

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION**

CASE NO. 0:26cv62076

UNITED STATES OF AMERICA,

Plaintiff,

v.

**COMPLAINT TO REVOKE
NATURALIZATION**

HAITHAM A. MUSTAFA,
a/k/a Yaser Faheed Al Assaf,
a/k/a Yaser F. Alassaf,
a/k/a Yaser Alassaf,

Defendant.

I. PRELIMINARY STATEMENT

The United States of America brings this civil action against Defendant Haitham A. Mustafa, a/k/a Yaser Faheed Al Assaf, a/k/a Yaser F. Alassaf, a/k/a Yaser Alassaf to revoke his naturalized U.S. citizenship under 8 U.S.C. § 1451(a).

Before he became a U.S. citizen, Defendant engaged in criminal activity that he concealed during the naturalization process and that disqualified him from gaining citizenship. Defendant led a scheme to defraud credit card companies by obtaining and using credit cards procured with false identification documents. After naturalizing, Defendant was charged with and pled guilty to those crimes. However, during his naturalization proceedings, Defendant misrepresented and concealed his criminal conduct and his use of false identities, and therefore unlawfully procured his U.S. citizenship.

This action under 8 U.S.C. § 1451(a) is based on Defendant's criminal conduct prior to naturalizing, for which he was charged and of which he was convicted after naturalizing;

his lacking the required good moral character to naturalize because, during the relevant time period, he testified falsely; and his concealing or willfully misrepresenting material facts for his naturalization. Accordingly, as shown below, Defendant unlawfully naturalized, and this Court must order his denaturalization.

II. PARTIES, JURISDICTION, AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the decision admitting Defendant to U.S. citizenship and to cancel Defendant's Certificate of Naturalization No. .

2. This Court has subject matter jurisdiction under 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 because Defendant resides in this District.

4. Plaintiff is the United States of America suing on behalf of itself.

5. Defendant is a native of Jordan and a naturalized U.S. citizen.

6. Defendant's last known address of residence is in Broward County, Florida.

III. FACTUAL BACKGROUND

7. The affidavit of Gerard Gannon, Special Agent with the U.S. Homeland Security Investigations, an agency with the U.S. Department of Homeland Security, showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

A. Defendant's Fraud Scheme and Federal Conviction

8. Beginning in November 1999 through April 2003, Defendant led a scheme to defraud credit card companies by obtaining and using credit cards using false identification documents, including a Florida driver's license and Social Security card.

9. After establishing twelve credit card accounts from various credit card companies under false names, Defendant made charges on those accounts, drew upon credit lines, and did not pay off those charges.

10. Defendant fraudulently obtained various goods, services, and other things of value aggregating \$1,000 or more within any one-year period from various credit card companies under his credit card scheme.

11. In April 2003, Defendant also led a scheme to defraud financial institutions by opening bank accounts under false names.

12. After establishing several bank accounts under false names at four different financial institutions, Defendant deposited checks into those fraudulently obtained accounts, knowing that the accounts on which those checks would be drawn contained insufficient funds, and then withdrew the funds prior to the return of the bad checks.

13. Defendant fraudulently obtained funds in the approximate amount of \$103,400 from four financial institutions under his bank fraud scheme.

14. On December 22, 2005, Defendant was charged by Indictment with twenty-four counts of Bank Fraud in violation of 18 U.S.C. § 1344, and twelve counts of Credit Card Fraud in violation of 15 U.S.C. § 1644(a). *See* Indictment, *United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Dec. 22, 2005), ECF No. 10 (attached as Exhibit B).

15. In the Indictment, the United States alleged that from November 1999 to April 2003, Defendant “did knowingly, in a transaction affecting interstate commerce, use a fraudulently-obtained credit card specified as to each [of the twelve] count[s] to obtain money, goods, services, and other things of value which within any one year period ha[d] a value aggregating \$1,000 or more” from the credit card companies listed therein, in violation of 15 U.S.C. § 1644(a). *Id.* at 5-7.

16. In the Indictment, the United States further alleged that in April 2003, Defendant did knowingly and willfully execute the [fraud] scheme and artifice to defraud the financial institutions specified as to each [of the twenty-seven] count[s], and to obtain moneys and funds owned by, and under the custody and control of, those financial institutions” in the total amount of \$103,400 in violation of 18 U.S.C. § 1344. *Id.* at 2-5.

17. On March 6, 2006, Defendant and his attorney signed a Plea Agreement that was filed in his criminal case. *See* Plea Agreement, *United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Mar. 6, 2006), ECF No. 27 (attached as Exhibit C).

18. In the Plea Agreement, Defendant agreed to plead guilty to Count 1 of the Indictment, which charged him with Bank Fraud in violation of 18 U.S.C. § 1344 and Count 25, which charged him with Credit Card Fraud in violation of 15 U.S.C. § 1644(a). *See id.* at 1.

19. In exchange for Defendant’s plea, the United States agreed to dismiss Counts 2 through 24 and Counts 26 through 36 of the Indictment after sentencing. *Id.*

20. The United States and Defendant agreed to jointly recommend that the court make the following findings and conclusions as to his imposed sentence: that the total loss

from his scheme and artifice to defraud was \$111,718.31 and he would pay full restitution to all victims of his scheme in the amount of \$147,784.74. *Id.* at 4.

21. At the plea hearing, the United States District Court made inquiry as to Defendant's guilt, was satisfied that there was a factual basis for the plea, accepted the plea, and adjudged him guilty of Counts 1 and 25 of the Indictment. *See Minutes of Change of Plea Hearing, United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Mar. 6, 2006), ECF No. 26 (attached as Exhibit D).

22. On May 16, 2006, the United States District Court sentenced Defendant to a term of twenty-five months' imprisonment as to Counts 1 and 25 of the Indictment to be served concurrently followed by five years of supervised release for Count 1 and three years for Count 25 to run concurrently and ordered him to pay restitution in the amount of \$146,646.43 and an assessment of \$200. *See Judgment, United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Mar. 6, 2006), ECF No. 32 (attached as Exhibit E).

B. Defendant's Naturalization and Oath Ceremony

23. In April 1997, Defendant filed his first Form N-400, Application for Naturalization with the former Immigration and Naturalization Service ("INS").¹

24. A true and complete copy of Defendant's Naturalization Application, except for redactions of personally identifying information immaterial to this action, is attached hereto as Exhibit F).

¹ The INS was abolished, effective March 1, 2003, as a result of the enactment of the Homeland Security Act. *See Homeland Security Act of 2002*, Pub. L. No. 107-296, 116 Stat. 2135, §§ 441, 471 (Nov. 25, 2002). Following the dissolution of the INS, U.S. Citizenship and Immigration Services within the Department of Homeland Security became responsible for the adjudication of immigration benefits, including asylum applications, immigrant visa petitions, and naturalization applications. 6 U.S.C. § 271(b). This Complaint references INS or USCIS where factually appropriate.

25. In his first naturalization application, Defendant revealed that on May 4, 1994, he was arrested for aggravated assault with a firearm, criminal offense with a firearm, and simple battery in Florida, for which he was later fined and received probation. *See* Exhibit F. In August 1998, INS denied Defendant's first naturalization application for lack of good moral character during the statutory period.

26. The Form N-335, Decision on Application for Naturalization is attached as Exhibit G.

27. On or about November 9, 2000, Defendant filed a second Application for Naturalization with INS.

28. A true and complete copy of Defendant's Second N-400, Naturalization Application, except for redactions of personally identifying information immaterial to this action, is attached hereto as Exhibit H.

29. Exhibit H has an attached typed addendum that included information relevant to Part 7, Question 15, discussed below.

30. In his second naturalization application, Defendant indicated that he became a permanent resident in March 1992. *See* Exhibit H.

31. In his second naturalization application, in response to Part 3, which asked for "Other names used since you became a permanent resident," Defendant left the section blank. *See* Exhibit H.

32. In his second naturalization application, Defendant checked "No" in response to Part 7, Question 12g, which asked: "Have you ever given false testimony for the purpose of obtaining any immigration benefit?" *See* Exhibit H.

33. In his second naturalization application, Defendant checked “Yes” in response to Part 7, Question 15a, which asked: “Have you ever knowingly committed any crime for which you have not been arrested?” *See* Exhibit H.

34. In his second naturalization application, Defendant did not answer when asked in Part 7, Question 15b: “Have you been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking or violating any law or ordinance excluding traffic regulations?” but indicated “see attached.” *See* Exhibit H.

35. In the attached addendum, Defendant indicated that in May 1994, he was arrested for battery, unlawfully discharging a firearm in public, and improper exhibition of a dangerous weapon, that the charge was reduced to battery, and he was sentenced to one year of probation and anger management classes. *See* Addendum to Exhibit H.

36. On or about October 13, 2000, Defendant signed his second naturalization application under penalty of perjury, thereby certifying that his answers to the questions therein were true and correct. *See* Exhibit H.

37. On May 1, 2001, Lisa Williamson, an officer with the INS, interviewed Defendant regarding his naturalization application to determine his eligibility for naturalization. *See* Exhibit H.

38. At the beginning of the interview, Officer Williamson placed Defendant under oath. *See* Exhibit H.

39. During the interview, Officer Williamson asked Defendant, consistent with Part 7, Question 15 of his Naturalization Application, whether he ever knowingly committed a crime for which he was not arrested. *See* Exhibit H.

40. Defendant verbally confirmed his affirmative response to Part 7, Question 15a of his naturalization application and indicated that he had been arrested twice, had “no DUI,” and provided Supplement 2 as further explanation. *See* Exhibit H.

41. In Supplement 2, which Defendant signed, he indicated that in May 1994 he was charged with aggravated assault, a firearm offense, and battery, was found guilty of battery and sentenced to one year of probation. *See* Supplement 2 to Exhibit H.

42. In Supplement 2, Defendant also indicated that in July 1997 he was charged with sale of alcohol but no action was taken, and on an unidentified date, was charged with a firearms offense that was not prosecuted. *See* Supplement 2 to Exhibit H.

43. During his naturalization interview, Defendant did not disclose his involvement in the crime of Credit Card Fraud when he answered “Yes” in response consistent with Part 7, Question 15 of his Naturalization Application, whether he ever knowingly committed a crime for which he was not arrested. *See* Exhibit H.

44. His failure to disclose his involvement in the crime of Credit Card Fraud was misleading because he engaged in Credit Card Fraud between November 1999 to April 2003, to which he later admitted and for which he was later convicted.

45. During the interview, Officer Williamson asked Defendant, consistent with Part 7, Question 12g of the Naturalization Application, whether he had ever given false testimony for the purpose of obtaining an immigration benefit. *See* Exhibit H.

46. Defendant verbally confirmed his written response to Part 7, Question 12g of his Naturalization Application, testifying under oath that he had never given false testimony for the purpose of obtaining an immigration benefit. *See* Exhibit H.

47. Defendant's testimony about the submission of false testimony for the purpose of obtaining an immigration benefit was false.

48. At his naturalization interview, Defendant did not disclose that he had provided false testimony when he did not reveal that he had engaged in Credit Card Fraud from November 1999 to April 2003, to which he later admitted and for which he was later convicted.

49. At the end of the interview, Defendant again signed the naturalization application under penalty of perjury in the presence of Officer Williamson and swore that the contents of his application, including eight numbered changes and two pages of additional evidence, were true and correct to the best of his knowledge. *See* Exhibit H.

50. Based on the information Defendant provided in his naturalization application and on the sworn answers he gave during his naturalization interview, his application was approved.

51. On May 14, 2001, immediately prior to taking the Oath of Allegiance to become a U.S. citizen, Defendant completed and submitted Form N-445, Notice of Naturalization Oath Ceremony ("N-445"), certifying that each of the answers on the form were true and correct.

52. A true and complete copy of Defendant's N-445, Notice of Naturalization Oath Ceremony, except for redactions of personally identifying information immaterial to this action, is attached hereto as Exhibit I.

53. The N-445 indicates that the questions therein refer to actions since the date of the naturalization interview, which was May 1, 2001. *See* Exhibit I.

54. In the N-445, Defendant checked “No” when asked in Question 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?” See Exhibit I.

55. Defendant’s negative response to Question 3 was false and misleading because he had engaged in Credit Card Fraud between November 1999 and at least May 2001 using at least one alias, which he later admitted and for which he was convicted.

56. On May 15, 2001, Defendant was issued Certificate of Naturalization No.



57. A true and complete copy of Defendant’s Certificate of Naturalization, except for redactions of personally identifying information immaterial to this action, is attached hereto as Exhibit J.

IV. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of U.S. Citizenship

58. No individual 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 has 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); *see also id.* (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 in this subsection has been

and still is a person of good moral character” *See* 8 U.S.C. § 1427(a)(3). 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).

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

61. Congress has also explicitly precluded individuals who give false testimony during the statutory period 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).

62. 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) (flush language).

63. 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 U.S.C. § 1101(f) (flush language); 8 C.F.R. § 316.10(b)(3)(iii).

64. Thus, 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), *cert. denied*, 546 U.S. 852 (2005).

65. In addition to and independent from the illegal procurement ground of denaturalization, 8 U.S.C. § 1451 provides that a naturalized U.S. citizen can be denaturalized where the applicant “procured” his or her naturalization by “concealment of a material fact or by willful misrepresentation.” 8 U.S.C. § 1451(a).

B. The Denaturalization Statute

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 on 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 of naturalization and cancel an 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.

68. Failure to comply with any of the congressionally imposed prerequisites to the acquisition of citizenship through naturalization renders the order granting citizenship “illegally procured.” *Fedorenko*, 449 U.S. at 506.

69. 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 because of the misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

70. Where the government establishes that a 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.

V. 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 in Sections II through IV of this Complaint.

72. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character from November 9, 1995 until he became a U.S. citizen on May 15, 2001.

73. Defendant could not establish the requisite good moral character for naturalization because he committed unlawful acts during the statutory period that reflected adversely on his moral character, and there were no extenuating circumstances that would lessen his guilt. 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

74. As set forth in paragraphs 8 through 22, from approximately November 1999 to April 2003, Defendant engaged in Credit Card Fraud.

75. On March 6, 2006, Defendant pleaded guilty to Count 25 of the Indictment for Credit Card Fraud.

76. The crime of Credit Card Fraud is an offense that adversely reflected upon Defendant’s moral character.

77. Defendant cannot establish extenuating circumstances regarding his fraudulent conduct underlying his guilty plea to 15 U.S.C. § 1644(a) that would render his conduct less reprehensible than it would otherwise be or that would tend to palliate or

mitigate his guilt. He thus cannot avoid the regulatory bar on establishing good moral character in 8 C.F.R. § 316.10(b)(3)(iii).

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 establishing that he had the good moral character required to become a naturalized U.S. citizen.

79. Because Defendant was not a person of good moral character, he was ineligible to naturalize 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 pursuant to 8 U.S.C. § 1451(a).

COUNT II

ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (FALSE TESTIMONY)

81. The United States re-alleges and incorporates by reference the factual and legal allegations in Sections II through IV of this Complaint.

82. To be eligible to naturalized, Defendant was required to establish that he was a person of good moral character from November 9, 1995 until he became a U.S. citizen on May 15, 2001.

83. Defendant was statutorily barred from showing that he was a person of good moral character during the statutory period because he gave false testimony, under oath, during the statutory period for the purpose of obtaining an immigration benefit, specifically naturalization. 8 U.S.C. § 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi).

84. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit when he swore, under oath, during his May 1,

2001 naturalization interview, that he had never given false testimony for the purpose of obtaining an immigration benefit.

85. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit when, after being sworn under oath at his May 1, 2001 naturalization interview, he admitted to knowingly committing crimes for which he was not arrested but failed to disclose that he had engaged in Credit Card Fraud from November 1999 until at least May 1, 2001.

86. Defendant's testimony on each of these issues was knowingly false and for the purpose of obtaining an immigration benefit, namely naturalization.

87. Because Defendant provided false testimony under oath for the purpose of obtaining naturalization, he was barred under 8 U.S.C. § 1101(f)(6) from establishing that he had the good moral character necessary to become a naturalized U.S. citizen.

88. Because Defendant could not establish the requisite good moral character under 8 U.S.C. § 1427(a)(3), he was ineligible for naturalization.

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

COUNT III

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

90. The United States re-alleges and incorporates by reference the factual and legal allegations in Sections II through IV of this Complaint.

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

92. As set forth above, throughout the naturalization process, Defendant willfully misrepresented and concealed his involvement in Credit Card Fraud between November 1999 and April 2003, an offense to which he later pleaded guilty in the U.S. District Court for the Southern District of Florida to one count of Credit Card Fraud.

93. Specifically, Defendant represented on his naturalization application and during his naturalization interview that he *had* knowingly committed a crime or offense for which he had not been arrested but concealed his commission of Credit Card Fraud, despite knowing that his omission was false and misleading.

94. Defendant also concealed his commission of Credit Card Fraud immediately prior to his naturalization ceremony in his Form N-445, despite knowing that his omission was false and misleading.

95. Defendant further represented during his naturalization interview that he had never given false testimony for the purpose of obtaining an immigration benefit, despite knowing his representation was false and misleading.

96. During the naturalization process, Defendant also concealed his use of at least one alias since he became a lawful permanent resident, a fact that he later admitted in his Plea Agreement to one count of Credit Card Fraud.

97. Defendant's use of at least one alias since he became a lawful permanent resident in 1992 is a material fact because the concealment cut off the agency's inquiry into

his past conduct, which included criminal behavior that could have disqualified him from naturalization.

98. Defendant knew his omissions about his commission of Credit Card Fraud and use of aliases were false and misleading because he signed his naturalization application and submitted it on November 9, 2000, without disclosing those facts, even though beginning in November 1999, he engaged in such criminal conduct and relatedly used false names with knowledge of their unlawful purpose, as he later admitted to in his Plea Agreement and for which he was later convicted.

99. Defendant knew his omission about his commission of Credit Card Fraud from in May 2001 was false and misleading when he signed the Form N-445, without disclosing that fact, even though beginning in November 1999, he engaged in such criminal conduct with knowledge of its unlawful purpose, as he later admitted to in his Plea Agreement and for which he was later convicted.

100. Defendant knew that the representation that he had never given false testimony for the purpose of obtaining an immigration benefit was false because he signed his naturalization application at the end of his naturalization interview on May 1, 2001, after failing to disclose that he had engaged in Credit Card Fraud beginning in November 1999, as he later admitted in his Plea Agreement and for which he was convicted.

101. Defendant's misrepresentations and omissions are material facts because the disclosure of his fraudulent scheme would have had a natural tendency to influence INS's decision whether to approve his naturalization application and administer the oath of allegiance as they related to statutory eligibility criteria for such benefit.

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

103. Defendant therefore procured his naturalization by willful misrepresentation and concealment of material facts, and this Court must revoke his naturalization as a U.S. citizen under 8 U.S.C. § 1451(a).

PRAYER FOR RELIEF

WHEREFORE, the United States of America requests:

1. A declaration that Defendant illegally procured his U.S. citizenship;
2. A declaration that Defendant procured his U.S. 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.  effective as of the original date of the order and certificate, May 15, 2001.
4. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship that he obtained because of his May 15, 2001 naturalization;
5. Judgment requiring the Defendant to surrender and deliver, within ten days of entry of judgment against him, 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, through his undersigned representative;

6. Judgment requiring the Defendant to immediately surrender and deliver, within ten days of entry of judgment against him, any other indicia of U.S. citizenship, including, but not limited to, U.S. passports (whether valid or expired), U.S. passport cards (whether valid or expired), and Enhanced Driver's Licenses (whether valid or expired), 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 through his undersigned representative; and

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

Dated: July 29, 2026

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Respectfully submitted,

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**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,

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HAITHAM A. MUSTAFA,

a/k/a Yaser Faheed Al Assaf,

a/k/a Yaser F. Alassaf,

a/k/a Yaser Alassaf,

Defendant.

**EXHIBITS IN SUPPORT OF
COMPLAINT TO REVOKE NATURALIZATION**

- A. Affidavit of Good Cause of Gerard Gannon, Special Agent, U.S. Homeland Security Investigations, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security (July 17, 2026)
- B. Indictment, *United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Dec. 22, 2005)
- C. Plea Agreement, *United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Mar. 6, 2006)
- D. Minutes of Change of Plea Hearing, *United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Mar. 6, 2006)
- E. Judgment, *United States v. Mustafa*, No. 05-cr-60330 (S.D. Fla. Mar. 6, 2006)
- F. First Form N-400, Application for Naturalization (Apr. 9, 1997)
- G. Form N-335, Decision on Application for Naturalization (Aug. 28, 1998)
- H. Form N-400, Second Application for Naturalization (Nov. 9, 2000)
- I. N-445, Notice of Naturalization Oath Ceremony (May 14, 2001)
- J. Form N-550, Certificate of Naturalization (May 15, 2001)