

of 18 U.S.C. § 1028A. In light of Defendant's fraudulent scheme and unauthorized use of another's identity, which he misrepresented and concealed throughout his naturalization proceedings, he was ineligible for naturalization and thus procured his citizenship unlawfully. Additionally, because he withheld his prior crimes from the government throughout his naturalization proceedings, he also procured his citizenship by concealment of a material fact or by willful misrepresentation. Accordingly, as shown below, Defendant unlawfully naturalized, and this Court must order the denaturalization of Defendant.

II. PARTIES, JURISDICTION, AND VENUE

1. This is an action filed 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 pursuant to 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 can be found in and resides in this District.

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

5. Defendant is a native of Cuba and obtained his U.S. citizenship through naturalization.

6. Defendant's last known address of residence is in Miami-Dade County, Florida.

III. FACTUAL BACKGROUND

7. The affidavit of Max Duarte, a Deportation Officer with U.S. Immigration and Customs Enforcement, an agency within the U.S. 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.

A. Defendant's Fraud Scheme & Federal Conviction

8. Beginning in approximately April 2015, Defendant, together with others, began stealing envelopes and parcels from United States Postal Service collection boxes in Miami-Dade and Broward counties, using sticks, string, duct tape, weights, hangers, and similar items. Indictment, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. Sept 28, 2017), ECF No. 1 (attached hereto as Exhibit B). Factual Proffer, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. Feb. 27, 2018), ECF No. 112 (attached hereto as Exhibit C).

9. Defendant and his co-conspirators would then remove checks contained in these envelopes and parcels, wash the checks, and alter the amount and payee, before depositing the checks into various bank accounts. *Id.*

10. In an attempt to conceal his illegal activity, Defendant would give the illegally altered checks to others to be deposited in their bank accounts, on the agreement that the depositor would keep half the proceeds of the check and return the remaining half to Defendant. *Id.*

11. Defendant would also provide gifts to his co-conspirators, in exchange for depositing the fraudulent checks into their bank accounts and returning the money to Defendant. *Id.*

12. Between approximately April 2015 and September 28, 2017, Defendant and his co-conspirators obtained almost \$175,000 using this method. *Id.*

13. On September 28, 2017, Defendant was charged by an Indictment with one count of Conspiracy to Commit Bank Fraud in violation of 18 U.S.C. § 1349; twelve counts of Bank Fraud in violation of 18 U.S.C. § 1344; and eleven counts of Aggravated Identity Theft in violation of 18 U.S.C. § 1028A. Exhibit B.

14. On February 27, 2018, Defendant and his attorney signed a Rule 11 Plea Agreement that was filed in his criminal case, in which Defendant plead guilty to counts 1 and 21 of the Indictment, which charged him with Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. § 1349, and Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A, respectively. *See* Rule 11 Plea Agreement, *United States v. Entrado, et al.*, No. 17-60231-CR-KMW-3 (S.D. Fla. Feb. 27, 2018), ECF No. 113 (“Plea Agreement”) (attached hereto as Exhibit D).

15. As part of the plea agreement the Plea Agreement, the parties submitted a Factual Proffer, which contains the facts alleged in paragraphs 8-14. Exhibit C.

16. The facts alleged in the preceding paragraphs 8-14 summarize Defendant’s participation in the crimes of Conspiracy to Commit Bank Fraud and Aggravated Identity Theft.

17. Following the entry of his guilty plea, the U.S. District Court for the Southern District of Florida convicted Defendant of one count of Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. § 1349, and one count of Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A. *See* Judgment in a Criminal Case, *United States v. Entrado, et al.*, No. 17-60231-CR-KMW-3 (S.D. Fla. Feb. 26, 2018), ECF No. 111 (“Judgment”) (attached hereto as Exhibit E); Amended Judgment in a Criminal Case, *United States v. Entrado, et al.*, No. 17-60231-CR-KMW-3 (S.D. Fla. May 18, 2018), ECF No. 149 (“Amended Judgment”) (attached hereto as Exhibit F).

18. On May 11, 2018, as a result of his conviction for Conspiracy to Commit Bank Fraud, the U.S. District Court for the Southern District of Florida sentenced Defendant to time served. Exhibit E.

19. As a result of his conviction for Aggravated Identity Theft, the Court sentenced Defendant to 24 months in prison, to be served consecutively with his sentence for Conspiracy to Commit Bank Fraud, followed by three years of supervised release. Exhibit E.

20. Defendant was also ordered to pay \$7,832.50 in restitution and a \$200.00 special assessment. Exhibit E.

21. The U.S. District Court for the Southern District of Florida later amended its judgment on April 15, 2019. Exhibit F.

22. In this amended judgment, the Court sentenced Defendant to time served in imprisonment as to the conspiracy charge and 5 years' probation on the aggravated identity theft charge, and the Court retained the monetary penalties of its original judgment. Exhibit F.

B. Defendant's Naturalization Application and Oath Ceremony

23. On August 31, 2016, Defendant applied to naturalize and become a U.S. citizen by filing a Form N-400, Application for Naturalization ("Naturalization Application") with U.S. Citizenship and Immigration Services ("USCIS").

24. A true and complete copy of Defendant's N-400, except for redactions of immaterial personally identifying information, is attached hereto as Exhibit G.

25. On his Naturalization Application, Defendant answered "No" in response to Part 12, Question 22, which asked: "Have you **EVER** committed, assisted in committing, or attempted to commit a crime or offense for which you were **NOT** arrested?" *Id.*

26. Defendant also answered “No” in response to Part 12, question 31, which asked: “Have you **EVER** given any U.S. Government officials **any** information or documentation that was false, fraudulent, or misleading?” *Id.*

27. Defendant also answered “No” in response to Part 12, question 32, which asked: “Have you **EVER** lied to any U.S. Government officials to gain entry or admission into the United States or to gain immigration benefits while in the United States?” *Id.*

28. On August 22, 2016, Defendant signed the Naturalization Application under penalty of perjury, thereby certifying that his answers to the questions therein were true and correct. *Id.*

29. On November 17, 2016, an officer with USCIS, orally interviewed Defendant regarding his Naturalization Application to determine his eligibility for naturalization. *Id.*

30. At the beginning of the interview, the officer placed Defendant under oath. *Id.*

31. During the interview, Defendant did not disclose his involvement in the crimes of Conspiracy to Commit Bank Fraud or Aggravated Identity Theft. *Id.*

32. During the interview, the officer asked Defendant, consistent with Part 12, Question 31 of Defendant’s Naturalization Application, whether he had ever given any U.S. Government officials any information or documentation that was false, fraudulent, or misleading. *Id.*

33. Defendant verbally confirmed his written response to Part 12, Question 31 of his Naturalization Application, testifying under oath that he had never given any U.S. Government officials any information or documentation that was false, fraudulent, or misleading. *Id.*

34. Defendant's testimony, under oath, regarding the submission of false or misleading information to a U.S. Government official while applying for any immigration benefit, was false.

35. During the interview, the officer also asked Defendant, consistent with Part 12, Question 32 of the Defendant's Naturalization Application, whether he had ever lied to any U.S. Government officials to gain entry or admission into the United States or to gain immigration benefits while in the United States. *Id.*

36. Defendant verbally confirmed his written response to Part 12, Question 32 of his Naturalization Application, testifying under oath that he had never lied to any U.S. Government officials to gain entry or admission into the United States or to gain immigration benefits while in the United States. *Id.*

37. Defendant's testimony, under oath, regarding lying to a U.S. Government official to gain entry or admission to the United States or to gain immigration benefits while in the United States was false.

38. During his interview, Defendant did not disclose that he had provided false or misleading information to USCIS while applying for naturalization when he falsely checked "No" to Part 12, Question 22 of her N-400, which asked if Defendant had ever committed, assisted in committing, or attempted to commit, a crime of offense for which he was not arrested. *Id.*

39. Defendant's answer of "No" to Part 12, Question 22 of his N-400 was false or misleading because he had engaged in a criminal conspiracy to commit bank fraud and had committed aggravated identity theft between April 2015 until September 28, 2017, to which he later admitted and for which he was later convicted. *Id.*

40. At no point during the naturalization process did Defendant disclose to USCIS that he had engaged in conspiracy to commit bank fraud or aggravated identity theft.

41. At the end of the interview, Defendant again signed the Naturalization Application under penalty of perjury in the presence of the officer and swore that the contents of his application, including six corrections and twenty-one pages, were true and correct to the best of his knowledge. *Id.*

42. Based upon the information Defendant supplied on his Naturalization Application and on the sworn answers he gave during the November 17, 2016 naturalization interview, USCIS approved the application. *Id.*

43. On December 9, 2016, Defendant took the Oath of Allegiance to become a U.S. citizen.

44. Defendant was issued Certificate of Naturalization No. .

45. A true and complete copy of Defendant's Form N-550, Certificate of Naturalization, except for redactions of immaterial personally identifying information, is attached as Exhibit H.

IV. GOVERNING LAW

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

46. 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 the Nation

can rightfully obtain them only upon the terms and conditions specified by Congress.” (quoting *Ginsberg*, 243 U.S. at 474)).

47. Among other requirements, Congress has 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). 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).

48. 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. 8 U.S.C. § 1101(f).

49. Congress has explicitly precluded individuals who give false testimony 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).

50. 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).

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

52. 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).

B. The Denaturalization Statute

53. 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.

54. Under 8 U.S.C. § 1451(a), this Court must revoke an order of naturalization and cancel the individual's Certificate of Naturalization if his or her naturalization was *either*:

- i. illegally procured, *or*
- ii. procured by concealment of a material fact or by willful misrepresentation.

55. 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.

56. 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. *See Kungys v. United States*, 485 U.S. 759, 767 (1988).

57. Where the government establishes that the defendant's citizenship was procured illegally or by willful misrepresentation or concealment of material facts, “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)**

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

59. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character from August 31, 2011, until December 9, 2016, which was the date he became a U.S. citizen.

60. 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).

61. Specifically, as set forth above at paragraphs 8 through 14, from approximately April 2015 to September 28, 2017, Defendant conspired with others to defraud numerous financial institutions by stealing personal and business checks from the United States mail, altering the payees and dollar amounts of those checks, and cashing and depositing those checks into the conspirator’s bank accounts, resulting in Defendant and his co-conspirators illegally obtaining nearly \$175,000 and Defendant transferred, possessed, and used a means of identification of another person without lawful authority.

62. On February 26, 2018, Defendant appeared before the U.S. District Court for the Southern District of Florida and pleaded guilty to one count of Conspiracy to Commit Bank Fraud, as well as one count of Aggravated Identity Theft.

63. Defendant committed the crime of Conspiracy to Commit Bank Fraud, the underlying fraud, and Aggravated Identity Theft within the statutory period.

64. The crimes of Conspiracy to Commit Bank Fraud, the underlying fraud, and Aggravated Identity Theft are crimes that adversely reflected upon Defendant's moral character.

65. Defendant cannot establish extenuating circumstances with regard to the conspiratorial conduct, fraudulent acts, and aggravated identity theft underlying his guilty plea pursuant to 18 U.S.C. §§ 1028A and 1349 that would render his conduct less reprehensible than it otherwise would be or that tend to palliate or mitigate his guilt. He therefore cannot avoid the regulatory bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii).

66. The regulatory "unlawful acts" bar on establishing good moral character found in 8 C.F.R. § 316.10(b)(3)(iii) applies to Defendant.

67. Defendant's unlawful conduct precluded him under 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii) from showing that he had the good moral character necessary to become a naturalized U.S. citizen.

68. Because Defendant was not a person of good moral character, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3).

69. Because Defendant was ineligible to naturalize, he illegally procured his naturalization, and this Court must revoke his citizenship, as provided for by 8 U.S.C. § 1451(a).

COUNT II

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

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

71. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character from August 31, 2011, until the date he became a U.S. citizen, on December 9, 2016.

72. Defendant was statutorily precluded from showing that he was a person of good moral character 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).

73. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit, when he swore, under oath, during his November 17, 2016 naturalization interview, that he had never given any U.S. Government officials any information or documentation that was false, fraudulent, or misleading.

74. During the statutory period, Defendant provided false testimony for the purpose of obtaining an immigration benefit when he swore, under oath, during his November 17, 2016 naturalization interview, that he had never lied to any U.S. Government officials to gain entry or admission into the United States or to gain immigration benefits while in the United States.

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

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

77. Because Defendant was not a person of good moral character, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3).

78. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his citizenship, as provided for by 8 U.S.C. § 1451(a).

COUNT III

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

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

80. 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.

81. As set forth above, throughout the naturalization process, Defendant willfully misrepresented and concealed his involvement in a criminal conspiracy to commit bank fraud and his commission of aggravated identity theft, between approximately April 2015 and September 28, 2017, for which he later pleaded guilty in the U.S. District Court for the Southern District of Florida to one count of Conspiracy to Commit Bank Fraud and one count of Aggravated Identity theft.

82. Specifically, Defendant represented on his Naturalization Application that he had never committed any crime or offense for which he had not been arrested, despite knowing that such representation was false and misleading. Defendant also concealed his ongoing

commission of conspiracy to commit bank fraud and aggravated identity theft during his naturalization interview.

83. Defendant also represented in his application and during his naturalization interview that he had never given false or misleading information to any U.S. Government officials while applying for any immigration benefit, despite knowing that his representation was false and misleading.

84. Defendant also represented in his application and during his naturalization interview that he had never lied to any U.S. Government officials to gain an immigration benefit, despite knowing that his representation was false and misleading.

85. Defendant knew the representation that he had never committed any crime or offense for which he had not been arrested was false because, starting in approximately April 2015, he had been member of a conspiracy to commit bank fraud that he had joined with knowledge of its unlawful purpose and had committed identity theft, as he later admitted in his Plea Agreement and for which he was later convicted and he knowingly concealed these crimes during his naturalization interview.

86. Defendant knew the representation that he had never given any false or misleading information to any U.S. Government officials while applying for any immigration benefit was false because he signed his Form N-400 and submitted it to USCIS on August 31, 2016, after stating on his Form N-400 that he had never committed any crime for which he was not arrested, even though, starting in approximately April 2015, he had been member of a conspiracy to commit bank fraud that he had joined with the knowledge of its unlawful purpose and had committed aggravated identity theft, as he later admitted in his Plea Agreement and for which he was later convicted.

87. Defendant knew that the representation that he had never lied to any U.S. Government officials to gain immigration benefits was false because he signed his Form N-400 and submitted it to USCIS on August 31, 2016, after stating on his Form N-400 that he had never committed any crime for which he was not arrested, even though, starting in approximately April 2015, he had been member of a conspiracy to commit bank fraud that he had joined with the knowledge of its unlawful purpose and had committed identity theft, as he later admitted in his Plea Agreement and for which he was later convicted.

88. Defendant's misrepresentations were material to his naturalization because the disclosure of his fraudulent scheme and commission of aggravated identity theft would have had a natural tendency to influence USCIS's decision whether to approve Defendant's Naturalization Application, as they related to statutory eligibility criteria for such benefit.

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

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

PRAYER FOR RELIEF

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

1. A declaration that Defendant illegally procured his citizenship;
2. A declaration that Defendant procured his citizenship by concealment and willful misrepresentation of material facts;

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, December 9, 2016;

4. Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship that he obtained as a result of his December 9, 2016, naturalization;

5. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, his Certificate of Naturalization and any copies thereof in his possession – and to make good faith efforts to recover and immediately surrender any copies thereof that he knows are in the possession of others – to the Attorney General or his representative, including undersigned counsel;

6. Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, any other indicia of U.S. citizenship (including, but not limited to, U.S. passports, passport cards, and Enhanced Drivers Licenses, whether valid or expired), and any copies thereof in his possession – and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession 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 31, 2026

JASON A. REDING QUIÑONES
United States Attorney
Southern District of Florida

/s/ Matthew J. Feeley
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Respectfully submitted,

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 1:26-cv-25179

UNITED STATES OF AMERICA,	)
	)
Plaintiff,	)
	)
vs.	)
	)
JAIRO JAVIER PEDRON TELLEZ,	)
	)
Defendant.	)
	)
	)
	)
	)

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

- A. Affidavit of Good Cause of Max Duarte, Immigration Officer, U.S. Immigration and Customs Enforcement, Department of Homeland Security (July 29, 2026)
- B. Indictment, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. Sept 28, 2017), ECF No. 1
- C. Factual Proffer, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. February 27, 2018), ECF No. 112
- D. Plea Agreement, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. February 27, 2018), ECF No. 113
- E. Judgment, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. May 18, 2018), ECF No. 147

- F. Amended Judgment, *United States v. Entrado, et al.*, No 17-60231-CR-KMW-3 (S.D. Fla. April 18, 2019), ECF No. 351
- G. Form N-400, Application for Naturalization
- H. Form N-550, Certificate of Naturalization