

UNITED STATES DISTRICT COURT

for the
District of New Jersey

ORIGINAL FILED

FEB 19 2014

WILLIAM T. WALSH, CLERK

United States of America
v.
MARIA ANGELICA JAMES,
a/k/a "Maria Negron," a/k/a "Maria Martinez"
Defendant(s)

Case No. 14-1009 (AMD)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2002 through in or about June 2011 in the county of Atlantic in the
District of New Jersey, the defendant(s) violated:

Code Section
Title 18, United States Code,
Section 1349

Offense Description
Conspiracy to commit mail fraud.

This criminal complaint is based on these facts:

See Attachment B

Continued on the attached sheet.

Complainant's signature

KRISTIN SAVOY, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 02/19/2014

Judge's signature

City and state: Camden, New Jersey

HON. ANN MARIE DONIO, U.S. Magistrate Judge
Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: 
DIANA VONDRA CARRIG, Assistant U.S. Attorney

Date: February 19, 2014

ATTACHMENT A

INDIVIDUALS INVOLVED IN THE CONSPIRACY

At all times relevant to this Complaint:

1. Defendant MARIA ANGELICA JAMES (“JAMES”), a/k/a “Maria Negron,” a/k/a “Maria Martinez,” was employed as a paralegal specializing in immigration work. JAMES was employed from in or about 2002 through in or about July 2004, in Brigantine, New Jersey, by attorney P.M., and from in or about July 2004 through in or about June 2011 by attorney J.L.K., in Brigantine, New Jersey.
2. J.L.K, a co-conspirator who is not named as a defendant herein, was self-employed as an attorney at The Law Offices of J.L.K., L.L.C., in Brigantine, New Jersey, and elsewhere. In or about November 2008, J.L.K.’s license to practice law was suspended in Pennsylvania for four years, was suspended in New Jersey, and was suspended by the Board of Immigration Appeals for one year effective February 19, 2009. While J.L.K. was suspended from practicing law, J.L.K. had other attorneys assume responsibility for his immigration files, namely, attorneys P.M and G.H.
3. P.M., a co-conspirator who is not named as a defendant herein, was employed as an attorney at The Law Offices of P.M. in Cherry Hill, New Jersey. From in or about 2002 through in or about July 2004, P.M. employed and supervised JAMES as a paralegal at a satellite location in Brigantine, New Jersey. From in or about February 2009 though in or about January 2010, P.M. assumed representation of several of J.L.K.’s immigration clients and, in that capacity, again supervised JAMES, appeared at various immigration court proceedings and signed immigration petitions and supporting documents which were mailed to the United States Department of Homeland Security, United States Customs and Immigration Services (“USCIS”).
4. G.H., a co-conspirator who is not named as a defendant herein, was employed as an attorney at The H. Law Firm. In or about 1997, G.H. was law partners with J.L.K. in Philadelphia,

Pennsylvania. In or about February 2009, G.H. assumed representation of several of J.L.K.'s immigration cases and, in that capacity, supervised paralegal JAMES, appeared at various immigration court proceedings and signed immigration petitions and/or documents which were mailed to USCIS.

5. Dr. B.H., who is not named as a defendant herein, was a psychologist who practiced in Cherry Hill, New Jersey. Based upon referrals by JAMES, J.L.K., P.M. and G.H., Dr. B.H. consulted with and treated numerous clients of the Law Offices of J.L.K., the Law Offices of P.M., and The H. Law Firm, and wrote psychological assessments which were often mailed to the USCIS in support of immigration petitions.

THE CONSPIRACY

6. From in or about 2002 through in or about June 2011, in Atlantic County, in the District of New Jersey and elsewhere, the defendant,

MARIA ANGELICA JAMES,
a/k/a "Maria Negron,"
a/k/a "Maria Martinez,"

did knowingly and intentionally conspire and agree with J.L.K., P.M., G.H., and others to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, which scheme and artifice is in substance set forth below, and for the purpose of executing such scheme and artifice, did knowingly and with fraudulent intent deposit or cause to be deposited in any post office and authorized depository for mail matter, any matter or thing to be sent or delivered by the United States Postal Service, and any matter or thing to be sent or delivered by any private or commercial interstate carrier, and took or received therefrom, any such matter or thing, contrary to Title 18, United States Code, Section 1341.

THE OBJECT OF THE CONSPIRACY

7. The object of the conspiracy was to profit from the legal fees charged to illegal alien clients while at the same time assisting the illegal aliens to stay in the United States by filing and litigating fraudulent immigration petitions.

MANNER AND MEANS OF THE CONSPIRACY

8. It was part of the scheme and artifice to defraud that the defendant JAMES, while working as a paralegal for P.M., J.L.K., and G.H., solicited and recruited various individuals, primarily of Hispanic descent, who were illegally present in the United States, as clients for the law firms' immigration practice.
9. It was part of the scheme and artifice to defraud that the defendant JAMES arranged two marriages – one in or about 2004 and the other in or about 2006 -- between illegal alien clients and United States Citizens, so that the clients could petition for permanent resident status with the ultimate goal of citizenship.
10. It was part of the scheme and artifice to defraud that JAMES prepared on behalf of her law firm's clients various immigration petitions and applications, and the accompanying supporting documentation, which JAMES knew contained false and fraudulent statements.
11. It was part of the scheme and artifice to defraud that JAMES and attorneys P.M., J.L.K. and G.H. referred many of their immigration clients to Dr. B.H. for psychological evaluation and treatment, and to write psychological reports which were sent to USCIS, despite the fact that:
 - a. Most of the clients primarily spoke Spanish (with very little English), while Dr. B.H., in contrast, spoke primarily English and very little Spanish;
 - b. Many of the clients alleged factually similar allegations of abuse by their "spouses;"

- c. Most of the clients lived at least 30 miles from Dr. B.H. (and nearer to numerous other psychologists), and did not drive or own their own vehicles, causing them to rely upon public transportation and/or rides to their appointments by friends or family members;
 - d. Most of the clients paid in cash; and
 - e. Most of the clients were advised by JAMES and Dr. B.H. to continue treatment until their immigration petitions were adjudicated, sometimes continuing over a period of more than one year.
12. It was further part of the scheme and artifice to defraud that JAMES created and/or altered various supporting documents so that they contained false information which supported the petitions of the law firm's clients.
13. It was further part of the scheme and artifice to defraud that JAMES mailed or caused to be mailed the immigration petitions, applications and supporting paperwork containing false and fraudulent statements to various USCIS Offices both by U.S. Mail and Federal Express. All in violation of Title 18, United States Code, Section 1349.

ATTACHMENT B

I, Kristin Savoy, Special Agent with the Homeland Security Investigations (HSI) within the United States Department of Homeland Security (DHS), have personally participated in this investigation and am aware of the facts contained herein based upon my own investigation as well as information provided to me by other law enforcement officers and witnesses. Because this affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not necessarily included each and every fact known to the Government concerning this investigation.

The Individuals Involved in the Conspiracy

1. Defendant MARIA ANGELICA JAMES (“JAMES”), a/k/a “Maria Negron,” a/k/a “Maria Martinez,” was employed as a paralegal specializing in immigration work. JAMES was employed from in or about 2002 through in or about July 2004, in Cherry Hill, New Jersey, by attorney P.M., and from in or about July 2004 through in or about June 2011 by attorney J.L.K., in Brigantine, New Jersey.
2. J.L.K, a co-conspirator who is not named as a defendant herein, was self-employed as an attorney at The Law Offices of J.L.K., L.L.C., in Brigantine, New Jersey, and elsewhere. In or about November 2008, J.L.K.’s license to practice law was suspended in Pennsylvania for four years, was suspended in New Jersey, and was suspended by the Board of Immigration Appeals for one year effective February 19, 2009. While J.L.K. was suspended from practicing law, J.L.K. had other attorneys assume responsibility for his immigration files, namely, attorneys P.M and G.H.
3. P.M., a co-conspirator who is not named as a defendant herein, was employed as an attorney at The Law Offices of P.M. in Cherry Hill, New Jersey. From in or about 2002 through in or about July 2004, P.M. employed and supervised JAMES as a paralegal at a satellite location in Brigantine, New Jersey. From in or about February 2009 though in or about January 2010, P.M. assumed representation of several of J.L.K.’s immigration clients and, in that capacity, again supervised JAMES, appeared at various immigration court proceedings and signed immigration petitions and supporting documents which were mailed to the United States Department of Homeland Security, United States Customs and Immigration Services (“USCIS”).
4. G.H., a co-conspirator who is not named as a defendant herein, was employed as an attorney at The H. Law Firm. In or about 1997, G.H. was law partners with J.L.K. in Philadelphia, Pennsylvania. In or about February 2009, G.H. assumed representation of several of J.L.K.’s immigration cases and, in that capacity, supervised paralegal JAMES, appeared at various immigration court proceedings and signed immigration petitions and/or documents which were mailed to USCIS.
5. Dr. B.H., who is not named as a defendant herein, is a psychologist who practiced in Cherry Hill, New Jersey. Based upon referrals by JAMES, J.L.K., P.M. and G.H., Dr. B.H. consulted with and treated numerous clients of the Law Offices of J.L.K., the Law Offices of P.M., and The H. Law Firm, and wrote psychological assessments which were often mailed to the USCIS in

support of immigration petitions.

The Scheme

6. It was part of the scheme and artifice to defraud that the defendant JAMES, while working as a paralegal for P.M., J.L.K., and G.H., solicited and recruited various individuals, primarily of Hispanic descent, who were illegally present in the United States, as clients for the law firms' immigration practice.

7. Many of JAMES' clients came from the Trenton, New Jersey area, approximately 75 miles from the Law Offices of J.L.K. in Brigantine, New Jersey, and approximately 30 miles from the offices of Dr. B.H. in Cherry Hill, New Jersey.

8. It was part of the scheme and artifice to defraud that the defendant JAMES arranged two marriages – one in or about 2004 and the other in or about 2006 -- between illegal alien clients and United States Citizens, so that the clients could petition for permanent resident status with the ultimate goal of citizenship.

9. It was part of the scheme and artifice to defraud that JAMES prepared on behalf of her law firm's clients various immigration petitions and applications, and the accompanying supporting documentation, which JAMES knew contained false and fraudulent statements. Specifically, JAMES prepared various immigration petitions for the firms' clients, including but not limited to I-130 petitions,¹ I-360 petitions,² I-485 petitions,³ and I-765 petitions.⁴ Included with the petitions were various supporting documentation and paperwork, including but not limited to marriage licenses, divorce certificates, birth certificates, tax returns, financial documents, leases, photographs, medical reports, psychological evaluations and police reports.

10. It was part of the scheme and artifice to defraud that JAMES and attorneys P.M., J.L.K. and G.H. referred many of their immigration clients to Dr. B.H. for psychological evaluation and treatment, and to write psychological reports which were sent to USCIS, despite the fact that:

- a. Most of the clients primarily spoke Spanish (with very little English), while Dr. B.H., in contrast, spoke primarily English and very little Spanish;
- b. Many of the clients alleged factually similar allegations of abuse by their "spouses;"

¹ An I-130 petition is an immigration petition filed by a U.S. citizen/LPR on behalf of their alien relative, seeking admission of the alien relative into the United States.

² An I-360 petition allows certain immigrants, including battered spouses, to petition for an adjustment in status to become a LPR. In order to be eligible for an I-360 based upon spousal abuse, the alien must be married to a U.S. citizen, the marriage must have been entered into in good faith, and the alien must have been battered or subject to extreme cruelty during the marriage.

³ An I-485 petition is an application for the adjustment of status (e.g., illegal to legal or nonimmigrant to immigrant), which is typically filed concurrent with other applications such as the I-130 (family) or I-360 (abuse).

⁴ An I-751 petition is a petition filed by a conditional resident to remove the "conditions" of residency and grant permanent resident status.

- c. Most of the clients lived at least 30 miles from Dr. B.H. (and nearer to numerous other psychologists), and did not drive or own their own vehicles, causing them to rely upon public transportation and/or rides to their appointments by friends or family members;
- d. Most of the clients paid in cash; and
- e. Most of the clients were advised by JAMES and Dr. B.H. to continue treatment until their immigration petitions were adjudicated, sometimes continuing over a period of more than one year.

11. A review of USCIS records revealed that there are approximately 50 files containing I-360 or I-751 applications claiming abuse which were prepared by JAMES, when working for P.M., J.L.K. or G.H.

12. During the course of the investigation, other agents and I have interviewed numerous witnesses, including approximately 24 of JAMES' former clients. Of those former clients, 22 of 24 admitted, in substance and in part, that the immigration petitions prepared by JAMES and signed by one of the attorneys (either P.M., J.L.K. or G.H.) contained false statements and/or false supporting documents. Many of those interviewed admitted that the underlying marriage upon which the abuse claim was filed was fraudulent. The majority admitted that they had never been abused and they were told by defendant JAMES that they could get their Permanent Resident Card by claiming to have been abused. The majority never reviewed the documents which JAMES prepared prior to signing the documents. The majority stated that JAMES told them that they had to see Dr. B.H. and tell him that they had been abused by their spouses, and many further stated that JAMES told them specific things they should tell Dr. B.H. regarding the abuse. Many of them stated that JAMES held herself out to be an attorney.

13. Some of the documents filed in support of the fraudulent petitions contained false statements and/or were created or altered by JAMES or by the clients at JAMES' direction. For example,

- a. JAMES took and/or instructed some of the clients to take photographs of themselves with "wounds" created with make-up and/or ketchup, which were submitted to USCIS to support a claim that a particular client had suffered physical abuse at the hands of his/her spouse.
- b. JAMES instructed some of her clients to take "happy marriage photos" of themselves with their spouse as if they had been in a bona fide marriage, when in reality many of the clients had no real relationship with their spouse but rather married solely to obtain immigration benefits.
- c. JAMES created and/or altered numerous documents to make it appear as if the client was living with his/her spouse in a bona fide marriage, including leases, utility bills, and bank statements.
- d. JAMES created and/or assisted her clients in creating "statements" summarizing the

alleged abuse inflicted upon them by their spouses.

14. It was further part of the scheme and artifice to defraud that JAMES mailed or caused to be mailed the immigration petitions, applications and supporting paperwork containing false and fraudulent statements to various USCIS Offices listed below both by U.S. Mail and Federal Express:

- a. 75 Lower Weldon Street, St. Albans, Vermont;
- b. 530 Fellowship Road, Mount Laurel, New Jersey;
- c. P.O. Box 648005, Lee's Summit, Missouri; and
- d. 970 Broad Street, Newark, New Jersey.