

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                              |   |                            |
|------------------------------|---|----------------------------|
| UNITED STATES OF AMERICA,    | ) |                            |
|                              | ) | Civil Action No. _____     |
| <i>Plaintiff,</i>            | ) |                            |
|                              | ) |                            |
| v.                           | ) | <b>COMPLAINT TO REVOKE</b> |
|                              | ) | <b>NATURALIZATION</b>      |
| MANUEL ANTONIO LA ROSA-LOPEZ | ) |                            |
|                              | ) |                            |
| <i>Defendant.</i>            | ) |                            |
| _____                        | ) |                            |

**I. PRELIMINARY STATEMENT**

1. The United States of America brings this civil action against Defendant Manuel Antonio La Rosa-Lopez (“Defendant”), an ordained Catholic priest, to revoke his naturalized United States citizenship. This action under 8 U.S.C. § 1451(a) is based on Defendant’s unlawful conduct prior to naturalizing. Specifically, before he became a citizen of the United States in August 2009, Defendant abused his position of trust to engage in criminal activity, and concealed that criminal activity throughout his naturalization process. That criminal activity, had it been known to the United States Citizenship and Immigration Services (“USCIS”), would have naturally influenced the United States citizenship (“U.S. citizenship”) decision.

2. On or about February 1999 and March 2001, Defendant committed acts constituting indecency with a child in violation of Texas Penal Code § 21.11(a)(1). In August 2009, Defendant illegally procured U.S. citizenship by knowingly concealing material facts and willfully misrepresenting his criminal conduct during his naturalization process. On May 2, 2019, and June 27, 2019, the State of Texas indicted Defendant in two separate matters, and on December 16, 2020, Defendant plead guilty to two violations of indecency with a child under Texas Penal

Code § 21.11(a)(1). That same day the 435th District Court in Montgomery County, Texas, sentenced him to two 10-year sentences of imprisonment, to run concurrently, in Case Nos. 18-09-12026-CR and 18-09-12312-CR. Accordingly, as shown below, Defendant unlawfully naturalized and this Court must order the denaturalization of Defendant.

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

3. This action is 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 .

4. 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).

5. Plaintiff is the United States of America.

6. Defendant is a naturalized U.S. citizen and a native of Peru.

7. Venue is proper in this district under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Defendant resided in Richmond, Texas, prior to his current incarceration, which is within the jurisdiction of this Court. *United States v. Arango*, 670 F.3d 988, 990 (9th Cir. 2012).

## **III. FACTUAL BACKGROUND**

### **A. Defendant's Immigration History and Naturalization Application**

8. The affidavit of Cori White, Acting Regional Deputy Counsel, U.S. Immigration and Customs Enforcement, an agency within the Department of Homeland Security, showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached hereto as Exhibit A.

9. Defendant first entered the United States on a B1/B2 nonimmigrant visitor visa in 1992, after which he changed his nonimmigrant status to attend English Language classes, followed by Seminary for the Roman Catholic Diocese of Galveston-Houston. Attached as Exhibit

B is a true and correct copy of his application to change status from B to F-1, with redactions of personally identifying information (“PII”).

10. After Defendant was ordained a Catholic priest, the Roman Catholic Diocese of Galveston-Houston petitioned USCIS for Defendant to be admitted as an R-1 nonimmigrant religious worker (Receipt No. [REDACTED], which was granted on or about April 17, 1997. A true and correct copy of the approval notice, with redactions of PII, is attached hereto as Exhibit C.

11. In or around November 2001, Defendant sought to adjust his status to that of permanent resident. A true and correct copy of his Form I-485 application to adjust status to permanent resident, receipt number [REDACTED] with redactions of PII, is attached hereto as Exhibit D.

12. Defendant was granted an adjustment of status to permanent resident on September 19, 2003. A true and correct copy of the approval notice for his adjustment of status, with redactions of PII, is attached hereto as Exhibit E.

13. On or about May 27, 2009, Defendant filed an Application for Naturalization, Form N-400 (“N-400”). A true and correct copy of Defendant’s N-400, with redactions of PII, is attached hereto as Exhibit F.

14. Part 10, Question 15 of Defendant’s N-400 asks, “Have you **ever** committed any crime for which you were **not** arrested?” and in response, the Defendant checked the box for “No.” *Id.*, p. 8 (emphasis original).

15. Question 15 was straightforward and unambiguous.

16. Defendant signed the N-400 in Part 11 on May 21, 2009, certifying under penalty of perjury that the information in the application was true and correct. *Id.*, p. 10.

17. On August 13, 2009, a USCIS officer placed Defendant under oath and conducted an interview regarding his N-400 to determine his eligibility for naturalization. A true and correct copy of Form N-652 Naturalization Interview Results with redactions of PII is attached hereto as Exhibit G.

18. There are no notations on the N-400 indicating that Defendant corrected his denial to Question 15 during the interview. The N-400 does contain other corrective notations in red pen labeled “1” and “2”. *See* Exhibit F, pp. 8-10.

19. At the conclusion of his naturalization interview on August 13, 2003, Defendant signed his N-400 at Part 13, acknowledging the two corrective notations and swearing for a second time under penalty of perjury that the entire contents of his naturalization application were true and correct to the best of his knowledge and belief. *Id.*, p. 10.

20. That same day, based on Defendant’s representations in his naturalization application and his own sworn testimony during his naturalization interview, USCIS approved Defendant’s naturalization application. *Id.*, p. 1.

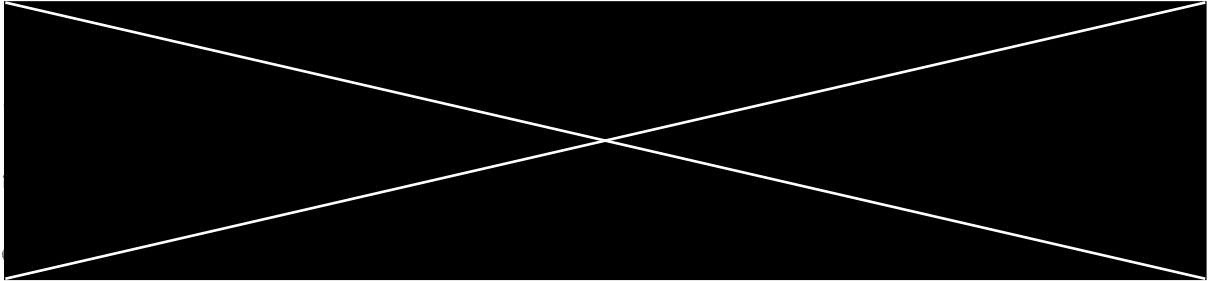
21. On or about August 19, 2009, Defendant prepared the final pre-naturalization paperwork by filing a form N-445, Notice of Naturalization Ceremony (“N-445”), a true and complete copy of which, except for redactions of PII, is attached hereto as Exhibit H.

22. On August 19, 2009, Defendant took the oath of allegiance and was admitted to U.S. citizenship. USCIS issued Defendant his Certificate of Naturalization No.  a true and correct copy of which, with redactions for PII, is attached hereto as Exhibit I.

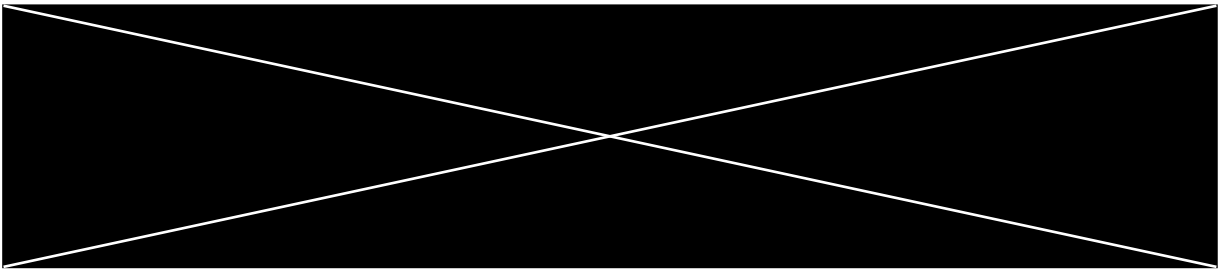
### **B. Defendant’s Criminal History**

23. On May 2, 2019, the State of Texas indicted Defendant on one count of indecency with a child, in violation of Texas Penal Code § 21.11(a)(1), a second-degree felony, Case No. 18-

09-12026-CR. A true and correct copy of the Indictment in Case No. 18-09-12026-CR, with redactions for PII, is attached hereto as Exhibit J.



25. On June 27, 2019, the State of Texas indicted Defendant for a second time with one count of indecency with a child, in violation of Texas Penal Code § 21.11(a)(1), a second-degree felony, Case No. 18-09-12312-CR. A true and correct copy of the Indictment in Case No. Case No. 18-09-12312-CR, with redactions for PII, is attached hereto as Exhibit K.



27. On December 16, 2020, Defendant pled guilty to both indictments. A true and correct copy of the Judgement of Conviction in Case No. 18-09-12026-CR, with redactions for PII, is attached hereto as Exhibit L. A true and correct copy of the Judgement of Conviction in Case No. 18-09-12312-CR, with redactions for PII, is attached hereto as Exhibit M.

28. Defendant was represented by counsel when he entered his guilty pleas. Exhibit L p. 2; Exhibit M, p.2. The court found that Defendant was mentally competent to stand trial, made his pleas freely and voluntarily, and was aware of the consequences of his pleas. *Id.*

29. A true and correct copy of the Admonitions to the Defendant for Plea to Court in Case No. 18-09-12026-CR, which includes the plea agreement, with redactions for PII, is attached

hereto as Exhibit N.

30. A true and correct copy of the Admonitions to the Defendant for Plea to Court in Case No. 18-09-12312-CR, which includes the plea agreement, with redactions for PII, is attached hereto as Exhibit O.

31. In both plea agreements, Defendant agreed that his attorney explained the court's admonitions and that he understood the consequences of his plea. Exhibit N, p. 2; Exhibit O, p.2. In each plea agreement the Defendant stated, "I JUDICIALLY CONFESS to committing the offense of INDECENCY WITH A CHILD as charged by the indictment...." *Id.* Defendant waived his right to appeal and waived the preservation of evidence seized in connection with his arrest. Exhibit N, p. 3; Exhibit O, p. 3.

32. Defendant faced up to 20 years in prison on each count. Exhibit N, p. 1; Exhibit O, p. 1.

33. Defendant was sentenced to 10 years in prison for each crime, with the sentences to run concurrently. Exhibit L, p. 1; Exhibit M, p. 1.

34. According to the Texas Department of Criminal Justice Inmate Search, Defendant remains incarcerated at this time. *See*

 (last visited June 30, 2026).

35. The criminal acts to which Defendant pled guilty occurred prior to his naturalization.

36. The criminal acts to which Defendant pled guilty were patently illegal.

37. Defendant willfully failed to disclose his criminal acts during his naturalization process by answering "No" to Question 15 on the N-400 and swearing twice, under penalty of

perjury, that his responses were true and correct.

38. Defendant knew his answer to Question 15 was false and misleading.

39. Disclosure of Defendant's criminal conduct with minor children would have naturally influenced USCIS's decision on Defendant's naturalization application.

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

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

40. No applicant has a right to naturalization "unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). Indeed, the Supreme Court underscored that "[t]here must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship." *Fedorenko v. United States*, 449 U.S. 490, 506 (1981) (An individual "who seeks political rights as a member of the Nation can rightfully obtain them only upon the terms and conditions specified by Congress.") (quoting *Ginsberg*, 243 U.S. at 474).

41. Congress 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).

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

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

44. Congress has explicitly precluded an individual from establishing the good moral character necessary to naturalize if during the statutory period he commits certain offenses described in 8 U.S.C. § 1182, of which he was convicted of to which he admits. 8 U.S.C. § 1101(f)(3)

45. Among the offenses described in 8 U.S.C. § 1182 that preclude an individual from establishing the required good moral character is a violation of (or a conspiracy or attempt to violate) any law or regulation of ... the United States ... relating to a controlled substance. 8 U.S.C. § 1182(a)(2)(A)(i)(ii).

46. Congress also has explicitly precluded individuals who give false testimony for the purpose of obtaining immigration benefits from establishing the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

47. Further, Congress created a “catch-all” provision, which states, “The 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) (catch-all provision).

48. Thus, an individual who, during the statutory period, commits an unlawful act adversely reflecting upon his or her moral character cannot meet the good moral character requirement unless he or she proves that extenuating circumstances existed. *See* 8 C.F.R. § 316.10(b)(3)(iii); 8 U.S.C. § 1101(f).

49. “[A] conviction during the statutory period is not necessary for a finding that an applicant lacks good moral character. It is enough that the offense was ‘committed’ during that time.” *United States v. Suarez*, 664 F.3d 655, 661 (7th Cir. 2011) (discussing 8 U.S.C. § 1101(f)(3) and 8 C.F.R. § 316.10(b)(3)(iii)); *United States v. Al-Aqaili*, 550 F. App’x 356, 358 (8th Cir. 2014) (reiterating that, for good moral character analysis, “it is of no consequence that [defendant’s]

conviction occurred after he was already naturalized.”) (citing *United States v. Jean-Baptiste*, 395 F.3d 1190, 1192 (11th Cir. 2005), *cert. denied*, 546 U.S. 852 (2005)).

50. Furthermore, Congress specified that actions outside the five year statutory time period can be considered when determining whether the applicant demonstrated good moral character. 8 U.S.C. § 1427(e). Regulations provide that USCIS considers good moral character on a “case-by-case basis” and consider conduct “at any time prior” to the statutory period if “the conduct of the applicant during the statutory period does not reflect that there has been reform of character from an earlier period or if the earlier conduct and acts appear relevant to a determination of the applicant’s present moral character.” 8 C.F.R. § 316.10(a)(2).

#### **B. The Denaturalization Statute**

51. Congress enacted 8 U.S.C. § 1451 in recognition of the fact that there are situations where an individual has naturalized despite failing to comply with all congressionally imposed prerequisites to the acquisition of citizenship or by concealing or misrepresenting facts that are material to the decision on whether to grant his or her naturalization application.

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

- a. illegally procured; or,
- b. procured by concealment of a material fact or by willful misrepresentation.

53. 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.

54. Naturalization will be deemed 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).

55. Under a willful misrepresentation or concealment claim, the government can prevail by proving the fraud occurred during any part of the naturalization process, including in written form on the naturalization application. *Id.*; see also *United States v. Martinez*, 507 F. Supp. 3d 793, 805 (S.D. Tex. 2020).

56. Where the government establishes that the defendant's citizenship was procured illegally or by willful misrepresentation or concealment of a material fact, "district courts lack equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko*, 449 U.S. at 517.

**COUNT I**  
**PROCUREMENT OF NATURALIZATION BY CONCEALMENT**  
**OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION**

57. Plaintiff re-alleges and incorporates by reference the factual and legal allegations in Paragraphs 1 - 56 of this Complaint as if fully set forth herein.

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

59. Throughout his naturalization process, Defendant willfully misrepresented and concealed his criminal conduct to obtain an immigration benefit.

60. At no point during the naturalization process did Defendant disclose his criminal conduct, but instead knowingly presented false information that he had not committed any criminal acts.

61. Defendant knew his misrepresentation and concealment were false and misleading and he acted willfully in providing such misrepresentations and concealment.

62. Defendant's misrepresentations were material in determining his eligibility for naturalization because they did not allow INS to make an informed decision when approving his naturalization application. In addition, Defendant's conduct related directly to a determination of whether he could establish the good moral character required under 8 U.S.C. § 1427(a)(3), (e); 8 C.F.R. § 316.10(a)(2).

63. Had Defendant disclosed the truth about his criminal conduct, INS would have denied Defendant's naturalization and would not have allowed him to take the oath of allegiance because of his ineligibility.

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

#### **PRAYER FOR RELIEF**

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

1. A finding that Defendant illegally procured his citizenship;
2. A finding that Defendant procured his naturalization by concealment of material facts and willful misrepresentation;
3. Judgment revoking and setting aside Defendant's naturalization and canceling Certificate of Naturalization No.  effective as of the original date of the order and certificate, August 19, 2009;
4. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document which evidences U.S. citizenship obtained as a result of his August 19, 2009, naturalization;

5. Judgment requiring Defendant to surrender and deliver, within ten (10) days of Judgment, his Certificate of Naturalization, as well as any copies thereof in his possession or control (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 Attorney General, or his representative, including undersigned counsel;

6. Judgment requiring the Defendant to surrender and deliver, within ten (10) days of Judgment, any other indicia of U.S. citizenship, including, but not limited to, U.S. passports and passport cards, voter registration cards, and other voting documents, as well as any copies thereof in his possession or control (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 Attorney General, or his representative, including undersigned counsel; and

7. Judgment granting the United States such other relief as may be lawful and proper in this case.

Dated July 22, 2026

AARON F. REITZ  
Acting United States Attorney  
Southern District of Texas

Respectfully submitted,

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