

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Civil Action No. 2:26-cv-1004
	)	
v.	)	
	)	
ROSE KYERAA, A074-981-247, a.k.a. JANET YEBOAH, A073-150-130,	)	COMPLAINT TO REVOKE NATURALIZATION
	)	
Defendant.	)	
	)	

I. PRELIMINARY STATEMENT OF THE CASE

The United States of America brings this civil action against Rose Kyeraa (“Defendant”) to revoke her naturalized U.S. citizenship under 8 U.S.C. § 1451(a).

The United States alleges that Defendant procured her naturalization unlawfully and that she willfully misrepresented and concealed material facts in applying to naturalize.

Before she naturalized as a U.S. citizen on October 4, 2005, Defendant previously sought immigration benefits and was ordered deported from the United States. Specifically, on February 23, 1995, Defendant filed an application for benefits with Immigration and Naturalization Service (“INS”)¹ using the name Janet Yeboah.

¹ 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). The INS was divided into several separate agencies, including United States Citizenship and Immigration Services (“USCIS”), Customs and Border Protection, and Immigration and Customs Enforcement. USCIS assumed naturalization authority from the INS. This Complaint will refer to INS where appropriate.

In January 1996, an immigration judge noticed Defendant for removal proceedings for June 1996, and at that hearing an immigration judge ordered Defendant deported.

In January 1996, after being noticed for removal proceedings using the identity Janet Yeboah, Defendant used an alternate identity, Rose Kyeraa, to file an application for an immigration benefit with the INS. In this application, Defendant changed, among other things, her name, date of birth, and basis for her claim. In August 1996, the INS approved Defendant's adjustment of status application under the identity Rose Kyeraa. And on October 4, 2005, Defendant naturalized under the identity and immigration history of Rose Kyeraa. Defendant did not disclose her prior immigration history under the identity of Janet Yeboah in any of her immigration applications or proceedings under the identity Rose Kyeraa.

Defendant's actions and conduct statutorily barred her from becoming a United States citizen and render her naturalization unlawfully procured. With the Affidavit of Good Cause attached as Exhibit 1, the United States brings this civil action to revoke and set aside the order admitting Defendant to citizenship and to cancel her certificate of naturalization.

II. JURISDICTION AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to United States citizenship and to cancel Certificate of Naturalization No.  issued October 4, 2005.

2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1345 for a cause of action under 8 U.S.C. § 1451(a).

3. Venue is proper in this district pursuant to 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391, because Defendant resides in Columbus, Ohio, within the jurisdiction and venue of this Court.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized United States citizen and purports to be a native of Ghana. Rose Kyeraa, A [REDACTED] and Janet Yeboah, A [REDACTED] are the same individual.

IV. FACTUAL ALLEGATIONS

6. The affidavit of Lizett Castagnola, Immigration Services Officer, USCIS, 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 as Exhibit 1.

A. Defendant's Immigration Proceedings Under the Identity Janet Yeboah, A [REDACTED]

7. On December 22, 1994, Defendant arrived at the New York City, John F. Kennedy International Airport with no valid documents, whereupon INS assigned her A-Number A [REDACTED], and took her Record of Sworn Statement in Affidavit Form² and she testified under oath, that:

a. Her name was Janet Yeboah;

² Attached as Exhibit 2.

b. She had not used any other names; and

c. She was born on  1963 in Ghana

8. Defendant, in the process of seeking admission into the United States, provided fingerprints on or about December 22, 1994.

9. On December 22, 1994, Defendant was served notice to appear before an Immigration Judge for removal proceedings, charging her as excludable for not possessing valid travel documents, under INA §§212 (a)(7)(A)(i)(I), (B)(i)(I) & (II).

10. On February 14, 1995, the Immigration Judge noticed Defendant for removal proceedings for January 22, 1996.

11. On February 23, 1995, Defendant filed an application for benefits using the name Janet Yeboah. In that application and under penalty of perjury, Defendant represented that:

a. Her name was Janet Yeboah;

b. She had not used any other names;

c. She was born on  1963 in Ghana;

d. Her A-Number was "";

e. She was in exclusion proceedings;

f. Her marital status was "widowed";

g. She listed no children; and

h. Her husband, whom she did not name, was active in the New Patriotic Party and had been arrested in Ghana.

12. Defendant, in the process of seeking such benefits, provided fingerprints on or about February 21, 1995.

13. In conjunction with and in support of her application for benefits, on February 15, 1995, Defendant further submitted Form G-325A, Biographic Information, in which she signed under “severe penalties are provided by law for knowingly and willfully falsifying or concealing a material fact,” that:

- a. Her name was Janet Yeboah;
- b. She had not used any other names;
- c. She was born on [REDACTED] 1963, in Ghana;
- d. Her father’s name was John Yeboah;
- e. Her mother’s name was Katie uFosua [sic]; and
- f. Her former husband, deceased, was Akwasi Kyeremeh and his date of birth was [REDACTED] 1959.

14. On January 22, 1996, Defendant was served in person a Notice of Hearing in Immigration Proceeding for June 18, 1996, signed by an Immigration Judge. That Notice included the admonition that “[f]ailure to appear at your hearing may result in...your hearing may be held in your absence and an order entered against you...” On June 20, 1996, the Immigration Judge ordered Defendant excluded from the United States, *in absentia*, under INA §§212 (a)(7)(A)(i)(I), (B)(i)(I) & (II).

15. On June 23, 1999, INS served her a Form I-294, Warning to Alien Ordered Removed or Deported, and I-166, notice to deportable alien to surrender, via certified mail, ordering her to appear for deportation on August 6, 1999.

16. On August 6, 1999, she failed to appear for deportation. USCIS has no record that she departed the United States as ordered by the Immigration Judge.

**B. Defendant's Adjustment Application Under the Identity Rose Kyeraa, A **

17. On January 23, 1996, Defendant, using the name Rose Kyeraa, filed a Form I-485 Application to Register Permanent Residence or Adjust Status, with INS. She filed Form I-485 as a Diversity Visa recipient derivative; her husband, Augustine Kwasi Agyei was the primary recipient³. In the Form I-485⁴, Defendant represented the following under penalty of perjury:

- a. Her name was Rose Kyeraa;
- b. She was born on  1954, in Ghana;
- c. She did not have an A-Number;
- d. She last entered the United States on August 4, 1995, at El Paso, Texas;
- e. Her status when she last entered the United States was "EWI";⁵

³ Attached as Exhibit 3, National Visa Center, June 26, 1995, notice to Augustine Kwasi Agyei of eligibility to file Form I-485 under the Fiscal Year 1996 Diversity Visa Program.

⁴ Attached as Exhibit 4.

⁵ Entry Without Inspection ("EWI") refers to a specific legal classification for individuals who have entered the United States without being authorized or examined by an immigration officer at an official port of entry.

- f. She was married to Augustine Agyei, and his date of birth was  1945;
- g. She was not under a final order of civil penalty for violating section 274C of the INA for use of fraudulent documents, nor had she, 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 other immigration benefit; and
- h. She had never been deported from the U.S. or removed from the U.S. at government expense, excluded within the past year, or was now in exclusion or deportation proceedings.

18. Defendant, in the process of seeking Application to Register Permanent Residence or Adjust Status (Form I-485), provided fingerprints on or about January 16, 1996.

19. In conjunction with and in support of her Form I-485, Application to Register Permanent Residence or Adjust Status, Defendant further submitted a "Supplement A to Form I-485,"⁶ signed under penalty of perjury, in which she represented that:

- a. Her name is Rose Kyeraa;
- b. She was born on  1954, in Ghana; and
- c. She had no A-Number.

⁶ Attached as Exhibit 5.

20. Also, in conjunction with and in support of her Form I-485, Application to Register Permanent Residence or Adjust Status, Defendant submitted Form G-325A, Biographic Information,⁷ in which she signed under “severe penalties are provided by law for knowingly and willfully falsifying or concealing a material fact,” that:

- a. Her name was Rose Kyeraa;
- b. She did not have an A-Number;
- c. She had not used any other names;
- d. She was born on [REDACTED] 1954, in Ghana;
- e. She was married to Augustine Agyei, and he was born on [REDACTED] 1945;
- f. She had no former husbands;
- g. Her father was John Yeboah; and
- h. Her mother was Afia Fosuaa.

21. On or about August 28, 1996, INA approved Defendant’s Form I-485, and she adjusted status to that of lawful permanent resident under the classification, DV-7, spouse of a diversity immigrant, Augustine Kwasi Agyei.

D. Defendant’s Naturalization Application Under the Identity Rose Kyeraa, A [REDACTED]

22. On March 22, 2005, Defendant, using the identity Rose Kyeraa, filed a Form N-400, Application for Naturalization,⁸ with USCIS, signed “under penalty of

⁷ Attached as Exhibit 6.

⁸ Attached as Exhibit 7.

perjury under the laws of the United States of America, that this application, and the evidence submitted with it are all true and correct.”

23. On her Form N-400, she represented that:

- a. Her name was Rose Kyeraa;
- b. Her A-Number was A [REDACTED];
- c. She had not used any other names;
- d. She was born on [REDACTED] 1954, in Ghana;
- e. She was married to Augustine Kwasi Agyei (DOB: [REDACTED] 1955);
- f. She had only been married once and had no prior spouses;
- g. She had 4 children: (1) Emmanuel Oppong, born in Ghana on [REDACTED] 1980; and currently residing in Ghana; (2) Emelia Fekaa, born in Ghana on [REDACTED] 1983, and currently residing in Ghana; (3) Enoch Agyei, born in Ghana on [REDACTED] 1987; and (4) Regina Konoma, born in Ghana on [REDACTED] 1989, and currently residing in Ghana;
- h. She had never been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason;
- i. She had never given false or misleading information to any U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion or removal;

- j. She had never lied to any U.S. Government official to gain entry or admission into the United States;
- k. She had never been ordered to be removed, excluded, or deported from the United States; and
- l. She had never applied for any kind of relief from removal, exclusion, or deportation.

**E. Defendant's Naturalization Interview Before an Immigration Officer Under the Identity Rose Kyeraa, A **

24. On September 9, 2005, a USCIS Immigration Services Officer ("ISO") interviewed Defendant regarding her naturalization application to determine her eligibility for naturalization.

25. At the beginning of the interview, the ISO placed Defendant under oath.

26. During the interview, Defendant testified to the contents of her Form N-400 and, consistent with her written answers, that:

- a. Her name was Rose Kyeraa;
- b. She was born on  1954, in Ghana;
- c. She had only been married once;
- d. she had 4 children;
- e. She had never been arrested, cited or detained by any law enforcement officer (including INS and military officers) for any reason: and
- f. She had never lied to any U.S. Government official to gain entry or admission into the United States.

27. On September 9, 2005, at the conclusion of her naturalization interview, Defendant signed her naturalization application in the presence of the ISO under penalty of perjury, thereby attesting that the information it contained was true and correct.

28. On September 11, 2005, based upon the information supplied by Defendant in her naturalization application and on the sworn testimony she gave during her naturalization interview, USCIS approved Defendant's naturalization application.

29. On October 4, 2005, Defendant took the oath of allegiance and became a naturalized U.S. citizen.

30. USCIS issued Defendant, under the identity Rose Kyeraa, Certificate of Naturalization No. [REDACTED]

F. Fingerprint Analysis Confirms Janet Yeboah, A073-150-130, and Rose Kyeraa, A [REDACTED] are the Same Individual.

31. As described above, Defendant provided fingerprint submissions in applications filed under each identity: Janet Yeboah and Rose Kyeraa.

32. Analysis and comparison of these fingerprint submissions confirm that the same individual provided the fingerprint impressions.

V. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

33. No alien 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 alien 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)).

34. 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” 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.*

35. 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.” *See* 8 U.S.C. § 1101(a)(20).

36. The term “lawfully” requires compliance with substantive legal requirements for admission, and not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Monet v. INS*, 791 F.2d 752, 753 (9th Cir. 1978).

37. An individual who, by fraud or willfully misrepresenting a material fact, seeks to procure (or has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefit provided for in

the Immigration and Nationality Act (“INA”) is inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

B. The Denaturalization Statute

38. 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.

39. Under 8 U.S.C. § 1451(a), this Court must revoke a U.S. citizen’s naturalization and cancel his or her Certificate of Naturalization if naturalization was either:

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

40. 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.

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

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

VI. CAUSES OF ACTION

COUNT ONE

ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (Adjustment Procured by Fraud or Willful Misrepresentation)

43. The United States realleges and incorporates by reference the allegations previously made in this Complaint.

44. 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), 1429.

45. As noted above, the term "lawfully" denotes compliance with substantive legal requirements, not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Monet*, 791 F.2d at 753.

46. Among the applicable provisions in the INA at the time of Defendant's adjustment of status to permanent resident was the requirement that she be admissible to the United States. *See* 8 U.S.C. §§ 1159(b)(5), 1255(a).

47. Under the law in effect at the time that Defendant adjusted her status, an individual who by fraud or by willfully misrepresenting a material fact was seeking to procure (or had sought to procure or had procured) a visa, other

documentation, admission into the United States, or other benefit provided under the INA, was inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

48. Defendant was never lawfully admitted to the United States as a permanent resident and cannot satisfy the requirements of 8 U.S.C. §§ 1427(a)(1) and 1429, because she was inadmissible at the time of her adjustment to permanent resident status.

49. Defendant sought to procure admission into the United States and other benefits provided for in the INA by fraud or willfully misrepresenting material facts. Specifically, at the time Defendant adjusted her status to permanent resident using the name Rose Kyeraa, she made numerous misrepresentations of fact described throughout this complaint, including but not limited to, misrepresentations regarding her name, date of birth, family history, marital history, and immigration history.

50. Because Defendant made sworn statements in immigration benefit applications that cannot be simultaneously true, she was inadmissible.

51. Defendant's false statements, including those regarding her name, date of birth, family history, marital history, and her immigration history were material to determining her eligibility for the immigration benefits for which she applied. Defendant's false statements had the natural tendency to influence a decision by the immigration officer(s) to approve her application(s). Defendant thus sought to procure an immigration benefit by fraud or willfully misrepresenting a material fact.

52. Because Defendant was inadmissible at the time she adjusted to permanent resident status, she was never lawfully admitted for permanent residence in accordance with the substantive legal requirements to obtain that status.

53. Because Defendant was never lawfully admitted for permanent residence, she was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

54. Because she was ineligible to naturalize, Defendant illegally procured her citizenship, and this Court must revoke her citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT TWO

ILLEGAL PROCUREMENT OF NATURALIZATION LACK OF GOOD MORAL CHARACTER (Unlawful Acts and False Testimony With No Extenuating Circumstances)

55. The United States realleges and incorporates by reference the allegations previously set forth in this Complaint.

56. As outlined above, to be eligible for naturalization, Congress has mandated that an applicant must show that he or she has been a person of good moral character for the five-year statutory period before filing his or her naturalization application until the time the applicant becomes a naturalized U.S. citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(i).

57. Defendant filed her naturalization application on March 22, 2005, and she naturalized on October 4, 2005. Thus, to be eligible for naturalization, Defendant

was required to establish that she was a person of good moral character during her “statutory period” from March 22, 2000, until October 4, 2005.

58. Defendant completed and filed her naturalization application during her “statutory period.”

59. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) by knowingly and willfully concealing in her naturalization application—a matter within the jurisdiction of the executive, branch of the Government of the United States—that she had previously used a different identity and that she been ordered deported under that identity.

60. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when she completed and filed her naturalization application by answering “no” to Questions 23 in Part 10, 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).

61. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when she completed and filed her naturalization application by answering “no” to Questions 24 in Part 10, which asked: “Have you **EVER** lied to any U.S. government official to gain entry or admission into the United States?” (emphasis in original).

62. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when she completed and filed her naturalization application by answering “no” to Question 27 in Part 10, which asked: “Have you **EVER** been ordered to be removed, excluded, or deported from the United States?” (emphasis in original).

63. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when she completed and filed her naturalization application by answering “no” to Question 28 in Part 10, which asked: “Have you **EVER** applied for any kind of relief from removal, exclusion, or deportation?” (emphasis in original).

64. No extenuating circumstances exist that would palliate Defendant’s guilt for violating 18 U.S.C. § 1001(a)(1)-(3).

65. Further, as alleged previously, Defendant provided false testimony during her naturalization interview. Such false testimony included, but was not limited to, her name and identity, that she had never used any other names, that she had married only once, that she had 4 children, and that she had never been arrested or detained by law enforcement (including USCIS or INS), that she had never lied to a government official to gain entry or admission, and that she had never given false or misleading information when applying for an immigration benefit.

66. Because Defendant committed unlawful acts during the statutory period during which she was required to maintain good moral character, she was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

67. Because she was ineligible to naturalize, Defendant illegally procured her citizenship, and this Court must revoke her citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT THREE

PROCUREMENT OF NATURALIZATION BY CONCEALMENT OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION

68. The United States realleges and incorporates by reference the allegations previously set forth in this Complaint.

69. 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 concealment of a material fact or by willful misrepresentation.

70. As set forth herein, throughout the naturalization process, Defendant willfully misrepresented or concealed, among other things: (i) her use of another identity, including a different date of birth, her family history, and her number of prior marriages; (ii) her prior order of deportation; (iii) her prior application for an immigration benefit; (iv) that she had given false or misleading information to a U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal; (v) that removal, exclusion, rescission, or deportation proceedings were pending against her; and (vi) that she had been ordered to be removed, excluded, or deported from the United States.

71. Defendant made such misrepresentations voluntarily and deliberately, despite knowing that such representations were false and misleading. Accordingly, Defendant made these misrepresentations willfully.

72. Defendant's misrepresentations were material to her naturalization because the disclosure of her multiple identities, multiple claimed dates of birth, prior application for an immigration benefit, prior order of deportation, and prior representations to U.S. Government officials while applying for an immigration benefit would have had a natural tendency to influence USCIS's decision whether to

approve Defendant's application for naturalization. Indeed, had USCIS been aware of this information, it would have denied her naturalization application.

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

PRAYER FOR RELIEF

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

- (1) A declaration that Defendant illegally procured her citizenship;
- (2) A declaration that Defendant procured her citizenship by concealment of material fact and by willful misrepresentation;
- (3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Defendant's Certificate of Naturalization, effective as of the original date of the certificate;
- (4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document which evidences United States citizenship obtained as a result of her naturalization;
- (5) Judgment requiring the Defendant, within ten (10) days of the entry of judgment against her, to surrender and deliver her Certificate of Naturalization and any copies thereof in her possession or control (and to make good faith efforts to recover and then surrender any copies thereof that she knows are in the possession or control of others), to the Attorney General, or her designated representative, including undersigned counsel;

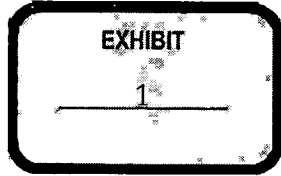
(6) Judgment requiring the Defendant, within ten (10) days of the entry of judgment, to surrender and deliver any other indicia of U.S. citizenship (including, but not limited to, United States passports and passport cards, Enhanced Drivers License, and other relevant documents), whether current or expired, and any copies thereof in her possession or control—and to make good faith efforts to recover and then surrender any copies thereof that she knows are in the possession or control of others—to the Attorney General, or her representative, including undersigned counsel; and

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

Respectfully submitted,

DOMINICK S. GERACE II
United States Attorney

s/Christopher R. Yates
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UNITED STATES OF AMERICA)

In the Matter of the Revocation of)
the Naturalization of)

Rose Kyeraa, A [REDACTED])
a/k/a Janet Yeboah, A [REDACTED])

AFFIDAVIT OF GOOD CAUSE

I, Lizett Castagnola, declare under penalty of perjury as follows:

I am an Immigration Services Officer with U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).¹ In this capacity, I have access to the official records of DHS, including the immigration files of Rose Kyeraa, A [REDACTED] (Kyeraa), a.k.a Janet Yeboah, A [REDACTED]

I have examined records relating to Kyeraa, including but not limited to, her immigration files. Based upon my review of records relating to Kyeraa, I state, on information and belief that the information set forth in this Affidavit of Good Cause is true and correct.

Based on the facts and law contained herein, good cause exists to institute proceedings pursuant to section 340(a) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1451(a)², to revoke the citizenship of Kyeraa and to cancel her Certificate of Naturalization.

The last known place of residence for Kyeraa is [REDACTED]
Columbus, Ohio 43229-4320.

¹ Pursuant to the Department of Homeland Security Reorganization Plan, Homeland Security Act of 2002. Pub. L. No. 107-296. 116 Stat. 2135 (2002). 6 U.S.C. §§ 101-557, as of March 1, 2003, the Immigration and Naturalization Service (INS) was abolished, and its functions were transferred to USCIS within the DHS. This Affidavit will refer to INS or users as appropriate.

² While some provisions of the Immigration and Nationality Act, as contained in the United States Code, have been renumbered throughout the years, not all provisions have undergone such renumbering. Where necessary, this Affidavit of Good Cause lists the applicable year for a United States Code reference. If no year is included within the citation, it means that the United States Code citation is the same today as it was during the time in question.

BACKGROUND

DHS records, including fingerprint comparison, establish that the person who naturalized as Kyeraa is the same person who was previously ordered excluded under the name Janet Yeboah.

Immigration History as Janet Yeboah

D.O.B. [REDACTED] 1963, A [REDACTED]

1. On December 22, 1994, the individual in question arrived at New York City John F. Kennedy International Airport with no valid documents. Immigration and Naturalization Service (INS) assigned her A-Number A [REDACTED]. INS took her Record of Sworn Statement in Affidavit Form and she testified under oath, that:
 - her name was Janet Yeboah;
 - she had not used any other names; and
 - she was born on [REDACTED] 1963 in Ghana.
2. On December 22, 1994, INS also served her with a Form I-122, Notice to Applicant for Admission Deferred for Hearing before Immigration Judge (Form I-122), which charged her as excludable pursuant to INA §212 (a)(7)(B)(i)(II) (not in possession of a valid, unexpired non-immigrant visa; INA §212(a)(7)(B)(i)(I) (not in possession of a valid, unexpired travel document; and INA §212(a)(7)(A)(i)(I) (not in possession of a valid, unexpired immigrant visa). The Form I-122 further ordered her to appear at the New York Immigration Court on February 14, 1995.
3. On February 14, 1995, the immigration judge noticed an immigration hearing for January 22, 1996.
4. On February 23, 1995, she filed an application for an immigration benefit to INS.
5. On this application, signed under penalty of perjury, she represented that:
 - her name was Janet Yeboah;
 - she had not used any other names;

Affidavit of Good Cause, Kyeraa, A [REDACTED]

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- she was born on [REDACTED] 1963 in Ghana;
- her A-Number was "[REDACTED]";
- she was in exclusion proceedings;
- her marital status was "widowed";
- she listed no children; and
- her husband, whom she did not name, was active in the New Patriotic Party and had been arrested in Ghana.

6. In support of this application, she filed Form G-325A, Biographic Information, which she signed under severe penalty by law for knowingly and willfully falsifying or concealing a material fact. On her Form G-325A, she represented that:

- her name was Janet Yeboah;
- she had not used any other names;
- she was born on [REDACTED] 1963, in Ghana;
- her father's name was John Yeboah;
- her mother's name was Katie uFosua [sic]; and
- her former husband, deceased, was Akwasi Kyeremeh and his date of birth was [REDACTED] 1959.

7. On January 22, 1996, the immigration judge noticed an immigration hearing for June 18, 1996.

8. On June 20, 1996, the immigration judge ordered her excluded from the United States, *in absentia*.

9. On June 23, 1999, INS served her a Form I-294, Warning to Alien Ordered Removed or Deported, and I-166, Notice to Deportable Alien to Surrender, via certified mail, ordering her to appear for deportation on August 6, 1999. The envelope was marked "Returned to Sender."

10. On August 6, 1999, she failed to appear for deportation. USCIS has no record that she

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departed the United States as ordered by the immigration judge.

Immigration History as Rose Kyeraa
**D.O.B. 1954, A **

11. On January 23, 1996, the same individual, using the name Rose Kyeraa, filed a Form I-485, Application to Register Permanent Residence or Adjust Status (Form I-485), with INS. She filed Form I-485 as a Diversity Visa recipient derivative; her husband, Augustine Kwasi Agyei was the primary recipient.
12. On her Form I-485, which she signed under penalty of perjury, Kyeraa represented that:
 - her name was Rose Kyeraa;
 - she was born on  1954, in Ghana;
 - she did not have an A-Number;
 - she last entered the United States on August 4, 1995, at El Paso, Texas;
 - her status when she last entered the United States was “EWI”;
 - she was married to Augustine Agyei, and his date of birth was  1945;
 - she was not under a final order of civil penalty for violating section 274C of the Immigration Act for use of fraudulent documents, nor had she, 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 other immigration benefit; and
 - she had never been deported from the U.S., or removed from the U.S. at government expense, excluded within the past year, or was now in exclusion or deportation proceedings.
13. Along with her Form I-485, Kyeraa filed a Supplement A to Form I-485, signed under penalty of perjury, in which she represented that:
 - her name is Rose Kyeraa;
 - she was born on  1954, in Ghana; and
 - she had no A-Number.
14. Kyeraa also filed a Form G-325A, Biographic Information, which she signed under severe penalty by law for knowingly and willfully falsifying or concealing a material fact. On

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her Form G-325A, she represented that:

- her name was Rose Kyeraa;
- she did not have an A-Number;
- she had not used any other names;
- she was born on [REDACTED] 1954, in Ghana;
- she was married to Augustine Agyei, and he was born on [REDACTED] 1945;
- she had no former husbands;
- her father was John Yeboah; and
- her mother was Afia Fosuaa.

15. On August 28, 1996, INS approved Kyeraa's Form I-485, and she adjusted status to that of lawful permanent resident under the classification, DV-7, spouse of a diversity immigrant.

16. On March 22, 2005, while represented by counsel, Kyeraa filed a Form N-400, Application for Naturalization (Form N-400), signed under penalty of perjury. On her Form N-400, she represented that:

- her name was Rose Kyeraa;
- her A-Number was A [REDACTED];
- she had not used any other names;
- she was born on [REDACTED] 1954, in Ghana;
- she was married to Augustine Kwasi Agyei (DOB: [REDACTED] 1955);
- she had only been married once and had no prior spouses;
- she had 4 children: (1) Emmanuel Oppong, born in Ghana on [REDACTED] 1980; and currently residing in Ghana; (2) Emelia Fekaa, born in Ghana on [REDACTED] 1983, and currently residing in Ghana; (3) Enoch Agyei, born in Ghana on [REDACTED] 1987; and (4) Regina Konoma, born in Ghana on [REDACTED] 1989, and currently residing in Ghana;
- she had never been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason;
- she had never given false or misleading information to any U.S. Government official while applying for any immigration benefit or to prevent deportation,

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exclusion or removal;

- she had never lied to any U.S. Government official to gain entry or admission into the United States;
- she had never been ordered to be removed, excluded, or deported from the United States; and
- she had never applied for any kind of relief from removal, exclusion, or deportation.

17. On September 09, 2005, Kyeraa appeared for an interview at the USCIS Columbus Field Office regarding her Form N-400. Immigration Services Officer Laura McNeer placed Kyeraa under oath. During her interview, Kyeraa testified that:

- her name was Rose Kyeraa;
- she was born on  1954, in Ghana;
- she had only been married once;
- she had 4 children;
- she had never been arrested, cited or detained by any law enforcement officer (including INS and military officers) for any reason: and
- she had never lied to any U.S. Government official to gain entry or admission into the United States.

18. During the course of the interview, Kyeraa made one correction to the answers originally written on her Form N-400. However, she failed to correct any of the above listed misrepresentations. At the conclusion of the naturalization interview, Kyeraa signed her application and swore under penalty of perjury that the contents of the application, including the one correction, were true and correct.

19. On September 11, 2005, based on her written application and her oral testimony during her naturalization interview, USCIS approved Kyeraa's Form N-400.

20. On October 4, 2005, Kyeraa took the Oath of Allegiance in Columbus, Ohio and was admitted as a citizen of the United States. She was issued Certificate of Naturalization No. 

ILLEGAL PROCUREMENT OF NATURALIZATION

**Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Inadmissible Based on Fraud or Misrepresentation**

21. To be eligible for naturalization, an applicant must have been lawfully admitted for permanent residence in accordance with all applicable provisions of the INA. INA § 318, 8 U.S.C. § 1429.
22. Among the INA provisions applicable at the time of Kyeraa's adjustment of status to permanent resident was the requirement that she be admissible to the United States. INA § 245(a), 8 U.S.C. § 1255(a).
23. Under the law then in effect, an individual who by fraud or willfully misrepresenting a material fact was seeking to procure (or had sought to procure or had procured) a visa, other documentation, admission into the United States, or other benefit provided under the INA was inadmissible. INA § 212(a)(6)(C)(i), 8 U.S.C. § 1182(a)(6)(C)(i).
24. Based on the information contained above, Kyeraa willfully misrepresented material facts, specifically, her identity and immigration history.
25. Because Kyeraa misrepresented material facts, she was inadmissible to the United States at the time of her adjustment of status and was not lawfully admitted for permanent residence; accordingly, she illegally procured her naturalization.

**Illegal Procurement of Naturalization
Lack of Good Moral Character
Unlawful Acts**

26. As an applicant for naturalization under section 316(a) of the INA, Kyeraa was required to establish that she was a person of good moral character during the period beginning five years prior to the filing of her application for naturalization and continuing until the time of admission to citizenship. This period is generally referred to as the "statutory period."
27. Kyeraa filed her application for naturalization on March 22, 2005; accordingly, she was

required to establish that she was a person of good moral character from March 22, 2000, until the time of her admission to citizenship on October 4, 2005.

28. Under the law then in effect, an individual could not establish good moral character if, during the statutory period, she committed unlawful acts that adversely reflected on her moral character, unless she could establish extenuating circumstances. INA§ 101(f); 8 U.S.C. §1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

29. Based on the facts contained above, during the statutory period Kyeraa committed unlawful acts that adversely reflected on her moral character. Specifically, Kyeraa provided false information regarding her identity, immigration history and whether she ever provided false or misleading information, or lied, to a U.S. Government official while applying for an immigration benefit or to prevent deportation. Kyeraa could not establish extenuating circumstances; accordingly, she was not eligible for naturalization and illegally procured her naturalization.

**Illegal Procurement of
Naturalization Lack of Good Moral
Character False Testimony**

30. As an applicant for naturalization under section 316(a) of the INA, Kyeraa was required to establish that she was a person of good moral character during the period beginning five years prior to the filing of her application for naturalization and continuing until the time of admission to citizenship. This period is generally referred to as the "statutory period."

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31. Kyeraa filed her application for naturalization on March 22, 2005: accordingly, she was required to establish that she was a person of good moral character from March 22, 2000, until the time of her admission to citizenship on October 4, 2005.

32. Under the law then in effect, an individual who, during the statutory period, provided false testimony for the purpose of obtaining an immigration benefit could not establish good moral character. INA§ 101(1)(6): 8 U.S.C. § 1101(1)(6).

33. Based on the facts contained above, Kyeraa provided false testimony while under oath during her naturalization interview. Specifically, Kyeraa provided false testimony regarding:

- her name;
- her date of birth;
- number of marriages;
- her children;
- whether she had ever been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason; and
- whether she had ever lied to any U.S. Government official to gain entry or admission into the United States.

34. Because Kyeraa provided false testimony to obtain an immigration benefit during the statutory period, she was not eligible for naturalization: accordingly, she illegally procured her naturalization.

**PROCUREMENT OF NATURALIZATION BY WILLFUL MISREPRESENTATION OR
CONCEALMENT OF MATERIAL FACTS**

35. A naturalized citizen is subject to revocation of naturalization if she procured naturalization by willfully misrepresenting or concealing material facts.

36. Based on the facts contained above, Kyeraa willfully misrepresented her identity and immigration history throughout the naturalization process.

37. The misrepresentations made by Kyeraa during the naturalization process were material

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to determining her eligibility for naturalization because they would have had the natural tendency to influence the decision whether to approve her naturalization application. In fact, Kyeraa misrepresented and concealed facts that would have shown that she was not lawfully admitted for permanent residence in accordance with all applicable provisions of the INA and thus was ineligible for naturalization under INA § 318, 8 U.S.C. § 1429.

38. Kyeraa was able to procure her naturalization because she concealed or misrepresented material facts regarding her identity and immigration history.

DECLARATION IN LIEU OF JURAT (28 U.S.C. § 1746)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 27, 2026, at Los Angeles, California.

LIZETT
CASTAGNOLA

 Digitally signed by LIZETT
CASTAGNOLA
Date: 2026.07.27 07:34:56 -0700

Lizett Castagnola
Immigration Services Officer
United States Citizenship and Immigration
Services Department of Homeland Security