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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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| UNITED STATES OF AMERICA | : | Hon. Michael A. Shipp |
| | : | |
| v. | : | Crim. No. 23-691 |
| | : | |
| ZUWAIKUL AMEER | : | 18 U.S.C. § 371 18 U.S.C. |
| a/k/a Zuwairul Thowfeek, and | : | § 1546(a) 18 U.S.C. § 2 |
| CLAUDETTE AMEER | : | |
| a/k/a Claudette Pieries | : | |
| | : | |

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges as follows:

COUNT 1
(Conspiracy to Commit Immigration Fraud)

1. At all times relevant to this Indictment:

Individuals and Entities

a. Defendants ZUWAIKUL AMEER and CLAUDETTE AMEER, residents of Lawrence Township, New Jersey, were married and operated a business out of their home (the “Home Office”) assisting clients with applications for immigration benefits, including asylum, citizenship, and other forms of legal status in the United States. As described more fully below, ZUWAIKUL AMEER prepared immigration forms on clients’ behalf, and CLAUDETTE AMEER arranged logistics and acted as the clients’ primary point of contact.

b. Client-1 was a Sri Lankan national who arrived in the United States from Sri Lanka on or about February 11, 2007, and, with ZUWAIKUL

AMEER's and CLAUDETTE AMEER's assistance, applied for asylum on or about August 15, 2007.

c. Client-2 was a Sri Lankan national who arrived in the United States from Sri Lanka on or about May 14, 2014, and, with ZUWAIKUL AMEER's and CLAUDETTE AMEER's assistance, applied for asylum on or about April 20, 2015.

d. Client-3 was a Sri Lankan national who arrived in the United States from Sri Lanka on or about November 27, 2019, and, with ZUWAIKUL AMEER's and CLAUDETTE AMEER's assistance, applied for asylum on or about June 11, 2020.

e. Client-4 was a Sri Lankan national who arrived in the United States from Sri Lanka on or about October 27, 2021, and, with ZUWAIKUL AMEER's and CLAUDETTE AMEER's assistance, applied for asylum on or about January 10, 2022.

f. Client-5 was a Sri Lankan national who arrived in the United States from Sri Lanka on or about January 26, 2021, and, with ZUWAIKUL AMEER's and CLAUDETTE AMEER's assistance, applied for asylum on or about January 18, 2022.

g. The United States Citizenship and Immigration Services ("USCIS") was an agency of the United States Department of Homeland Security responsible for receiving and adjudicating immigrant and non-immigrant applications and petitions, including, but not limited to, Form I-589, Application for Asylum and Withholding of Removal ("Form I-589").

Background on the Asylum Process

h. Pursuant to federal immigration law, to obtain asylum in the United States, an asylum applicant is required to show that he or she has suffered persecution in his or her country of origin on account of race, religion, nationality, political opinion, or membership in a particular social group, or has a well-founded fear of persecution if he or she were to return to his or her country of origin.

i. Applicants seeking asylum are required to complete and present a Form I-589 to USCIS. The Form I-589 requires a detailed and specific account of the basis of the claim to asylum. Applicants are permitted to append to the Form I-589 an affidavit, providing greater detail about the applicant's background and basis for seeking asylum.

j. If the Form I-589 is prepared by someone other than the applicant or a relative of the applicant, the preparer is required to set forth his or her name and address on the form. The asylum applicant and preparer are required to sign the petition under penalty of perjury.

k. The asylum applicant must typically apply for asylum within one year of his or her arrival in the United States. After the Form I-589 is submitted, the applicant is interviewed by a USCIS officer (the "Asylum Officer") to determine whether the applicant qualifies for asylum. At the interview, the applicant is permitted to speak on his or her own behalf and can present witnesses or documentation in support of his or her asylum claim. After the interview, the Asylum Officer determines whether the applicant qualifies for asylum.

1. If an applicant is granted asylum, he or she receives a completed Form I-94 that reflects that the USCIS has granted him or her asylum status. The grant of asylum typically applies to the applicant's spouse and children as well. An individual who has a Form I-94 can apply for, among other things, lawful permanent resident status. A grant of asylum status does not expire, although USCIS can terminate asylum status if, among other things, it is later discovered that the applicant obtained asylum through fraud or no longer has a well-founded fear of persecution in his or her home country.

The Conspiracy

2. From at least as early as in or around 2007 through on or about March 1, 2023, in the District of New Jersey and elsewhere, the defendants,

**ZUWAIRUL AMEER and
CLAUDETTE AMEER,**

did knowingly conspire and agree with each other and others to make under oath, and as permitted under penalty of perjury under section 1746 of Title 28, United States Code, knowingly subscribe as true, false statements with respect to material facts in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, and knowingly presented such application, affidavit, and other document which contained such false statements and which failed to contain any reasonable basis in law and fact, contrary to Title 18, United States Code, Section 1546(a).

Object of the Conspiracy

3. The object of the Conspiracy was for ZUWAIIRUL AMEER and CLAUDETTE AMEER to enrich themselves by preparing fraudulent claims for asylum on behalf of individuals who were not United States citizens and charging those individuals fees.

Manner and Means of the Conspiracy

4. In furtherance of the conspiracy, CLAUDETTE AMEER arranged meetings and phone calls between ZUWAIIRUL AMEER and clients, during and following which ZUWAIIRUL AMEER prepared asylum applications that were false and fraudulent because: (1) the applications included false and fraudulent accounts of persecution in the client's home country; (2) the applications did not list him as the preparer; (3) or both. For example, in preparing asylum applications for Client-1 and Client-2, ZUWAIIRUL AMEER fabricated descriptions of his clients being stripped naked, tied up, and beaten with batons. The clients, acting on ZUWAIIRUL AMEER and CLAUDETTE AMEER's instructions, signed the fraudulent Form I-589s under penalty of perjury and submitted them, often with ZUWAIIRUL AMEER and CLAUDETTE AMEER's assistance, to USCIS.

5. Over the course of the conspiracy, ZUWAIIRUL AMEER prepared dozens of asylum applications in which he omitted himself as the preparer, including applications for Clients-1 through -5. CLAUDETTE AMEER, knowing that ZUWAIIRUL AMEER prepared fraudulent applications, assisted with the process by, among other things, acting as the primary point of contact for the

clients. On at least four occasions, ZUWAIRUL AMEER and CLAUDETTE AMEER charged clients a fee, of at least \$1,000, to prepare their asylum applications.

6. On at least four occasions, following the submission of the asylum applications, ZUWAIRUL AMEER and CLAUDETTE AMEER offered to help their clients, for an additional fee, to prepare for their asylum interviews. On at least two occasions, ZUWAIRUL AMEER and CLAUDETTE AMEER instructed their clients to study the false accounts included in their asylum application because they would likely be denied asylum if, during their asylum interviews, they could not recount the details in their applications.

7. ZUWAIRUL AMEER and CLAUDETTE AMEER attempted to keep their involvement in their clients' asylum applications secret. In addition to omitting ZUWAIRUL AMEER's name on the applications he prepared, ZUWAIRUL AMEER and CLAUDETTE AMEER admonished their clients not to mention their involvement in the applications. Also, in or around September 2022, CLAUDETTE AMEER instructed Client-4 to delete all evidence of Client-4's communications with ZUWAIRUL AMEER and CLAUDETTE AMEER.

Overt Acts

8. In furtherance of the conspiracy, ZUWAIRUL AMEER and CLAUDETTE AMEER committed, and caused to be committed, the following overt acts in the District of New Jersey and elsewhere:

a. ZUWAIRUL AMEER prepared the asylum applications listed below, which contained false statements, and caused them to be submitted to USCIS on or about the dates listed below:

| No. | Date | Client | False Statements |
|------------|------------------|---------------|--|
| i. | August 15, 2007 | Client-1 | Client-1's asylum application falsely stated that Client-1 had been stripped naked and beaten with batons, when, in fact, Client-1 had not been stripped naked or beaten with batons. |
| ii. | April 27, 2015 | Client-2 | Client-2's asylum application falsely stated that Client-2 had been stripped naked and beaten with batons, when, in fact, Client-2 had not been stripped naked or beaten with batons. Client-2's Asylum Application listed a friend of Client-2's as the preparer when, in fact, ZUWAIRUL AMEER had prepared it. |
| iii. | June 11, 2020 | Client-3 | Client-3's asylum application falsely stated that Client-3 had been stripped naked and sexually abused, when, in fact, Client-3 had not been stripped naked and sexually abused. Client-3's Asylum Application did not list a preparer when, in fact, ZUWAIRUL AMEER had prepared it. |
| iv. | January 10, 2022 | Client-4 | Client-4's asylum application falsely stated that, while Client-4 was being beaten, Buddhist monks addressed Client-4 by a derogatory term for Client-4's religious beliefs, when, in fact, that derogatory term had not been used. Client-4's Asylum Application did not list a preparer when, in fact, ZUWAIRUL AMEER had prepared it. |
| v. | January 18, 2022 | Client-5 | Client-5's asylum application falsely stated that Client-5 had been beaten when, in fact, Client-5 had not been beaten. Client-5's Asylum Application listed a friend of Client-5's as the preparer when, in fact, ZUWAIRUL AMEER had prepared it. |

In violation of Title 18, United States Code, Section 371.

COUNTS 2 to 4
(Immigration Fraud)

9. The allegations set forth in Paragraphs 1 and 3 through 8 of Count 1 of the Indictment are re-alleged here.

10. On or about the dates listed below, in the District of New Jersey and elsewhere, the defendant,

**ZUWAIRUL AMEER, and
CLAUDETTE AMEER**

did knowingly aid and abet and willfully cause others to make under oath, and as permitted under penalty of perjury under section 1746 of Title 28, United States Code, knowingly subscribe as true, false statements with respect to material facts in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, knowingly presented such application, affidavit, and other document which contained such false statements and which failed to contain any reasonable basis in law and fact:

| Count | Date | Document | False Statements |
|-------|------------------|-------------------------------|--|
| 2 | June 10, 2020 | Client-3's Asylum Application | Client-3's asylum application falsely stated that Client-3 had been stripped naked and sexually abused, when, in fact, Client-3 had not been stripped naked and sexually abused. Client-3's Asylum Application did not list a preparer when, in fact, ZUWAIRUL AMEER had prepared it. |
| 3 | January 10, 2022 | Client-4's Asylum Application | Client-4's asylum application falsely stated that, while Client-4 was being beaten, Buddhist monks addressed Client-4 by a derogatory term for Client-4's religious beliefs, when, in fact, that derogatory term had not been used. Client-4's Asylum Application did not list a preparer when, in fact, ZUWAIRUL AMEER had prepared it. |

| | | | |
|---|---------------------|-------------------------------------|--|
| 4 | January 18, 2022 | Client-5's Asylum Application | Client-5's asylum application falsely stated that Client-5 had been beaten when, in fact, Client-5 had not been beaten. Client-5's Asylum Application listed a friend of Client-5's as the preparer when, in fact, ZUWAIKUL AMEER had prepared it. |
|---|---------------------|-------------------------------------|--|

In violation of Title 18, United States Code, Section 1546(a) and Section 2.

FORFEITURE ALLEGATION

11. Upon conviction of one or more of the offenses in violation of 18 U.S.C. § 1546(a), or the offense of conspiracy to violate 18 U.S.C. § 1546(a), as charged in Counts 1 through 4 of this Indictment, the respective defendants shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(6)(B), any property that constitutes, is derived from, or is traceable to proceeds the defendants obtained directly or indirectly from the commission of such offenses, and all property traceable to such property; and any property that is used and intended to be used to facilitate the commission of such offenses.

Substitute Assets Provision

12. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (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 which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described above.

A TRUE BILL



FOREPERSON



PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 3:23-CR-691 (MAS)

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

ZUWAIKUL AMEER a/k/a Zuwairul Thowfeek, and
CLAUDETTE AMEER a/k/a Claudette Pieries,

INDICTMENT FOR

18 U.S.C. § 371
18 U.S.C. § 1546(a)
18 U.S.C. § 2

A True Bill,


Foreperson

PHILIP R. SELLINGER
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FOR THE DISTRICT OF NEW JERSEY

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