

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

Luisa Fernanda ORDONEZ,

Defendant.

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Civil Action No. \_\_\_\_\_

**COMPLAINT  
FOR REVOCATION  
OF NATURALIZATION**

**PRELIMINARY STATEMENT**

The United States of America ("Plaintiff") brings this civil action against Luisa Fernanda Ordonez ("Defendant") to revoke her naturalized U.S. citizenship under 8 U.S.C. § 1451(a). The Court must revoke Defendant's naturalized U.S. citizenship because, prior to naturalizing, she engaged in fraud to obtain her permanent residency and subsequent citizenship.

On October 16, 2000, Defendant married naturalized U.S. citizen, Jorge Ivan Gomez ("Gomez") in a civil ceremony in New Jersey. Defendant married Gomez, a homosexual, without any intention of sharing a true marital relationship with him. Instead, Defendant married Gomez for the purpose of obtaining an immigration benefit, and she paid him \$7,000 to do so. A year after marrying Gomez, Defendant began a relationship with Burak Inel ("Inel"), with whom she

began living in 2001. Defendant, while still married to Gomez, married Inel, in a ceremony in her native Colombia, in 2003. She continued residing with Inel, as her husband, through at least 2010, during which time she had two children with him.

On August 11, 2005, Defendant filed an N-400, Application for Naturalization ("Form N-400"). In the Form N-400, Defendant intentionally failed to disclose her marriage to Inel. Defendant also denied ever providing misleading information or false testimony to secure an immigration benefit—a representation that was false. Defendant also provided false testimony, under oath, at her naturalization interview in support of her application for naturalization. Based on her fabrications and omissions, Defendant's application to naturalize was granted, and she was given Naturalization Certificate Number 

Defendant was never entitled to naturalize. First, Defendant illegally procured her naturalization because she was never lawfully admitted for permanent residence, based on a marriage to Gomez that was not bona fide and constituted marriage fraud. Defendant further illegally procured her naturalization because she lacked the good moral character required to be eligible to naturalize: 1) she committed unlawful acts, by violating 18 U.S.C. § 1546(a), 18 U.S.C. § 1001, and 18 U.S.C. § 1621 in falsely swearing in an immigration matter that she had only been married once—to Gomez—that adversely reflected on her moral character; and 2) she gave false testimony, under oath, for the purpose of obtaining an

immigration benefit, specifically naturalization. Next, Defendant illegally procured her naturalization because she did not wait the requisite number of years to apply for naturalization after becoming a permanent resident. Finally, Defendant procured her naturalization “by concealment of a material fact or by willful misrepresentation,” by concealing her marriage to Inel.

For all these reasons, the Court must revoke Defendant’s naturalization.

### **JURISDICTION AND VENUE**

1. This is a denaturalization action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to United States citizenship and to cancel her Certificate of Naturalization.
2. Plaintiff is the United States of America.
3. This court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1345 for this cause of action under 8 U.S.C. § 1451(a).
4. Defendant currently resides in Fulton County, Georgia. Thus, venue is proper in this court under 8 U.S.C. § 1451(a).

### **FACTUAL BACKGROUND**

5. Attached as “Exhibit 1” is the affidavit of Jerell Pegram, Special Agent with United States Immigration and Customs Enforcement of the Department of Homeland Security (“DHS”), showing good cause for this action.
6. Defendant was born in Colombia in 1972.

7. On October 16, 2000, Ordonez married Gomez, a naturalized United States citizen.

8. Attached hereto as Exhibit 2 is a true and correct copy, except for redactions of immaterial personally identifying information, of the Marriage License and Certificate of Marriage issued to Jorge Ivan Gomez Martinez and Luisa Fernanda Ordonez.

9. At the time of her marriage to Gomez, Defendant did not intend to create a life together with Gomez.

10. At the time of her marriage to Gomez, Defendant did not intend to cohabitate with Gomez.

11. At the time of her marriage to Gomez, Defendant did not intend to commingle assets with Gomez.

12. At the time of her marriage to Gomez, Defendant understood that Gomez was a homosexual.

13. Defendant married Gomez for the purpose of obtaining permanent residency in the United States.

14. Defendant paid Gomez \$7,000 to marry her.

15. Defendant and Gomez never cohabitated.

16. Defendant and Gomez never commingled their assets.

17. Defendant's marriage to Gomez was not bona fide

18. On January 31, 2001, Gomez filed a Petition for Alien Relative (“Form I-130”) on Defendant’s behalf, and Defendant concurrently submitted her Application to Register Permanent Residence or Adjust Status (“Form I-485”) with the INS.<sup>1</sup>

19. Attached hereto as Exhibit 3 is a true and correct copy, except for redactions of immaterial personally identifying information, of Defendant’s Form I-485.

20. Defendant answered “No,” to Part 3 of Question 10 on Form I-485, which asked, “Have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the U.S. or any immigration benefit?”

21. This answer was false because Defendant married Gomez for the purpose of obtaining immigration status in the United States.

22. Ordenez signed the Form I-485 on January 6, 2001, attesting to the truthfulness of each of her responses under penalty of perjury.

23. In or about March 2001, Defendant began a romantic relationship with Inel, a Turkish national.

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<sup>1</sup> On March 1, 2003, the INS ceased to exist as an independent agency within the Department of Justice, and many of its functions were transferred to the newly formed Department of Homeland Security. See Homeland Security Act of 2002, Pub. L. No. 107-296, §§ 441, 451, 471, 116 Stat. 2135 (Nov. 25, 2002). U.S. Citizenship and Immigration Services (“USCIS”) assumed the INS’s naturalization authority. *Id.* at § 451. Because the Defendant’s Application for Permanent Residence was approved before the transfer, this Complaint will reference the INS as necessary.

24. On June 4, 2001, Defendant appeared for an interview before an immigration officer in support of her application for adjustment of status. At that interview, the immigration officer placed Defendant under oath, and Defendant affirmed her responses on the Form I-485 orally and under oath.

25. On June 4, 2001, INS approved both the Form I-130 Gomez filed on behalf of Defendant and Defendant's Form I-485, and Defendant became a permanent resident of the United States.

26. In or about September 2001, Defendant began residing with Inel in an apartment in Cliffside Park, New Jersey.

27. On December 20, 2003, Defendant married Inel at a Catholic ceremony in Bogota, Colombia.

28. Attached hereto as Exhibit 4 is a true and correct copy, except for redactions of immaterial personally identifying information, of the Marriage Certificate between Burak Inel and Luisa Fernanda Ordonez Bonilla.

29. At the time of her wedding to Inel, Defendant was still legally married to her first husband, Gomez.

30. Defendant did not obtain a legal divorce from Gomez until 2007, four years after marrying Inel.

31. Attached hereto as Exhibit 5 is a true and correct copy, except for redactions of immaterial personally identifying information, of the Judgment of Divorce for Defendant and Gomez, dated November 14, 2007.

32. Although Defendant did not divorce Gomez until 2007, Defendant listed her marital status as "Single" on her 2003 federal tax return, which she signed and affirmed under penalty of perjury.

33. Although Defendant did not divorce Gomez until 2007, Defendant listed her marital status as "Single" on her 2005 New Jersey State tax return, which she signed and affirmed under penalty of perjury.

34. After their Colombian wedding, Defendant resided with Inel in the United States.

35. On January 3, 2006, Defendant and Inel recorded a property deed to become joint tenants for a house with the address of [REDACTED] Washington, New Jersey 07882.

36. Attached hereto as Exhibit 6 is a true and correct copy of a Recorded Property Deed for Joint Tenants Burak Inel and Luisa Fernanda Ordonez Bonilla.

37. On August 11, 2005, Defendant filed a Form N-400, Application for Naturalization, with U.S. Citizenship and Immigration Services ("USCIS") to naturalize as a United States citizen based on her marriage to Gomez.

38. Attached hereto as Exhibit 7 is a true and correct copy, except for redactions of immaterial personally identifying information, of Defendant's Form N-400.

39. Defendant answered "No," to Part 10, Section D, Question 23 on the Form N-400, which asked, "Have you EVER given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal?" (emphasis in original).

40. Defendant's answer to Part 10, Section D, Question 23 on Form N-400 was false.

41. Ordonez failed to disclose that:

a. She provided false testimony at her June 4, 2001, Form I-485 interview, concealing that she had entered the marriage with Gomez for the purpose of obtaining immigration status in the United States; and

b. She procured a visa through fraud or misrepresentation by marrying Gomez for the purpose of obtaining her permanent residency.

42. Part 8, Section A on the Form N-400 asked, "How many times have you been married (including annulled marriages)?" Defendant's response was "1."

43. Defendant's response to Part 8, Section A on the Form N-400 was false because Defendant had been married twice—once to Gomez and once to Inel.

44. Part 8, Section B on the Form N-400 asked, "If you are now married, give the following information about your spouse: 1. Spouse's Family Name, Given Name, Full Middle Name." Defendant provided only the name Jorge Ivan Gomez. She did not provide the name of Burak Inel.

45. Part 8, Section F on the Form N-400 asked, "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, Given Name, Full Middle Name." Defendant did not provide the name of a former spouse.

46. Defendant's representations about her marital status and history were false.

47. Defendant willfully misrepresented and concealed on Form N-400 that she married Burak Inel in Colombia on December 20, 2003.

48. In Part 10, Question 22 on the Form N-400, it asked, "Have you EVER been married to more than one person at the same time." Defendant answered "No." (emphasis in original.)

49. Defendant's answer was false because she was married to both Gomez and Inel at the same time.

50. Part 10, Question 23 of the Form N-400, asked, “have you EVER given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal.” (emphasis in original). Defendant answered “no.”

51. That answer was false because Defendant provided false information to the Government that she was in a bona fide marriage with Gomez when she applied for permanent resident status and was interviewed on her Form I-485.

52. On March 15, 2006, Defendant appeared for an interview before an immigration officer in support of her application for naturalization. At that interview, the immigration officer placed Defendant under oath, and Defendant affirmed her prior written responses to the following questions, orally and under oath: Part 10, Section D, Question 23, Part 8, Section A, Part 10, Question 22, and Part 10, Question 23 on the Form N-400.

53. At that interview, the immigration officer asked Defendant whether she had ever given false or misleading information to a United States government official while applying for an immigration benefit or to prevent deportation, exclusion, or removal. Defendant answered “No” orally and under oath.

54. Defendant did not disclose to the immigration officer that she obtained her permanent resident status by entering into marriage with Gomez that was not bona fide..

55. Defendant did not disclose that she married Inel on December 20, 2003 while she was still legally married to Gomez.

56. Defendant's "No" answer referenced in Paragraph 53 was false because Defendant had provided false information to the Government that she was in a bona fide marriage with Gomez.

57. Defendant's "No" answer referenced in Paragraph 53 was false because Defendant failed to disclose that she was actually married to Inel.

58. On March 15, 2006, USCIS approved Defendant's application based on her Form N-400 and her testimony at her naturalization interview, and she naturalized as a United States citizen.

59. On March 15, 2006, Defendant was issued a Certificate of Naturalization number 

60. Attached hereto as Exhibit 8 is a true and correct copy of Defendant's Certificate of Naturalization.

61. On April 13, 2006, Defendant and Inel had a son together.

62. In 2010, Defendant and Inel had a daughter together.

63. On February 6, 2012, Inel sent a letter to USCIS detailing Defendant's marriage fraud and evidence supporting it.

### **THE DENATURALIZATION STATUTE**

64. To naturalize, an applicant must establish that during the statutory period, he “has been and still is a person of good moral character . . . .” 8 U.S.C. § 1427(a)(3). The statutory period for which good moral character is required begins five years before the applicant files her application for naturalization until the applicant takes the oath of allegiance and becomes a United States citizen. 8 U.S.C. § 1427(a)(1), (3); 8 C.F.R. § 316.10(a)(1).

65. The Court must revoke Ordonez’s naturalization and cancel her Certificate of Naturalization if her naturalization was either (1) illegally procured; or (2) procured by concealment of a material fact or by willful misrepresentation. 8 U.S.C. § 1451(a); see also *Fedorenko v. United States*, 449 U.S. 490, 517 (1981) (“[D]istrict courts lack equitable discretion to refrain from entering a judgment of denaturalization against a naturalized citizen whose citizenship was procured illegally or by willful misrepresentation of material facts.”).

66. Naturalization was procured by concealment of a material fact or by willful misrepresentation, where: (1) the naturalized citizen misrepresented or concealed some fact during the naturalization process; (2) the misrepresentation or concealment was willful; (3) the fact was material; and (4) the naturalized citizen procured citizenship as a result of the misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

## COUNT I

**ILLEGAL PROCUREMENT OF NATURALIZATION  
NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE**

67. The United States re-alleges and incorporates by reference the foregoing paragraphs.

68. To qualify for naturalization, an applicant must have been lawfully admitted to the United States for permanent residence. *See* 8 U.S.C. §§ 1427(a)(1), 1430; *see also id.* § 1429.

69. Congress has defined the term “lawfully admitted for permanent residence” to mean “the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws.” 8 U.S.C. § 1101(a)(20).

70. The term “lawfully” requires compliance with the substantive legal requirements for admission, and not mere procedural regularity. *See Savoury v. U.S. Atty. Gen.*, 449 F.3d 1307, 1313 (11th Cir. 2006) (“The adverb ‘lawfully’ requires more than the absence of fraud. It requires consistency with all applicable law.”).

71. The alien’s adjustment must have been consistent with all applicable laws, and even if the government adjusts an alien to that of permanent resident when the alien was not eligible for adjustment, the alien did not “lawfully” obtain permanent resident status.

72. Defendant illegally procured her naturalization because she had not been lawfully admitted to the United States for permanent residence, a prerequisite to naturalization under 8 U.S.C. § 1427(a).

73. Under 8 U.S.C. § 1255(a), an alien may adjust status “to that of an alien lawfully admitted for permanent residence if . . . (2) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence.”

74. An alien is inadmissible if, “by fraud or willfully misrepresenting a material fact, [she] seeks to procure (or has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefits . . . .” 8 U.S.C. § 1182(a)(6)(C)(i).

75. A visa may not be issued to an alien who has entered into a marriage for the purpose of evading the immigration laws. *See* 8 C.F.R. § 204.2(a)(1)(ii)

76. In other words, if USCIS concludes that there is “substantial and probative” evidence that a marriage was entered into for the purpose of evading the immigration laws, the agency must deny the petition on that basis.

77. Courts have explained that marriage is “a sham if the bride and groom did not intend to establish a life together at the time they were married.” *Bark v. INS*, 511 F.2d 1200, 1202 (9th Cir. 1975).

78. On October 20, 2000, Defendant married Gomez, a naturalized United States citizen.

79. On June 4, 2001, Defendant adjusted her status to that of permanent resident on the basis of her marriage to Gomez.

80. Defendant married Gomez solely for an immigration benefit and never intended to enter into a bona fide marital relationship.

81. On August 11, 2005, Defendant filed an application for Form N-400, Application for Naturalization with USCIS to naturalize as a United States citizen based on her marriage to Gomez.

82. Defendant did not lawfully obtain permanent residence because her adjustment to permanent resident status was based on marriage fraud.

83. Because Defendant was not lawfully admitted for permanent residence, she was, and remains, ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1), 1429, and 1430.

84. Because Defendant was ineligible for naturalization, she illegally procured her citizenship.

85. Because Defendant illegally procured her citizenship, this Court must revoke her citizenship as provided under 8 U.S.C. § 1451(a).

## COUNT II

**ORDONEZ ILLEGALLY PROCURED UNITED STATES CITIZENSHIP  
BECAUSE SHE DID NOT WAIT TO APPLY FOR NATURALIZATION**

**UNTIL FIVE YEARS HAD PASSED SINCE SHE ADJUSTED STATUS TO  
PERMANENT RESIDENCE**

86. The United States re-alleges and incorporates by reference the foregoing paragraphs.

87. An applicant must normally wait five years after becoming a legal permanent resident before applying for naturalization. 8 U.S.C. § 1427(a)(1).

88. An applicant may apply for naturalization after only three years of permanent residence, if during the three years prior to applying, the applicant was a permanent resident married to a U.S. citizen and was “living in marital union” with that citizen spouse for those three years. 8 U.S.C. § 1430(a); 8 C.F.R. § 319(a).

89. The Eleventh Circuit has defined “living in marital union” to require that the individual petitioning for naturalization actually reside with his or her spouse. *U.S. v. Maduno*, 40 F.3d 1212 (11th Cir. 1994).

90. Defendant married Gomez on October 16, 2000.

91. Defendant became a legal permanent resident on June 4, 2001, and filed her N-400 four years later on August 11, 2005, based on her marriage to Gomez.

92. To apply for naturalization as the spouse of a U.S. citizen, Defendant had to have been living in marital union with Gomez continuously from August 11, 2002, through August 11, 2005.

93. Defendant did not live in marital union with Gomez from August 11, 2002, through August 11, 2005.

94. During the period from August 11, 2002, through August 11, 2005, Defendant lived with Inel.

95. In fact, Defendant lived with Inel in marital union as of December 20, 2003, through (and beyond) August 11, 2005.

96. Because Defendant was not living in marital union with Gomez from August 11, 2002, through August 11, 2005, Defendant was ineligible to apply for naturalization three years after obtaining her permanent residency.

97. Because Ordonez was not living in marital union with Gomez during the three-year period prior to filing her application for naturalization she was ineligible to naturalize as the spouse of a United States citizen under 8 U.S.C. § 1430.

98. Because Defendant was ineligible to naturalize, she illegally procured her naturalization.

99. Because Defendant illegally procured her naturalization, this Court must revoke her naturalization under 8 U.S.C. § 1451(a).

### **COUNT III**

**ILLEGAL PROCUREMENT OF NATURALIZATION  
LACK OF GOOD MORAL CHARACTER  
(Commission Of Unlawful Acts During The Statutory Period  
That Adversely Reflecting On Moral Character)**

100. The United States re-alleges and incorporates by reference the foregoing paragraphs.

101. As set forth above, to be eligible for naturalization, Defendant was required to establish that she was a person of good moral character during the statutory period. 8 U.S.C. § 1427(a)(3); 8 C.F.R. §§ 316.10(a)(1).

102. Defendant's statutory period, therefore, began on August 11, 2000, five years before Defendant filed her N-400, and continued until March 15, 2006, when Defendant naturalized and was issued a Certificate of Naturalization number 29621644.

103. Defendant could not establish the requisite good moral character for naturalization because, during her statutory period, she committed three unlawful acts relating to making false statements to federal officials that reflected adversely on her moral character for which there were no extenuating circumstances. *See* 8 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii); *see also, e.g., United States v. Jean-Baptiste*, 395 F.3d 1190, 1194 (11th Cir. 2005).

104. Defendant committed the unlawful act of falsely swearing in an immigration matter, in violation of 18 U.S.C. § 1546(a), when, on August 11, 2005, she falsely swore on her naturalization application that she had never been

married to more than one person at the same time, and further represented that she had been married only once, and when, on March 15, 2006, she made the same representations while under oath, during her naturalization interview.

105. Defendant committed the unlawful act of making a false statement, in violation of 18 U.S.C. § 1001, when, on August 11, 2005, she falsely swore on her naturalization application that she had never been married to more than one person at the same time, and further represented that she had been married only once, and when, on March 15, 2006, she made the same representations while under oath, during her naturalization interview.

106. Defendant committed the unlawful act of perjury, in violation of 18 U.S.C. § 1621, when, on August 11, 2005, she falsely swore on her naturalization application that she had never been married to more than one person at the same time, and further represented that she had been married only once, and when, on March 15, 2006, she made the same representations while under oath, during her naturalization interview.

107. August 11, 2005, and March 15, 2006, were during the statutory period (from August 11, 2000, until March 15, 2006) when Defendant was required to establish she had good moral character.

108. Defendant falsely swore in an immigration matter, made a false statement, and committed perjury, because she knew that she was simultaneously married to both Gomez and Inel.

109. Defendant's misrepresentations about her marital status were material, because the disclosure of Defendant's marriage to Inel, while still being married to Gomez, would have had a natural tendency to induce USCIS to investigate the circumstances of Defendant's marriage to Gomez and would influence USCIS's decision whether to approve Defendant's naturalization application.

110. Defendant's crimes of falsely swearing in an immigration matter, making false statements, and committing perjury constitute unlawful acts that adversely reflect on Defendant's moral character as contemplated by 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii).

111. Defendant cannot establish extenuating circumstances with regard to falsely swearing in an immigration matter, making false statements, and committing perjury.

112. Because Defendant committed unlawful acts during the statutory period, reflecting adversely on her moral character, and because no extenuating circumstances exist, Defendant could not establish that she was a person of good moral character.

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

114. Because Defendant was ineligible to naturalize, the Court must revoke her citizenship under 8 U.S.C. § 1451(a).

#### **COUNT IV**

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

115. The United States re-alleges and incorporates by reference the foregoing paragraphs.

116. Defendant lacked good moral character because she provided false testimony under oath during her statutory period with the purpose of obtaining naturalization as a United States citizen.

117. A person cannot establish that she has good moral character if, during the period for which good moral character is required, the person has given false testimony for the purpose of obtaining an immigration benefits. *See* 8 U.S.C. § 1101(f)(6) (defining good moral character); 8 U.S.C. § 1427(a) (requiring individual to establish good moral character); 8 C.F.R. § 316.10(a)(1) (defining relevant period for establishing good moral character).

118. Defendant's statutory period began on August 11, 2000, five years before Defendant filed her N-400, and continued until March 15, 2006, when Defendant naturalized and was issued a Certificate of Naturalization number



119. Defendant's naturalization interview on March 15, 2006, was during the statutory period during which she was required to establish good moral character.

120. During her naturalization interview on March 15, 2006, Defendant falsely testified, orally and under oath, that she had been lawfully admitted for permanent residence; that she had been living with her U.S. citizen husband for the three years preceding the filing of her naturalization application; that she was married only once; and that she was never married to more than one person at the same time.

121. Defendant's testimony, orally and under oath, that she had been a lawful permanent resident for at least three years was false because Defendant was never lawfully admitted to the United States as a permanent resident.

122. Defendant's testimony, orally and under oath, that she had been living with her U.S. citizen husband for at least three years preceding the filing of her naturalization application was false because Defendant was not living with Gomez for the three years preceding the filing of her naturalization application.

123. Defendant's testimony, orally and under oath, that she was married only once was false because she was married twice, once to Gomez and once to Inel.

124. Defendant's testimony, orally and under oath, that she was never married to more than one person at the same time was false because Defendant was married to Gomez and Inel at the same time.

125. Defendant knew that her testimony, orally and under oath, that she been lawfully admitted for permanent residence was false because she knew she had obtained her permanent residency based on fraud.

126. Defendant knew that her testimony, orally and under oath, that she had been living with Gomez for the three years preceding the filing of her naturalization application was false because she knew she did not live with Gomez for the three years preceding her naturalization application.

127. Defendant knew that her testimony, orally and under oath, that she was married only once was false because she knew she was married twice, once to Gomez and once to Inel.

128. Defendant knew that her testimony, orally and under oath, that that she was never married to more than one person at the same time was false because she knew she was married to Gomez and Inel at the same time.

129. Defendant's false testimony made her statutorily ineligible to naturalize because she lacked good moral character. 8 U.S.C. § 1101(f)(6).

130. Because Defendant was ineligible to naturalize, she illegally procured her naturalization, and her naturalization must be revoked under 8 U.S.C. § 1451(a).

### **COUNT V**

#### **ORDONEZ PROCURED UNITED STATES CITIZENSHIP BY WILLFUL MISREPRESENTATION AND CONCEALMENT OF MATERIAL FACTS**

131. The United States re-alleges and incorporates by reference the foregoing paragraphs.

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

133. Defendant made false representations in her naturalization application concerning whether she had ever been lawfully admitted for permanent residence, whether she was married more than once, and whether she was married to more than one person at the same time.

134. Defendant signed her naturalization application under penalty of perjury under the laws of the United States, thereby certifying under oath that the

information contained therein was true and correct. Defendant filed her application on or about August 11, 2005.

135. On March 15, 2006, USCIS interviewed Defendant regarding her naturalization application. At the beginning of her naturalization interview, a USCIS officer placed Defendant under oath. Defendant affirmed that she would answer all questions truthfully.

136. During her naturalization interview on March 15, 2006, Defendant falsely testified under oath that she had been lawfully admitted for permanent residence; that she had been living with her U.S. citizen husband for the three years preceding the filing of her naturalization application; that she was married only once; and that she was never married to more than one person at the same time.

137. Defendant's statement that she had been a lawful permanent resident for at least three years was false because Defendant was never lawfully admitted to the United States as a permanent resident.

138. Defendant's statement that she had been living with her U.S. citizen husband for at least three years preceding the filing of her naturalization application was false because Defendant was not living with Gomez for the three years preceding the filing of her naturalization application.

139. Defendant's statement that she was married only once was false because she was married twice, once to Gomez and once to Inel.

140. Defendant's statement that she was never married to more than one person at the same time was false because Defendant was married to Gomez and Inel at the same time.

141. Defendant knew that her testimony, orally and under oath, that she been lawfully admitted for permanent residence was false because she knew she had obtained her permanent residency based on fraud.

142. Defendant knew that her testimony, orally and under oath, that she had been living with Gomez for the three years preceding the filing of her naturalization application, was false because she knew she did not live with Gomez for the three years preceding her naturalization application.

143. Defendant knew that her testimony, orally and under oath, that she was married only once was false because she knew she was married twice, once to Gomez and once to Inel.

144. Defendant knew that her testimony, orally and under oath, that that she was never married to more than one person at the same time was false because she knew she was married to Gomez and Inel at the same time.

145. At the end of her naturalization interview, Defendant again signed her naturalization application under penalty of perjury under the laws of the United States, thereby affirming under oath that the information contained therein was true and correct.

146. Defendant intentionally misrepresented and concealed that she married Gomez only to secure an immigration benefit, that she did not live in marital union with Gomez for the three years preceding her filing of her naturalization application, that she was married to Gomez and Inel at the same time, and continued to be married to Inel at the time of filing her application and at her interview, and the fact that she had falsely testified to a United States Government official for the purpose of obtaining an immigration benefit: naturalization. Defendant knew her representations and sworn testimony about these matters were false and misleading.

147. Defendant's false representations and testimony about these matters were material to determining her naturalization eligibility and had the natural tendency to influence the decision by the INS to approve her naturalization application.

148. Specifically, had Defendant disclosed the truth of her marital relationships with both Gomez and Inel, it would have had the natural tendency to influence USCIS's decision whether to approve her naturalization application and grant her United States citizenship. Indeed, USCIS would have denied Defendant's naturalization application had she been truthful about these matters. Defendant thus procured her naturalization by concealment of material facts and willful misrepresentation.

149. Defendant therefore procured her naturalization by concealment of a material fact and willful misrepresentations, and this Court must revoke her citizenship under 8 U.S.C. § 1451(a).

### **PRAYER FOR RELIEF**

Wherefore, Plaintiff, the United States of America, demands:

A. A declaration that Defendant illegally procured her citizenship and Certificate of Naturalization because she was not lawfully admitted for permanent residence when she naturalized.

B. A declaration that Defendant illegally procured her citizenship and Certificate of Naturalization because she did not wait to apply for naturalization until five years had passed since she adjusted status to permanent residence.

C. A declaration that Defendant illegally procured her citizenship and Certificate of Naturalization because she committed unlawful acts during the statutory period that adversely reflecting on her moral character.

D. A declaration that Defendant illegally procured her citizenship and Certificate of Naturalization because she provided false testimony during the statutory period.

E. A declaration that Defendant procured her citizenship by willful concealment and misrepresentation of material facts.

F. Judgment revoking and setting aside the March 15, 2006 order admitting Defendant to United States citizenship and cancelling Certificate of Naturalization number .

G. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document evidencing United States citizenship.

H. Judgment requiring Defendant to immediately surrender and deliver to the Attorney General her Certificate of Naturalization and any other indicia of United States citizenship, including but not limited to, any United States passport relating to Defendant.

I. Such other relief as may be lawful and proper.

Dated: July 20, 2026

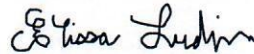
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Respectfully submitted,

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