidelines Apply

6. The Defendant understands that the Court will determine a sentencing guidelines range for this case (henceforth the "advisory guidelines range") pursuant to the Sentencing Reform Act of 1984 at 18 U.S.C. § 3551-3742 (excepting 18 U.S.C. § 3553(b)(1) and 3742(e)) and 28 U.S.C. §§ 991 through 998. The Defendant further understands that the Court will impose a sentence pursuant to the Sentencing Reform Act, as excised, and must take into account the advisory guidelines range in establishing a reasonable sentence.

Factual and Advisory Guidelines Stipulation

Group One: Coercion and Enticement (Count 1)

7. This Office and the Defendant stipulate and agree to the Statement of Facts set forth in Attachment A, which is incorporated by reference herein. This Office and the Defendant further agree to the following United States Sentencing Guidelines (from the 2018 Federal Sentencing Guidelines Manual, effective November 1, 2018):

- a. The base offense level is 28, pursuant to U.S.S.G. § 2G1.3(a)(3).
- b. Pursuant to U.S.S.G. § 2G1.3(b)(1)(B), there is a two (2) level increase because the victim was in the care, custody, or supervisory control of the defendant. (Subtotal: 30).
- c. Pursuant to U.S.S.G. § 2G1.3(b)(3), there is a two (2) level increase because a computer or an interactive computer service was used to entice, encourage, offer, or solicit the minor victim to engage in prohibited sexual conduct. (Subtotal: 32).
- d. Pursuant to U.S.S.G. § 2G1.3(b)(4)(A), there is a two (2) level increase because the offense involved the commission of a sex act or sexual contact. (Subtotal: 34).
- e. Pursuant to U.S.S.G. § 2G1.3(b)(5), there is an eight (8) level increase because the offense involved a minor who had not attained the age of 12 years old. (Subtotal: 42).

Groups Two through Seven: Production of Child Pornography, Relevant Conduct (Counts 2 through 7):

8. This Office and the Defendant agree that the following sentencing guidelines factors are in dispute: Whether the facts included in Statement of Facts, as well as any additional facts that this Office submits at sentencing, establishes the commission of sexual exploitation of a child with respect to Counts Two through Seven.

9. The parties agree that if the Court finds that the facts establish sexual exploitation of a child, the following guidelines apply to each count:

Group Two (Count 2) (Minor Victim 4, age 5 months):

- a. This base offense level for production of child pornography is 32, pursuant to U.S.S.G. § 2G2.1(a).
- b. Pursuant to U.S.S.G. § 2G2.1(b)(1), there is a four (4) level increase because the victim in this case was under the age of 12 at the time of the offense. (Subtotal: 36).
- c. Pursuant to U.S.S.G. § 2G2.1(b)(4)(B), there is a four (4) level increase because the offense involved material that portrays an infant or toddler. (Subtotal: 40).
- d. Pursuant to U.S.S.G. § 2G2.1(b)(5), there is a two (2) level increase because the minor was in the care, custody, or supervisory control of the defendant. (Subtotal: 42).

Group Three (Count 3) (Minor Victims 2 and 3, age 11 years) :

e. This base offense level for production of child pornography is 32, pursuant to U.S.S.G. § 2G2.1(a).

f. Pursuant to U.S.S.G. § 2G2.1(b)(1), there is a four (4) level increase because the victim in this case was under the age of 12 at the time of the offense. (Subtotal: 36).

g. Pursuant to U.S.S.G. § 2G2.1(b)(5), there is a two (2) level increase because the minor was in the care, custody, or supervisory control of the defendant. (Subtotal: 38).

Group Four (Count 4) (Minor Victim 5, age 2 years, 6 months):

h. This base offense level for production of child pornography is 32, pursuant to U.S.S.G. § 2G2.1(a).

i. Pursuant to U.S.S.G. § 2G2.1(b)(1), there is a four (4) level increase because the victim in this case was under the age of 12 at the time of the offense. (Subtotal: 36).

j. Pursuant to U.S.S.G. § 2G2.1(b)(4)(B), there is a four (4) level increase because the offense involved material that portrays an infant or toddler. (Subtotal: 40).

k. Pursuant to U.S.S.G. § 2G2.1(b)(5), there is a two (2) level increase because the minor was in the care, custody, or supervisory control of the defendant. (Subtotal: 42).

Group Five (Count 5) (Minor Victim 5, age 2 years 9 months):

l. This base offense level for production of child pornography is 32, pursuant to U.S.S.G. § 2G2.1(a).

m. Pursuant to U.S.S.G. § 2G2.1(b)(1), there is a four (4) level increase because the victim in this case was under the age of 12 at the time of the offense. (Subtotal: 36).

n. Pursuant to U.S.S.G. § 2G2.1(b)(4)(B), there is a four (4) level increase because the offense involved material that portrays an infant or toddler. (Subtotal: 40).

o. Pursuant to U.S.S.G. § 2G2.1(b)(5), there is a two (2) level increase because the minor was in the care, custody, or supervisory control of the defendant. (Subtotal: 42).

Group Six (Count 6) (Minor Victim 5, age 4 years, 10 months):

p. This base offense level for production of child pornography is 32, pursuant to U.S.S.G. § 2G2.1(a).

q. Pursuant to U.S.S.G. § 2G2.1(b)(1), there is a four (4) level increase because the victim in this case was under the age of 12 at the time of the offense. (Subtotal: 36).

r. Pursuant to U.S.S.G. § 2G2.1(b)(5), there is a two (2) level increase because the minor was in the care, custody, or supervisory control of the defendant. (Subtotal: 38).

Group Seven (Count 7) (Minor Victim 5, age 4 years, 10 months):

s. This base offense level for production of child pornography is 32, pursuant to U.S.S.G. § 2G2.1(a).

t. Pursuant to U.S.S.G. § 2G2.1(b)(1), there is a four (4) level increase because the victim in this case was under the age of 12 at the time of the offense. (Subtotal: 36).

u. Pursuant to U.S.S.G. § 2G2.1(b)(5), there is a two (2) level increase because the minor was in the care, custody, or supervisory control of the defendant. (Subtotal: 38).

Grouping:

v. Pursuant to U.S.S.G. §§ 3D1.2(d) and 3D1.4, instances of sexual exploitation of a minor do not group. The group with the highest level is 42 (Group 1), and depending on the Court's ruling on the dispute described in paragraph 8, there up to 5 additional groups equally serious or from 1 to 4 levels less serious. Thus, there could be more than 5 units and an increase of up to 5 levels. (Subtotal: 42 (Defense) up to 47 (Government)).

Chapter Four Enhancement:

10. Pursuant to U.S.S.G. § 4B1.5(b) and Application Note 4(B), there is a five (5) level increase because the instant offense of conviction is a covered sex crime and the defendant engaged in a pattern of activity involving prohibited sexual conduct. (Subtotal: 47 (Defense) up to 52 (Government)). Irrespective of the Court's determination of the dispute in paragraph 8, the parties agree that this increase applies based on the conduct relating to Minor Victim 1 described in the Statement of Facts.

11. This Office does not oppose a 2-level reduction in the Defendant's adjusted offense level pursuant to U.S.S.G. § 3E1.1(a), based upon the Defendant's apparent recognition and affirmative acceptance of personal responsibility for the Defendant's criminal conduct. This Office may oppose any adjustment for acceptance of responsibility under U.S.S.G. § 3E1.1(a) and may decline to make a motion pursuant to U.S.S.G. § 3E1.1(b), if the Defendant: (i) fails to admit each and every item in the factual stipulation; (ii) denies involvement in the offense; (iii) gives conflicting statements about the Defendant's involvement in the offense; (iv) is untruthful with the Court, this Office, or the United States Probation Office; (v) obstructs or attempts to obstruct justice prior to sentencing; (vi) engages in any criminal conduct between the date of this

Agreement and the date of sentencing; (vii) attempts to withdraw the plea of guilty; or (viii) violates this Agreement in any way. (Total: 45 (Defense) up to 50 (Government)).

12. There is no agreement as to the Defendant's criminal history and the Defendant understands that the Defendant's criminal history could alter the Defendant's offense level. Specifically, the Defendant understands that the Defendant's criminal history could alter the final offense level if the Defendant is determined to be a career offender or if the instant offense was a part of a pattern of criminal conduct from which the Defendant derived a substantial portion of the Defendant's income.

13. Other than as set forth above, no other offense characteristics, sentencing guidelines factors, potential departures or adjustments set forth in the United States Sentencing Guidelines are in dispute or will be raised in calculating the advisory guidelines range.

Rule 11 (c) (1) (C) Plea

14. The parties stipulate and agree pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C) that the following sentence is the appropriate disposition of this case taking into consideration the nature and circumstances of the offense, the Defendant's criminal history, and all of the other factors set forth in 18 U.S.C. § 3553(a): a sentence of no less than ten (10) years and no more than twenty-five (25) years of imprisonment, and no less than ten (10) years of supervised release with the following conditions of supervised release:

a. You must not have direct contact with any child you know or reasonably should know to be under the age of 18 without the permission of the probation officer. If you do have any direct contact with any child you know or reasonably should know to be under the age of 18, without the permission of the probation officer, you must report this contact to the probation officer within 24 hours. Direct contact includes written communication, in-person communication, or physical contact. Direct contact does not include incidental contact during ordinary daily activities in public places. (This does not include minor family members, with whom Probation may approve direct contact in advance.)

b. You must allow the probation officer to install computer monitoring software on any computer (as defined in 18 U.S.C. § 1030(e)(1)) you use.

c. To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct initial and periodic unannounced searches of any computers (as defined in 18 U.S.C. § 1030(e)(1)) subject to computer monitoring. These searches shall be conducted for the purposes of determining whether the computer contains any prohibited data prior to installation of the monitoring software; to determine whether the monitoring software is functioning effectively after its installation; and to determine whether there have been attempts to circumvent the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition.

d. You must submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure that you are in compliance with the requirements of your supervision or treatment program.

15. For the purposes of this agreement, incarceration is a sentence to the Bureau of Prisons, and does not include any form of home confinement.

16. This Agreement does not affect the Court's discretion to impose a lawful term of supervised release greater than ten (10) years, to set any additional lawful conditions of probation or supervised release, or to impose a fine.

17. In the event that the Court rejects this Agreement, except under the circumstances noted below, either party may elect to declare the Agreement null and void. Should the Defendant so elect, the Defendant will be afforded the opportunity to withdraw his plea pursuant to the provisions of Federal Rule of Criminal Procedure 11(d)(2)(A). The parties agree that if the Court finds that the Defendant engaged in obstructive or unlawful behavior and/or failed to acknowledge personal responsibility as set forth herein, neither the Court nor the Government will be bound by the specific sentence contained in this Agreement, and the Defendant will not be able to withdraw his plea.

Obligations of the Parties

18. The parties reserve the right to bring to the Court's attention all information with respect to the Defendant's background, character, and conduct that this Office or the Defendant deem relevant to sentencing, including the conduct that is the subject of any counts of the Second Superseding Indictment.

Waiver of Appeal

19. In exchange for the concessions made by this Office and the Defendant in this Agreement, this Office and the Defendant waive their rights to appeal as follows:

a. The Defendant knowingly waives all right, pursuant to 28 U.S.C. § 1291 or any other statute or constitutional provision, to appeal the Defendant's conviction on any ground whatsoever. This includes a waiver of all right to appeal the Defendant's conviction on the ground that the statute(s) to which the Defendant is pleading guilty is unconstitutional, or on the ground that the admitted conduct does not fall within the scope of the statute(s), to the extent that such challenges legally can be waived.

b. The Defendant and this Office knowingly and expressly waive all rights conferred by 18 U.S.C. § 3742 to appeal whatever sentence is imposed (including any term of imprisonment, fine, term of supervised release, or order of restitution) for any reason (including the establishment of the advisory sentencing guidelines range, the determination of the Defendant's criminal history, the weighing of the sentencing factors, and any constitutional

challenges to the calculation and imposition of any term of imprisonment, fine, order of forfeiture, order of restitution, and term or condition of supervised release).

c. The Defendant waives any and all rights under the Freedom of Information Act relating to the investigation and prosecution of the above-captioned matter and agrees not to file any request for documents from this Office or any investigating agency.

Forfeiture

20. a. The Defendant understands that the Court may enter an Order of Forfeiture as part of the Defendant's sentence, and that the Order of Forfeiture may include assets directly traceable to the offense, substitute assets, and/or a money judgment equal to the value of the property derived from, or otherwise involved in, the offenses.

b. Specifically, but without limitation on the Government's right to forfeit all property subject to forfeiture as permitted by law, the Defendant agrees to forfeit to the United States all of the Defendant's right, title, and interest in the following items that the Defendant agrees constitute money, property, and/or assets derived from or obtained by the Defendant as a result of, or used to facilitate the commission of, the Defendant's illegal activities, including:

i. The following items originally seized by law enforcement authorities from the Defendant on September 17, 2017:

1. SanDisk Micro SD card, S/N 3041DGPSQ17Y;
2. Walgreens SD card, S/N BE0829213508D;
3. iPhone 6s A1688, IMEI 355769073028319; and
4. HP Pavilion G72 laptop, serial number 5CI0355125, containing a Western Digital Scorpio Blue hard disk drive, serial number WX71A7060147.

c. The Defendant agrees to consent to the entry of orders of forfeiture for the property described herein and waives the requirements of Federal Rules of Criminal Procedure 11(b)(1)(J), 32.2, and 43(a) regarding notice of the forfeiture in the charging instrument, advice regarding forfeiture during the change of plea hearing, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment.

d. The Defendant agrees to assist fully in the forfeiture of the above property. The Defendant agrees to disclose all assets and sources of income, to consent to all requests for access to information related to assets and income, and to take all steps necessary to pass clear title to the forfeited assets to the United States, including executing all documents necessary to transfer such title, assisting in bringing any assets located outside of the United States within the jurisdiction of the United States, and taking whatever steps are necessary to ensure that assets subject to forfeiture are made available for forfeiture.

e. The Defendant waives all challenges to any forfeiture carried out in accordance with this Agreement on any grounds, including any and all constitutional, legal, equitable, statutory, or administrative grounds brought by any means, including through direct appeal, habeas corpus petition, or civil complaint. The Defendant will not challenge or seek review of any civil or administrative forfeiture of any property subject to forfeiture under this Agreement, and will not assist any third party with any challenge or review or any petition for remission of forfeiture.

Restitution

21. The Defendant agrees to the entry of a restitution order for the full amount of the victims' losses. The Defendant agrees that, pursuant to 18 U.S.C. §§ 3663 and 3663A and 3563(b)(2) and 3583(d), the Court may order restitution of the full amount of the actual, total loss caused by the offense conduct set forth in the factual stipulation. Further, the Defendant agrees to pay restitution to any of his minor victims, for the entire scope of his criminal conduct, including but not limited to all matters included as relevant conduct. The total amount of restitution shall be due immediately and shall be ordered to be paid forthwith. Any payment schedule imposed by the Court establishes only a minimum obligation. The Defendant will make a good faith effort to pay any restitution. Regardless of Defendant's compliance, any payment schedule does not limit the United States' ability to collect additional amounts from the Defendant through all available collection remedies at any time. The Defendant further agrees that the Defendant will fully disclose to this Office, the probation officer, and to the Court, subject to the penalty of perjury, all information (including but not limited to copies of all relevant bank and financial records) regarding the current location and prior disposition of all funds obtained as a result of the criminal conduct set forth in the factual stipulation. The Defendant further agrees to take all reasonable steps to retrieve or repatriate any such funds and to make them available for restitution. If the Defendant does not fulfill this provision, it will be considered a material breach of this Agreement, and this Office may seek to be relieved of its obligations under this Agreement.

Defendant's Conduct Prior to Sentencing and Breach

22. Between now and the date of the sentencing, the Defendant will not engage in conduct that constitutes obstruction of justice under U.S.S.G. § 3C1.1; will not violate any federal, state, or local law; will acknowledge guilt to the probation officer and the Court; will be truthful in any statement to the Court, this Office, law enforcement agents, and probation officers; will cooperate in the preparation of the presentence report; and will not move to withdraw from the plea of guilty or from this Agreement.

23. If the Defendant engages in conduct prior to sentencing that violates the above paragraph of this Agreement, and the Court finds a violation by a preponderance of the evidence, then: (i) this Office will be free from its obligations under this Agreement; (ii) this Office may make sentencing arguments and recommendations different from those set out in this Agreement, even if the Agreement was reached pursuant to Rule 11(c)(1)(C); and (iii) in any criminal or civil proceeding, this Office will be free to use against the Defendant all statements made by the Defendant and any of the information or materials provided by the Defendant, including

statements, information, and materials provided pursuant to this Agreement, and statements made during proceedings before the Court pursuant to Rule 11 of the Federal Rules of Criminal Procedure. A determination that this Office is released from its obligations under this Agreement will not permit the Defendant to withdraw the guilty plea. The Defendant acknowledges that the Defendant may not withdraw the Defendant's guilty plea—even if made pursuant to Rule 11(c)(1)(C)—if the Court finds that the Defendant breached the Agreement. In that event, neither the Court nor the Government will be bound by the specific sentence or sentencing range agreed and stipulated to herein pursuant to Rule 11(c)(1)(C).

Court Not a Party

24. The Court is not a party to this Agreement. The sentence to be imposed is within the sole discretion of the Court. The Court is not bound by the Sentencing Guidelines stipulation in this Agreement. The Court will determine the facts relevant to sentencing. The Court is not required to accept any recommendation or stipulation of the parties. The Court has the power under Rule 11(c)(5) to reject the plea agreement entered into under Rule 11(c)(1)(C). Neither the prosecutor, defense counsel, nor the Court can make a binding prediction, promise, or representation as to whether the Court will accept the plea agreement entered into under Rule 11(c)(1)(C). The Defendant agrees that no one has made such a binding prediction or promise.

Entire Agreement

25. This letter, together with the Sealed Supplement, constitutes the complete plea agreement in this case. This letter, together with the Sealed Supplement, supersedes any prior understandings, promises, or conditions between this Office and the Defendant. There are no other agreements, promises, undertakings, or understandings between the Defendant and this Office other than those set forth in this letter and the Sealed Supplement. No changes to this Agreement will be effective unless in writing, signed by all parties and approved by the Court.

If the Defendant fully accepts each and every term and condition of this Agreement, please sign and have the Defendant sign the original and return it to me promptly.

Very truly yours,

Jonathan F. Lenzner
Acting United States Attorney

/ss/

Paul E. Budlow
Colleen E. McGuinn
Assistant United States Attorneys

I have read this Agreement, including the Sealed Supplement, and carefully reviewed every part of it with my attorney. I understand it and I voluntarily agree to it. Specifically, I have reviewed the Factual and Advisory Guidelines Stipulation with my attorney and I do not wish to change any part of it. I am completely satisfied with the representation of my attorney.

10/3/2021
Date

Fernando Cristancho
Fernando Cristancho

I am the Defendant's attorney. I have carefully reviewed every part of this Agreement, including the Sealed Supplement with the Defendant. The Defendant advises me that the Defendant understands and accepts its terms. To my knowledge, the Defendant's decision to enter into this Agreement is an informed and voluntary one.

10/3/2021
Date

Joseph Murtha
Joseph Murtha, Esq.

ATTACHMENT A

The undersigned parties hereby stipulate and agree that the following facts are true and accurate, and that if this matter had gone to trial, the government would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter gone to trial.

Fernando Cristancho (“Cristancho”) is 65 years old, and is a resident of Harford County, Maryland. As detailed below, Cristancho used a mobile phone and the internet to persuade, induce, entice, and coerce John Doe, then age 11-13, to engage in sexual activity.

Cristancho was ordained as a priest in the Roman Catholic Diocese of Istmina-Tado, in the Republic of Colombia, South America, in 1985. He worked as a priest in Colombia until 1994, and then moved to Alexandria, Virginia, where he worked as an assistant priest from 1994 to 1997. In approximately 1999, Cristancho was granted faculties to work as a priest in the Archdiocese of Baltimore, and worked as a priest in Baltimore County, and then at St. Ignatius Catholic Church in Harford County. In 2002, the Archdiocese of Baltimore revoked Cristancho’s faculties to work as a priest in the Archdiocese. Cristancho lived in Harford County, Maryland from 1999 to at least 2017.

John Doe (referred to as “Minor Victim 1” in the Second Superseding Indictment) was born in 1990, and was 11, 12, and 13 years old at the time of the offenses against him.

John Doe’s family were members of St. Ignatius. Not long after Cristancho arrived at St. Ignatius in 1999, he began a friendship with John Doe’s grandmother, and her grandson, John Doe, who was 8 years old. Cristancho began to spend time with John Doe’s family outside of church, including meals at restaurants and the family’s home, and at family gatherings. John Doe’s grandmother attended Mass daily, and often took John Doe with her. As the grandmother grew close to Cristancho, he met her and John Doe for breakfast on a weekly basis. John Doe also became a lector at the church, with the defendant working with him and coaching him in that process. Cristancho communicated with John Doe’s grandmother, including for the purpose of meeting with John Doe, through the use of mobile phones.

Cristancho’s conduct towards John Doe, which began while John Doe was 11, and included the following:

- Cristancho would complain of a bad back and ask John Doe for back rubs.
- Cristancho offered John Doe alcohol.
- Cristancho took John Doe to dinner, kissed John Doe, acted as if they were in a romantic relationship, and told him that he loved him.
- Cristancho showed John Doe pornography including movies of sex acts between males and suggesting they do the same sexual activities.

After Cristancho was no longer working at the church, he arranged to hold religious services in the home of a parishioner, and also arranged to have John Doe perform as a lector or altar server.

In the summer of 2002, Cristancho invited himself to attend a family camping trip, and when he arrived, arranged to sleep in a tent next to John Doe. While in the tent with John Doe, Cristancho asked John Doe to place his (John Doe's) legs between Cristancho's. Cristancho explained to John Doe that he usually slept with a pillow to alleviate back pain, but since there was no extra pillow, he wanted to use John Doe's legs instead. John Doe did what he asked.

Following the camping trip, Cristancho arranged for John Doe to assist around Cristancho's house, including with his infant triplets (who were born in the Fall of 2001). Eventually John Doe would go to Cristancho's house without his grandmother, driven there by either his mother or grandmother, the arrangements having been made by Cristancho using mobile phones and the internet. Shortly after John Doe began assisting with the triplets at Cristancho's house, Cristancho arranged to have John Doe spend the weekend, which John Doe did on a regular basis well into 2003. It was during these weekends that Cristancho sexually abused John Doe. Cristancho sexually abused John Doe from 2002 through at least Fall 2003.

Cristancho quickly arranged for John Doe to sleep in his bedroom, initially on the floor. John Doe was aware that Cristancho locked the bedroom door while John Doe was inside. On one occasion, while in the bed with Cristancho, John Doe observed Cristancho lying next to him with his pants off, masturbating. Cristancho's abuse of John Doe included: Cristancho touched John Doe's penis with his hands; Cristancho put his mouth on John Doe's penis on approximately 10 separate occasions; Cristancho also attempted to put his penis in John Doe's mouth; Cristancho anally penetrated John Doe with his penis on approximately 5-6 separate instances; and on two occasions Cristancho coerced John Doe to use his penis to penetrate Cristancho's anus.

Cristancho used a facility and means of interstate and foreign commerce, to knowingly attempt to and did persuade, induce, entice, and coerce John Doe, who had not attained the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense. On several occasions while John Doe was alone with Cristancho at his residence in Maryland, Cristancho engaged in sexual acts with John Doe, in violation of Subtitle 3 of Title 3 of the Maryland Code Annotated, Criminal Law Article.

Relevant Conduct:

As to Minor Victim 2, Minor Victim 3, Minor Victim 4, and Minor Victim 5, Cristancho was a parent, relative, or legal guardian of the minor victim, or the minor victim was otherwise in Cristancho's care, custody, or supervisory control at the time of the conduct described below. Additionally, the materials used to produce and store the files described below were manufactured outside of Maryland and traveled in interstate or foreign commerce.

Count Two: Minor Victim 4:

Minor Victim 4 was born in 2011, and was an infant in January 2012. On January 18, 2012, Cristancho used a Motorola Droid to produce a series of eight (8) images of Minor Victim 4. Minor Victim 4 was in a bath towel and partially naked in the photos, and the final image in the series depicts Minor Victim 4, naked, with her legs spread, depicting Minor Victim 4's exposed genitals. Cristancho saved the photos of Minor Victim 4 to his SanDisk Micro SD card, serial number 3041DGPSQ17Y. The SanDisk Micro SD card was manufactured outside of Maryland and traveled to Maryland in interstate or foreign commerce.

Count Three: Minor Victim 2 and Minor Victim 3:

Minor Victims 2 and 3 were eleven years old on December 27, 2012. On December 27, 2012, Cristancho produced, or caused to be produced, the following images, using a Samsung digital camera: a series of 15 image files, including Cristancho kissing Minor Victim 2 on the mouth; Minor Victim 2 naked with his legs spread wide apart; Minor Victim 2 naked with his hands on his inner thighs and his legs spread apart focused on his exposed genitals; a close up of Minor Victim 2's genitals while Minor Victim 2 is using his hands to pull away his underwear to expose his genitals; and Minor Victim 3 wearing a tank top and underwear that are at her knees, standing with her arms out and legs spread, exposing her genitals. Materials used to produce and store the images were manufactured outside of Maryland and traveled in interstate or foreign commerce.

Count Four: Minor Victim 5:

Minor Victim 5 was born in 2012. Cristancho produced four images of Minor Victim 5 during a 30-second time frame on March 10, 2015, when Minor Victim 5 was 2 ½ years-old. The images were taken with Cristancho's iPhone 5s and found on Cristancho's iPhone 6s. The first three images depict Minor Victim 5 standing on the kitchen table, nude, with his penis visible. The fourth image is a close-up image of Minor Victim 5's penis, in the same location.

Count Five: Minor Victim 5:

Cristancho produced five images of Minor Victim 5 on July 4, 2015, when Minor Victim 5 was 2 years, 9 months old. Two of the images are of Minor Victim 5 naked, standing next to a mirror, and one that is a close-up image of his penis, with his hands holding his penis. The images were taken with Cristancho's iPhone 5s and were located on Cristancho's iPhone 6s and in Cristancho's Google account.

Count Six: Minor Victim 5:

Cristancho produced a series of four files of Minor Victim 5, produced on August 3, 2017, when Minor Victim 5 was 4 years, 10 months old. The files are close up images (2) and videos (2) of Minor Victim 5's exposed penis, while he is sitting on a toilet. The video shows a hand reaching for the penis and then pinching it between two fingers, and a man's voice is heard during

the video. The four files were found on Cristancho's iPhone 6s and created using an iPhone 6s. The image files were also found in Cristancho's Google account.

Count Seven: Minor Victim 5:

Cristancho produced a series of six files of Minor Victim 5 on August 6, 2017, when Minor Victim 5 was 4 years, 10 months old. The files are close up images (3) and videos (3) of Minor Victim 5's exposed penis, while he is sitting on the toilet, with feces in the bowl. The files were found on Cristancho's iPhone 6s and created on an iPhone 6s. The image files were also found in Cristancho's Google account.

Cristancho's Google and Internet Search History:

Cristancho's Google account was obtained by search warrant and included the images that are the subject of Count Five, described above. The account also contained records of the searches Cristancho performed while logged into Google, and the web sites he visited while logged into Google. Cristancho admits that Google records reflect his conduct, including the searches and websites visited contained on Exhibit 1 and Exhibit 2 to this Statement of Facts.

The Search of Cristancho's Residence:

In September of 2017, Cristancho went to Walgreens to use the store's photo printing equipment to print photographs. Cristancho requested assistance, and while assisting him, a Walgreens' employee observed some of the images on Cristancho's iPhone. The images included several photos of naked children and an image of what appeared to be a bite mark on a young boy's buttocks. The Walgreens' employee made a report to police. Law enforcement initiated an investigation, and a search warrant was executed at Cristancho's residence in Harford County.

On September 19, 2017, a search warrant was executed at Cristancho's residence at 811 Hayden Way, Bel Air, Maryland. During the search warrant, investigator's seized various digital devices, including the following:

- iPhone 6s A1688, IMEI 355769073028319;
- SanDisk Micro SD card, S/N 3041DGPSQ17Y;
- Walgreens SD card, S/N BE0829213508D; and
- HP Pavilion G72 laptop, serial number 5CI0355125, containing a Western Digital Scorpio Blue hard disk drive, serial number WX71A7060147.

The iPhone listed above is the same phone Cristancho used at Walgreens in September 2017.

I have reviewed the foregoing Statement of Facts with my attorney, understand it, agree with it, and do not wish to change any part of it. I further understand that it is included as a part of my plea agreement with the government in this case.


Fernando Cristancho

I am the attorney for the defendant. I have carefully reviewed every part of this Statement of Facts with him. To my knowledge, his decision to sign it is an informed and voluntary one.


Joseph Murtha, Esq.
Counsel for Defendant

Selected Google Search History

[REDACTED]@gmail.com)

#	Date & Time	Search
335	7/3/2017 5:43:55 PM(UTC+0)	two young males having intercourse
336	7/3/2017 5:43:50 PM(UTC+0)	two young males having intercourse
337	7/3/2017 5:42:38 PM(UTC+0)	two young boys having sex
338	7/3/2017 5:37:56 PM(UTC+0)	show me males having sex
339	7/3/2017 5:36:15 PM(UTC+0)	show to me big dicks
340	7/3/2017 5:33:26 PM(UTC+0)	show to me big pennes
341	7/3/2017 5:32:35 PM(UTC+0)	big peanuts phenomenon
342	7/3/2017 5:30:56 PM(UTC+0)	show me big dicks
1227	2/19/2017 6:24:00 PM(UTC+0)	show me big dicks
1228	2/19/2017 6:22:52 PM(UTC+0)	i want to see a teenage male masturbating playing with himself
1229	2/19/2017 6:22:27 PM(UTC+0)	i want to se a teenager male masturbating playing with himself
1230	2/19/2017 6:20:03 PM(UTC+0)	male teen masturbating himself
1231	2/19/2017 6:17:48 PM(UTC+0)	show mw a teen male masturbating himself
1232	2/19/2017 6:16:03 PM(UTC+0)	show me a teen masturbating himself
1233	2/19/2017 6:14:15 PM(UTC+0)	show me a dick masturbation
1234	2/19/2017 6:13:38 PM(UTC+0)	masturbation alive
1235	2/19/2017 6:11:26 PM(UTC+0)	show to me big dicks

EXHIBIT NO. EXHIBIT 1 TO STATEMENT OF FACTS

CASE NO. US v. Cristancho, ELH-18-098

IDENTIFICATION _____

ADMITTED _____

Selected Google Search History

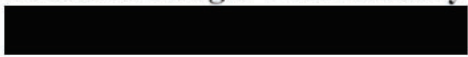


#	Date & Time	Search
1474	1/24/2017 1:28:35 AM(UTC+0)	faucking teen males videos
1475	1/24/2017 1:27:56 AM(UTC+0)	fucking teens
1476	1/24/2017 1:26:32 AM(UTC+0)	fucking gays
1477	1/24/2017 1:25:23 AM(UTC+0)	fucking gays
1483	1/24/2017 1:00:04 AM(UTC+0)	men fucking dicks
1484	1/24/2017 12:58:03 AM(UTC+0)	mens dicks fucking
1485	1/24/2017 12:56:21 AM(UTC+0)	big dicks fucking gays
1486	1/24/2017 12:51:59 AM(UTC+0)	fucking dicks
1487	1/24/2017 12:43:13 AM(UTC+0)	show me a big dick
1587	1/9/2017 5:56:20 PM(UTC+0)	show to me a big dick
1588	1/9/2017 5:55:07 PM(UTC+0)	give me a big dick
1596	1/9/2017 3:51:19 AM(UTC+0)	show me a big dick
1597	1/9/2017 3:51:17 AM(UTC+0)	show me a big dick
1598	1/9/2017 3:51:16 AM(UTC+0)	show me a big dick
1599	1/9/2017 3:09:10 AM(UTC+0)	show to me a big dick
1600	1/9/2017 3:06:41 AM(UTC+0)	show me a big dick
3813	12/7/2014 2:22:57 AM(UTC+0)	i kiss a boy and i liked it lyrics
3814	12/7/2014 2:22:47 AM(UTC+0)	i kiss a boy and i liked it lyrics korean group

Selected Google Search History

#	Date & Time	Search
3815	12/7/2014 2:22:25 AM(UTC+0)	i kiss a boy and i liked it lyrics Korean Group
3816	12/7/2014 2:21:46 AM(UTC+0)	i kiss a boy and i liked it lyrics Korean Group
3817	12/7/2014 2:20:56 AM(UTC+0)	i kiss a boy and i liked it lyrics Korean Group
3818	12/7/2014 2:19:14 AM(UTC+0)	i kiss a boy and i liked it lyrics
3819	12/7/2014 2:17:51 AM(UTC+0)	korean band I kiss a boy and I liked
3820	12/7/2014 2:17:19 AM(UTC+0)	korean band kinky kiss that sings I kiss a boy and I liked
3821	12/7/2014 2:17:07 AM(UTC+0)	korean band kinky kiss that sings I kiss a boy and I liked
3822	12/7/2014 2:16:56 AM(UTC+0)	korean band kinky kiss that sings I kiss a boy and I liked
3823	12/7/2014 2:16:44 AM(UTC+0)	korean band kinky kiss that sings I kiss a boy and I liked
3824	12/7/2014 2:16:07 AM(UTC+0)	korean band that sings i kiss a boy and I liked
3825	12/7/2014 2:15:50 AM(UTC+0)	korean band that sings i kiss a boy and I liked
3826	12/7/2014 2:13:27 AM(UTC+0)	korean band that sings i kiss a boy
3829	12/7/2014 2:11:12 AM(UTC+0)	Kinkykiss
3830	12/7/2014 2:10:42 AM(UTC+0)	i kissed a boy, kinki kiss
3831	12/7/2014 2:10:29 AM(UTC+0)	i kissed a boy, kinki kiss
3832	12/7/2014 2:09:56 AM(UTC+0)	i kissed a boy
3833	12/7/2014 2:09:20 AM(UTC+0)	i kissed a boy
3834	12/7/2014 2:08:54 AM(UTC+0)	i kissed boy

Selected Google Web History



#	URL	Last Visited
94	https://www.pornhub.com/view_video.php?viewkey=32807635	7/3/2017 5:44:03 PM(UTC+0)
95	http://www.gettyimages.com/photos/boys-having-sex-with-each-other	7/3/2017 5:43:00 PM(UTC+0)
97	https://www.pornhub.com/view_video.php?viewkey=158471879	7/3/2017 5:36:34 PM(UTC+0)
98	http://www.dailymail.co.uk/femail/article-2199227/Jonah-Falcon-13-5-inches-living-worlds-biggest-penis.html	7/3/2017 5:33:50 PM(UTC+0)
407	http://gaybf.com/hot-boys-big-cocks-and-nude-guys-with-big-dicks/?nats=MTkuMS4yLjluMTYuMC4wLjAuMA	2/19/2017 6:24:45 PM(UTC+0)
408	http://m.newhealthadvisor.com/how-to-masturbate-if-you%27re-a-boy.html	2/19/2017 6:23:00 PM(UTC+0)
409	http://www.redtube.com/?search=school+boy+masturbating+himself+and+cums	2/19/2017 6:20:10 PM(UTC+0)
410	http://www.pornhub.com/video?c=92&p=professional	2/19/2017 6:19:27 PM(UTC+0)
411	http://m.hclips.com/videos/1abcd28456bfcee/	2/19/2017 6:18:16 PM(UTC+0)
412	http://m.hclips.com/videos/1abcd28456bfcee/	2/19/2017 6:16:14 PM(UTC+0)
413	http://www.pornhub.com/video?c=92&p=professional	2/19/2017 6:14:22 PM(UTC+0)
414	https://en.m.wikipedia.org/wiki/Masturbation	2/19/2017 6:13:46 PM(UTC+0)
415	http://www.100dicks.com/big-dicks	2/19/2017 6:11:31 PM(UTC+0)
528	http://teensboyvideo.com/	1/24/2017 1:28:55 AM(UTC+0)
529	http://www.xvideos.com/tags/teen-fucking	1/24/2017 1:28:00 AM(UTC+0)

Selected Google Web History

#	URL	Last Visited
530	http://www.xvideos.com/tags/gay-fucking	1/24/2017 1:26:35 AM(UTC+0)
531	http://www.xvideos.com/tags/gay-fucking	1/24/2017 1:25:35 AM(UTC+0)
532	http://www.pornhub.com/view_video.php?viewkey=108455914	1/24/2017 1:15:11 AM(UTC+0)
533	http://www.pornhub.com/view_video.php?viewkey=108455914	1/24/2017 1:00:10 AM(UTC+0)
534	http://www.pornhub.com/view_video.php?viewkey=108455914	1/24/2017 12:58:11 AM(UTC+0)
535	http://www.pornolaba.com/gays/best-big%20cock/1.html	1/24/2017 12:56:29 AM(UTC+0)
536	https://www.flyingjizz.com/videos/big-cock/	1/24/2017 12:52:53 AM(UTC+0)
537	http://www.xvideos.com/tags/big-dick-fuck	1/24/2017 12:52:04 AM(UTC+0)
538	http://www.100dicks.com/big-dicks	1/24/2017 12:43:50 AM(UTC+0)
565	http://www.pornhub.com/view_video.php?viewkey=1781801796	1/9/2017 5:56:24 PM(UTC+0)
566	http://www.xvideos.com/tags/big-dicks	1/9/2017 5:55:10 PM(UTC+0)
569	http://www.100dicks.com/big-dicks	1/9/2017 3:09:18 AM(UTC+0)
786	http://photobucket.com/images/espn%20naked%20erin%20andrews%20video%20peep%20pictures	3/8/2016 2:58:50 PM(UTC+0)
793	http://photobucket.com/images/espn%20naked%20erin%20andrews%20video%20peep%20pictures	3/8/2016 2:49:01 PM(UTC+0)

EXHIBIT F

Criminal Judgment

United States District Court District of Maryland

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed on or After November 1, 1987)

v.

Case Number: ELH-1-18-CR-00098-001

FERNANDO CRISTANCHO

Defendant's Attorney: Joseph Murtha (CJA)

Assistant U.S. Attorney: Paul E Budlow and Colleen McGuinn

THE DEFENDANT:

- pleaded guilty to count 1ss of the Second Superseding Indictment.
- pleaded nolo contendere to count(s) _____, which was accepted by the court.
- was found guilty on count(s) _____ after a plea of not guilty.

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:2422(b)	Coercion and Enticement	01/31/2004	1ss

The defendant is adjudged guilty of the offenses listed above and sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 as modified by U.S. v. Booker, 543 U.S. 220 (2005).

- The defendant has been found not guilty on count(s) _____
- Counts 2ss – 7ss and 8ss – 11ss of the Second Superseding Indictment are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

May 11, 2022

Date of Imposition of Judgment

Ellen L. Hollander

Ellen L. Hollander

Date

United States District Judge

USDC- BALTIMORE
22 MAY 11 PM 4:46

DEFENDANT: Fernando Cristancho

CASE NUMBER: ELH-1-18-CR-00098-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **264 months as to Count 1ss with credit for time served since September 19, 2017.**

The court makes the following recommendations to the Bureau of Prisons:

1) That the defendant be designated to the FCI at Butner, North Carolina, for service of his sentence.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m./p.m. on _____.

as notified by the United States Marshal.

The defendant shall surrender, at his/her own expense, to the institution designated by the Bureau of Prisons at the date and time specified in a written notice to be sent to the defendant by the United States Marshal. If the defendant does not receive such a written notice, defendant shall surrender to the United States Marshal:

before 2pm on _____.

A defendant who fails to report either to the designated institution or to the United States Marshal as directed shall be subject to the penalties of Title 18 U.S.C. §3146. If convicted of an offense while on release, the defendant shall be subject to the penalties set forth in 18 U.S.C. §3147. For violation of a condition of release, the defendant shall be subject to the sanctions set forth in Title 18 U.S.C. §3148. Any bond or property posted may be forfeited and judgment entered against the defendant and the surety in the full amount of the bond.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
DEPUTY U.S. MARSHAL

DEFENDANT: **Fernando Cristancho**

CASE NUMBER: ELH-1-18-CR-00098-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of life.

The defendant shall comply with all of the following conditions:

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

A. MANDATORY CONDITIONS

- 1) You must not commit another federal, state or local crime.
- 2) You must not unlawfully possess a controlled substance.
- 3) You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
- 4) You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
- 5) You must cooperate in the collection of DNA as directed by the probation officer.
- 6) You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
- 7) You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page

B. STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

- 1) You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
- 2) After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
- 3) You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
- 4) You must answer truthfully the questions asked by your probation officer.
- 5) You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 6) You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
- 7) You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 8) You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.

DEFENDANT: **Fernando Cristancho**

CASE NUMBER: ELH-1-18-CR-00098-001

- 9) If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
- 10) You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
- 11) You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
- 12) If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
- 13) You must follow the instructions of the probation officer related to the conditions of supervision.

C. SUPERVISED RELEASE ADDITIONAL CONDITIONS

- 1) You must not communicate, or otherwise interact, with the victims of this case, either directly or through someone else, without first obtaining the permission of the probation officer.
- 2) You must not have direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer. If you do have any direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer, you must report this contact to the probation officer within 24 hours. Direct contact includes written communication, in-person communication, or physical contact. Direct contact does not include incidental contact during ordinary daily activities in public places.
- 3) You must allow the probation officer to install computer monitoring software on any computer (as defined in 18 U.S.C. § 1030(e)(1)) you use. You must not make any attempt to circumvent or inhibit the software after its installation.
- 4) To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct initial and periodic unannounced searches of any computers (as defined in 18 U.S.C. § 1030(e)(1)) subject to computer monitoring. These searches shall be conducted for the purposes of determining whether the computer contains any prohibited data prior to installation of the monitoring software; to determine whether the monitoring software is functioning effectively after its installation; and to determine whether there have been attempts to circumvent or inhibit the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition.
- 5) You must not engage in an occupation, business, profession, or volunteer activity that would require or enable you to have access to minor children, under the age of 18, without the prior approval of the probation officer.
- 6) You must participate in a sex offense-specific assessment.
- 7) You must participate in a sex offense-specific treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
- 8) You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
- 9) You must not go to, or remain at, any place where you know children under the age of 18 are likely to be, including parks, schools, playgrounds, and childcare facilities.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: Fernando Cristancho

CASE NUMBER: ELH-1-18-CR-00098-001

SCHEDULE OF PAYMENTS

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A The special assessment is due in full immediately.
- B \$_____ immediately, balance due (in accordance with C, D, or E); or
- C Not later than _____; or
- D Installments to commence _____ day(s) after the date of this judgment.
- E In _____ (e.g. equal weekly, monthly, quarterly) installments of \$_____ over a period of _____ year(s) to commence when the defendant is placed on supervised release.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Unless the court expressly orders otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Bureau of Prisons Inmate Financial Responsibility Program, are to be made to the Clerk of the Court.

NO RESTITUTION OR OTHER FINANCIAL PENALTY SHALL BE COLLECTED THROUGH THE INMATE FINANCIAL RESPONSIBILITY PROGRAM.

If the entire amount of criminal monetary penalties is not paid prior to the commencement of supervision, the balance shall be paid:

- in equal monthly installments during the term of supervision; or
- on a nominal payment schedule of \$_____ per month during the term of supervision.

The U.S. probation officer may recommend a modification of the payment schedule depending on the defendant’s financial circumstances.

Special instructions regarding the payment of criminal monetary penalties:

Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
--	--------------	-----------------------------	--

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant’s interest in the following property to the United States:
See Preliminary Order of Forfeiture (ECF #142) incorporated herein by reference.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

U.S. Dep't of Justice, Civil Div., Office of Immigration Litig. P.O. Box 878, Washington, DC 20044, (202) 353-8167

DEFENDANTS

Fernando Cristancho

County of Residence of First Listed Defendant Harford County, MD (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, 1 1, 2 2, 3 3, 4 4, 5 5, 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): U.S.C. § 1451(a)
Brief description of cause: Illegal procurement of citizenship and procurement of citizenship by willful misrepresentation

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE June 5, 2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Anne R. Burley

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Case 1:26-cv-02240-GLR Document 1-7 Filed 06/05/26 Page 2 of 2
INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO CRISTANCHO,

Defendant.

Civil Action No. 1:26-cv-2240

SUMMONS IN A CIVIL ACTION TO REVOKE NATURALIZATION

TO: FERNANDO CRISTANCHO
FCI Petersburg Low
Federal Correctional Institution
P.O. Box 1000
Petersburg, VA 23804

A lawsuit has been filed against you.

Under 8 U.S.C. § 1451(b), within 60 days after service of this summons on you (not counting the day you received it), you must serve on the Plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the Plaintiff's attorney, whose name and address are:

Anne R. Burley
U.S. Department of Justice, Civil Division
Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044

If you fail to respond, Plaintiff may move the Court for judgment against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 06/05/2026

CLERK OF COURT

Civil Action No. GLR 26-cv-2240

Signature of Clerk or Deputy Clerk



PROOF OF SERVICE

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

- I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or
- I left the summons at the individual's residence or usual place of abode with *(name)*
_____, a person of suitable age and discretion
who resides there, on *(date)* _____, and mailed a copy to the
individual's last known address; or
- I served the summons on *(name of individual)* _____,
who is designated by law to accept service of process on behalf of *(name of organization)*
_____ on *(date)* _____; or
- I returned the summons unexecuted because _____; or
- Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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This summons for *(name of individual and title, if any)* _____
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