

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ELECTRONICALLY
FILED
09/21/2026
U.S. DISTRICT COURT
Northern District of WV

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 3:26-CV-121 (Groh)

YONG XIAN LIN, [REDACTED],¹
a.k.a. YUNG HSING LIN,
a.k.a. YUNG XIAN LIN,
a.k.a. JOHN DOE, [REDACTED],

Defendant.

COMPLAINT TO REVOKE NATURALIZATION

I. PRELIMINARY STATEMENT OF THE CASE

The United States of America ("Plaintiff") brings this civil action against Defendant Yong Xian Lin a.k.a. Yung Hsing Lin a.k.a. Yung Xian Lin a.k.a. John Doe ("Defendant") to revoke his naturalized U.S. citizenship under 8 U.S.C. § 1451(a). Plaintiff alleges that Defendant procured his naturalization unlawfully and that he willfully misrepresented and concealed material facts in applying to naturalize. Throughout his naturalization proceedings, Defendant failed to disclose his prior immigration history or his use of an alternative identity. Defendant, therefore, is statutorily ineligible for U.S. citizenship.

¹ Pursuant to the Privacy Act, 5 U.S.C. § 552a(b), Plaintiff will redact information throughout this document and its exhibits that includes social security numbers, dates of birth, places of birth, Alien numbers, passport numbers, phone numbers, and tax information, which are precluded from disclosure. See *Yith v. Nielsen*, No. 14-CV-01875, 2019 WL 2567290, at *5 (E.D. Cal. June 21, 2019); *Rouse v. U.S. Dep't of State*, 567 F.3d 408, 413 (9th Cir. 2009) ("The Privacy Act was designed to 'protect the privacy of individuals' through regulation of the 'collection, maintenance, use, and dissemination of information' by federal agencies.") (citing 5 U.S.C. § 552a).

Before he naturalized as a U.S. citizen in 2011 under the identity Yong Xian Lin, Defendant was previously ordered excluded and deported from the United States under the identity Yung Hsing Lin. In 1992, officers with the former Immigration and Naturalization Service (“INS”)² encountered Defendant when he arrived at the San Francisco, California, Seaport. He identified himself as “Yung Hsing Lin.” In 1993, the INS placed Defendant into exclusion proceedings. On May 11, 1993, an immigration judge ordered him excluded and deported. There is no record of Defendant appealing this decision. The INS released Defendant under an exclusion bond into the United States. Defendant then failed to surrender for deportation.

On or about June 25, 1993, Defendant, after being ordered excluded and deported using the identity Yung Hsing Lin, and now using the identity Yong Xian Lin, filed an application for an immigration benefit with INS. In the biographic information form submitted with the application, Defendant changed his name and denied that he had used other names with INS or had previously received an A-number from INS. On January 6, 2000, an immigration court granted Defendant’s application for an immigration benefit. On December 29, 2005, INS approved Defendant’s adjustment of status application under the identity Yong Xian Lin. On February 3, 2011, Defendant naturalized under the identity and immigration history of Yong Xian Lin. Defendant did not disclose his prior immigration history under the Yung Hsing Lin identity in any of his immigration applications or proceedings under the Yong Xian Lin identity.

² 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.

Defendant's actions and conduct statutorily barred him from becoming a U.S. citizen and render his naturalization unlawfully procured. Thus, with the attached affidavit (*see* Ex. A) showing good cause, Plaintiff brings this civil action to revoke and set aside the order admitting Defendant to citizenship and to cancel his 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 U.S. citizenship and to cancel Certificate of Naturalization No. , issued February 11, 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 Hedgesville, West Virginia, in Berkeley County, within the jurisdiction and venue of this Court.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized U.S. citizen and purports to be a native of China. Yong Xian Lin, Yung Hsing Lin, and Yung Xian Lin are one and the same person.

IV. FACTUAL ALLEGATIONS

6. The July 26, 2026, affidavit of Svetlana Lebedinski, 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 A. *See* Ex. A.³

A. Defendant's Immigration History Under the Yung Hsing Lin a.k.a. Yung Xian Lin a.k.a. John Doe⁴ Identity.

7. On or about December 22, 1992, INS officers encountered Defendant when he arrived at the San Francisco Seaport. Defendant lacked documents permitting him to enter the United States. Using a Mandarin Chinese interpreter, INS officers took a sworn statement, attached as Exhibit B,⁵ during which Defendant stated that:

- a. his complete and correct name was Yung Hsing Lin;
- b. he was not known by any other name;
- c. he was born on [REDACTED], in Fuchou, China; and
- d. he did not have any travel documents in his possession.

See Ex. B. Defendant signed this statement, "I have read (or have had read to me) the foregoing statement . . . I state that the answers made therein by me are true and correct to the best of my knowledge and belief and that this statement is a full, true, correct record of my interrogation[.]" *Id.*

³ Because the Lebedinski Affidavit contains information covered by Fed. R. Civ. P. 5.2(a), as well as other information protected from disclosure by 5 U.S.C. § 552a(b), it is being filed with certain personally identifying information redacted.

⁴ Sometimes Defendant's name is listed in documents in the traditional Chinese format where the family last name comes first. *See, e.g., Wang v. Reno*, 81 F.3d 808, 812 n.2 (9th Cir. 1996) (*per curiam*). For clarity, Defendant's name is consistently listed throughout this complaint with his family last name Lin at the end.

⁵ Exhibits reflecting immigration documents are excerpted from a certified copy of the Alien file (A File) associated with the respective Alien number (A Number).

8. INS assigned Defendant Alien registration number . *See id.*

9. On December 24, 1992, INS issued Defendant John Doe a.k.a. Yung Hsing Lin a Form I-546, Order to Appear for Deferred Inspection. *See Ex. C.* The Order stated that Defendant “arrived” on December 22, 1992, “as a passenger without documents,” and that Defendant’s “intent” was “to enter the United States illegally without documents” or “work” and to “remain in the United States.” *Id.* Defendant, explained the Order, was “to be processed administratively for exclusion proceedings.” *Id.*

10. On or about December 24, 1992, and on or about December 25, 1992, Defendant, using the name Yung Hsing Lin, provided INS with fingerprints. *See Ex. D.*

11. On December 25, 1992, INS served Defendant, under the name John Doe a.k.a. Yung Hsing Lin, with a Form I-122, Notice to Applicant for Admission Detained/Deferred for Hearing Before Immigration Judge, thereby placing him into exclusion proceedings. INS charged Defendant with being inadmissible to enter the United States and being excludable under the Immigration and Nationality Act (“INA”) Section 212, 8 U.S.C. § 1182(a)(7)(A)(i)(I), for not being in possession of a valid, unexpired immigrant visa and for otherwise not being exempt.

12. On January 11, 1993, Defendant appeared in immigration court and advised the court that his name was Yuan Xian Lin. The proceedings were continued to allow him to seek counsel.

13. On January 15, 1993, Defendant again appeared in immigration court without counsel. After a hearing, the immigration court ordered Defendant excluded and deported under INA Section 212, 8 U.S.C. § 1182(a)(7)(A)(i). *See Ex. E.*

14. On January 22, 1993, Defendant’s counsel appealed the immigration court’s exclusion order to the Board of Immigration Appeals (“BIA”). *See Ex. F.* In the notice of appeal, Defendant’s counsel claimed, among other grounds, that the immigration court had failed to give

Defendant a fair opportunity to apply for an immigration benefit and to obtain and consult with an attorney. *Id.*

15. On January 26, 1993, INS filed a motion to reopen or remand Defendant's case to provide Defendant with an opportunity to file an application for an immigration benefit. *See* Ex. G.

16. On March 15, 1993, BIA granted INS's motion and remanded Defendant's case to the immigration court. *See* Ex. H.

17. On April 30, 1993, Defendant appeared at the remanded immigration court proceedings without counsel. The immigration court continued proceedings to May 11, 1993, to provide Defendant an opportunity to submit an application for an immigration benefit.

18. On May 11, 1993, Defendant appeared at the continued immigration court proceedings without counsel. Defendant had failed to submit an application for an immigration benefit. In accordance with INA Section 212, 8 U.S.C. § 1182(a)(7)(A)(i)(I), the immigration court ordered Defendant Yung Hsing Lin excluded and deported from the United States. Defendant reserved appeal until May 21, 1993. *See* Ex. I.

19. On May 12, 1993, the International Fidelity Insurance Company ("IFIC") posted an exclusion bond on Defendant's behalf. Defendant then was released on bond.

20. The government has no record of Defendant's appeal of the May 11, 1993, deportation order.

21. On July 8, 1993, INS issued Form I-340, Notice to Deliver Alien, to IFIC, demanding Defendant's surrender to INS custody on September 15, 1993, for deportation. On that same date, INS also issued Form I-296, Notice to Alien Ordered Excluded by Immigration Judge, to Defendant.

22. On September 15, 1993, Defendant failed to surrender to INS for deportation.

23. On October 26, 1993, INS issued Form I-323, Notice – Immigration Bond Breached, to IFIC.

B. Defendant's Immigration History Under the Yong Xian Lin Identity.

24. On June 15, 199x, Defendant, using a different identity, Yong Xian Lin, provided INS with fingerprints. See Ex. D. Although the last digit of the handwritten year is illegible on the front of the fingerprints card, the back of the card has a barcode sticker dated July 1, 1993. *Id.*

25. On or about June 25, 1993, Defendant, under the Yong Xian Lin identity, filed an application for an immigration benefit with INS.

26. In conjunction with his application, Defendant also filed a Form G-325A, Biographic Information, which Defendant signed on June 18, 1993, and is attached as Exhibit J. See Ex. J.

27. In the Form G-325A, under severe penalties for knowingly and willfully falsifying or concealing a material fact, Defendant:

- a. represented that his name was Yong Xian Lin;
- b. represented that he was born on , in Fuzhou, China⁶ (the same birthdate and birthplace listed in Defendant's December 22, 1992, sworn statement (*see supra* ¶7.c));
- c. did not list any previous names; and
- d. represented that he had no previous Alien registration number.

See Ex. J. INS assigned Defendant, under the Yong Xian Lin identity, Alien registration number . *Id.*

⁶ The Chinese city of "Fuzhou" is also known as "Fuchou" or "Foochow." See Jason Blatt, *Recent Trends in the Smuggling of Chinese into the United States*, 15 WILLAMETTE J. INT'L L. & DISP. RESOL. 227, 235 n.35 (2007).

28. On October 30, 1996, Defendant appeared at the Lyndhurst, New Jersey, INS Office for an interview on his application. During the interview, Defendant updated his address; said he arrived in the United States on December 24, 1992; and represented that his immigration status was EWI (entry without inspection). At the end of the interview, Defendant signed the application affirming that its contents, including his three corrections, were true to the best of his knowledge. The immigration officer referred Defendant's application to the immigration court.

29. On November 4, 1996, INS issued Defendant a Form I-221, Order to Show Cause and Notice of Hearing, charging Defendant with deportability under INA Section 241, 8 U.S.C. § 1231(a)(1)(B), because Defendant entered the United States without inspection, and ordering Defendant to appear in immigration court on March 26, 1997. *See* Ex. K. The I-221 was served upon Defendant through certified mail. *Id.*

30. On March 26, 1997, Defendant appeared for his immigration court hearing. The hearing was continued to September 22, 1998; March 8, 1999; October 19, 1999; December 2, 1999; and January 6, 2000.

31. After a hearing, on January 6, 2000, the immigration court granted Defendant's application for an immigration benefit. *See* Ex. L.

C. Defendant's Adjustment Application Under the Identity Yong Xian Lin.

32. On or about January 16, 2001, Defendant filed with INS a Form I-485, Application to Register Permanent Residence or Adjust Status, which is attached as Exhibit M. *See* Ex. M.

33. In the I-485 adjustment application, under penalty of perjury, Defendant stated or represented that:

- a. his name was Yong Xian Lin;

- b. he was born on [REDACTED], in China (the same birthdate and birth country listed in Defendant's December 22, 1992, sworn statement (*see supra* ¶7.c));
- c. he last arrived in the United States without inspection in San Francisco, California;
- d. he had never been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations;
- e. he had never been deported from the United States or removed from the United States at government expense, excluded within the past year, nor was he now in exclusion or deportation proceedings; and
- f. he had never sought to procure, or procured, a visa, other documentation, entry into the United States, or any immigration benefit by fraud or willful misrepresentation of a material fact.

See Ex. M.

34. Along with his I-485, Defendant also submitted his second Form G-235A, Biographic Information ("Second G-235A"). *See Ex. N.*

35. In the Second G-325A, under severe penalties for knowingly and willfully falsifying or concealing a material fact, Defendant represented that his name was Yong Xian Lin; that his "ALL OTHER NAMES USED" entry was "None"; and that he was born on [REDACTED], in Fuzhou, China (the same birthdate and birth place listed in Defendant's December 22, 1992, sworn statement (*see supra* ¶7.c)). *Ex. N.*

36. The adjudicating officer (“AO”) of Defendant’s I-485 granted Defendant a waiver of inadmissibility under INA Section 212, 8 U.S.C. § 1231(a)(6)(A)(i), for having entered the United States without inspection. *See* Ex. M.

37. On December 29, 2005, USCIS approved Defendant’s I-485 adjustment application, adjusting his status to that of a permanent resident as of December 29, 2004. *See id.*

38. On two separate occasions – May 6, 2004, and November 15, 2005, Defendant, using the name Yong Xian Lin, provided fingerprints to INS in connection with his I-485. *See* Ex. D.

D. Defendant’s Naturalization Application Under the Identity Yong Xian Lin.

39. On or about December 14, 2009, Defendant, using the identity Yong Xian Lin, filed with USCIS a Form N-400, Application for Naturalization (“naturalization application”), which is attached as Exhibit O. *See* Ex. O. Defendant filed his naturalization application with USCIS because, among other reasons, he claimed to have been a lawful permanent resident for at least five years. *Id.*

40. In his naturalization application, in response to Question A in Part 1, Defendant represented that his name was Yong Xian Lin. *See* Ex. O.

41. In his naturalization application, in response to Part 1, Defendant listed the A-number () that had been assigned to him using the identity Yong Xian Lin. *Id.*

42. In his naturalization application, in response to Question C in Part 1, Defendant answered the question asking if you have ever used other names with “NONE.” *Id.*

43. In his naturalization application, in response to Question B in Part 3, Defendant represented that his date of birth was  (the same birthdate listed in Defendant’s December 22, 1992, sworn statement (*see supra* ¶7.c)). Ex. O.

44. In his naturalization application, Defendant answered “yes” to Question 16 in Part 10, which asked: “Have you **ever** been arrested, cited, or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason?” *Id.* (emphasis in original).

45. In his naturalization application, Defendant answered “no” to Question 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?” *Id.* (emphasis in original).

46. In his naturalization application, Defendant answered “no” to Question 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?” *Id.* (emphasis in original).

47. In his naturalization application, Defendant answered “no” to Question 27 in Part 10, which asked: “Have you **ever** been ordered to be removed, excluded, or deported from the United States?” *Id.* (emphasis in original).

48. On or about December 9, 2009, Defendant signed his naturalization application under penalty of perjury pursuant to the laws of the United States, thereby certifying that the application and the evidence submitted with it were all true and correct. *Id.*

49. On or about January 22, 2010, Defendant submitted fingerprints to INS for his pending naturalization application. Ex. D.

E. Defendant’s Naturalization Interview Under the Identity Yong Xian Lin.

50. On April 20, 2010, USCIS AO Monica F. Dixon orally interviewed Defendant at the New York District Office regarding his N-400 naturalization application to determine his eligibility for naturalization. *See* Ex. O.

51. At the beginning of the interview, AO Dixon placed Defendant under oath. *Id.*

52. During the interview, Defendant testified to the contents of his N-400 and, consistent with his written answers, stated that:

- a. his legal name was Yong Xian Lin;
- b. he had never used any other names;
- c. he 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;
- d. he had never lied to any U.S. government official to gain entry or admission to the United States; and
- e. he had never been ordered to be removed, excluded, or deported from the United States.

Ex. O. During his N-400 interview, Defendant made two total corrections to his naturalization application, both relating to his January 5, 2010, Brooklyn, New York, citation. *Id.*

53. On April 20, 2010, at the conclusion of his naturalization interview, Defendant again signed his naturalization application in the presence of AO Dixon, affirming and certifying under penalty of perjury that the contents of his application were true and correct to the best of his knowledge and belief. Ex. O.

54. On May 6, 2010, USCIS denied Defendant's naturalization application for lack of good moral character under 8 C.F.R. § 316.10(c)(1) because Defendant's Brooklyn, New York, Disorderly Conduct charge had not yet been dismissed. *See* Ex. P.

55. On or about June 15, 2010, Defendant, through counsel, filed a Form N-336, Request for a Hearing on a Decision in Naturalization Proceedings, to dispute the May 6, 2010, USCIS decision. *See* Ex. Q.

56. On January 5, 2011, Defendant appeared for his N-336 hearing.

57. USCIS approved Defendant's naturalization application on February 3, 2011.

58. On February 24, 2011, Defendant took the oath of allegiance and became a naturalized U.S. citizen. *See* Ex. R.

59. On February 24, 2011, USCIS issued Defendant, under the identity Yong Xian Lin, Certificate of Naturalization No. . *See* Ex. S.

F. Fingerprint Analysis Confirms Yong Xian Lin and Yung Hsing Lin Are the Same Individual.

60. On December 24, 1992, Defendant, using the name Yung Hsing Lin, provided INS with fingerprints on a FD-249: Fingerprint Card. Ex. D.

61. On December 25, 1992, Defendant, using the name Yung Hsing Lin, provided INS with fingerprints. *Id.*

62. On June 15, 199x, Defendant, using the name Yong Xian Lin, provided INS with fingerprints on a FD-249: Fingerprint Card. *See* Ex. D. Although the last digit of the handwritten year is illegible on the front of the fingerprints card, the back of the card has a barcode sticker dated July 1, 1993. Ex. D.

63. On May 6, 2004, Defendant, using the name Yong Xian Lin, submitted fingerprints in conjunction with his pending I-485 adjustment application. *Id.*

64. On November 15, 2005, Defendant, using the name Yong Xian Lin, submitted fingerprints in conjunction with his pending I-485 adjustment application. *Id.*

65. On January 22, 2010, Defendant, using the name Yong Xian Lin, submitted fingerprints in conjunction with his pending N-400 naturalization application. *Id.*

66. Analysis and comparison of the fingerprint submissions described in Paragraphs 60 through 65 above confirm that the same individual provided all the fingerprint impressions. *Id.* Yung Hsing Lin and Yong Xian Lin are the same person.

V. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship.

67. 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.* at 518 (“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)).

68. 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.*

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

70. 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).

71. 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.

72. 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.

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

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

74. 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.

75. 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).

76. 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 (Inadmissible Based on Fraud or Willful Misrepresentation)

77. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this complaint.

78. 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.

79. 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.

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

81. Under the law in effect at the time that Defendant adjusted his 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).

82. 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 he was inadmissible at the time of his adjustment to permanent resident status.

83. Defendant sought to procure admission into the United States and other benefits provided for in the INA by fraud or willfully misrepresenting a material fact. Specifically, at the time Defendant adjusted his status to permanent resident using the name Yong Xian Lin, he had

previously sought to procure and had been denied an immigration benefit using the name Yung Hsing Lin. Indeed, at the time that Defendant adjusted to permanent resident status, he was the subject of an outstanding order of exclusion and deportation under the name Yung Hsing Lin.

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

85. Defendant's false statements regarding his name, Alien number, and his immigration history were material to determining his eligibility for the immigration benefits for which he applied. Defendant's false statements had the natural tendency to influence a decision by the immigration officers to approve his applications. Defendant thus sought to procure an immigration benefit by fraud or willfully misrepresenting a material fact.

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

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

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

COUNT TWO

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

89. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this complaint.

90. Defendant illegally procured his naturalization, because he was statutorily precluded from establishing the good moral character necessary to naturalize on account of his providing false testimony for the purpose of obtaining an immigration benefit.

91. 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).

92. Defendant filed his naturalization application on December 14, 2009, and he naturalized on February 24, 2011. Thus, to be eligible for naturalization, Defendant was required to establish that he was a person of good moral character during his statutory period from December 14, 2004, until February 24, 2011.

93. Defendant was statutorily barred from establishing the good moral character necessary to naturalize because, during the statutory period, he provided false testimony, orally and under oath, for the purpose of obtaining an immigration benefit, including naturalization. *See* 8 U.S.C. § 1101(f)(6).

94. Specifically, as set forth above, Defendant provided false testimony for the purpose of obtaining an immigration benefit when he testified, orally and under oath, during his April 20, 2010, naturalization interview, that he had not:

- a. Used other names;
- b. Given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal;
- c. Lied to any U.S. government official to gain entry or admission to the United States; and
- d. Ever been ordered to be removed, excluded, or deported from the United States.

95. Defendant's testimony on each of the questions discussed above was oral, under oath, knowingly false, and for the purpose of obtaining an immigration benefit, namely naturalization.

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

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

98. Because he was ineligible to naturalize, Defendant procured his citizenship illegally and the Court must revoke his citizenship pursuant to 8 U.S.C. § 1451(a).

COUNT THREE

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

99. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this Complaint.

100. As explained above, Defendant was required to establish that he was a person of good moral character during his statutory period from December 14, 2004, until he became a U.S. citizen on February 24, 2011.

101. Defendant completed and filed his naturalization application during his statutory period.

102. Defendant violated 18 U.S.C. § 1001(a)(1)-(3) by knowingly and willfully concealing in his naturalization application – a matter within the jurisdiction of the executive branch of the government of the United States – that he had previously used a different identity and that he been ordered excluded and deported under that identity.

103. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his naturalization application by answering “no” to Question 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.)

104. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his naturalization application by answering “no” to Question 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.)

105. Specifically, Defendant violated 18 U.S.C. § 1001(a)(1)-(3) when he completed and filed his 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.)

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

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

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

COUNT FOUR

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

109. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this Complaint.

110. 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 or by willful misrepresentation.

111. As set forth herein, throughout the naturalization process, Defendant willfully misrepresented and concealed, among other things: (i) his use of another identity; (ii) his prior order of exclusion and deportation; (iii) his prior application for an immigration benefit; (iv) that he 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 him; (vi) that he had lied to a U.S. government official to gain entry or admission into the United States; (vii) that he had been ordered to be removed, excluded, or deported from the United States; (viii) and that he had previously applied for relief from removal, exclusion, or deportation. Defendant knew each of these statements to be false.

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

113. Defendant's misrepresentations were material to his naturalization because the disclosure of his multiple identities, prior application for an immigration benefit, prior order of

exclusion and 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 his naturalization application.

114. Defendant thus procured his naturalization by willful misrepresentation and concealment of material facts, and this Court must revoke his 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 his citizenship;
- (2) A declaration that Defendant procured his citizenship by concealment of material fact and by willful misrepresentation;
- (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 certificate, February 24, 2011;
- (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 his February 24, 2011, naturalization;
- (5) Judgment requiring the Defendant, within ten (10) days of the entry of judgment against him, to surrender and deliver his Certificate of Naturalization No.  and any copies thereof in his possession or control (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others), to the Attorney General, or 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 his possession or control – and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others – to the Attorney General, or her representative, including undersigned counsel;
and

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

Dated: August 26, 2026

Respectfully submitted,

UNITED STATES OF AMERICA,

MATTHEW L. HARVEY
United States Attorney

/s/ William Rhee
William Rhee, WWSB #14676
Assistant U.S. Attorney
U.S. Attorney's Office for the
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Exhibit	Description
A	Affidavit of Good Cause (July 26, 2026).
B	Sworn Statement of Yung Hsing Lin (Dec. 25, 1992).
C	Form I-546: Order to Appear Deferred Inspection (Dec. 24, 1992).
D	Senior Fingerprint Specialist Stephanie Fox, DHS Laboratory Report (July 27, 2026).
E	Order, <i>In the Matter of Lin, Yung Xian</i> In Exclusion Proceedings (EOIR Los Angeles, CA Jan. 15, 1993).
F	Notice of Appeal to the BIA (Jan. 20, 1993).
G	Order, <i>In the Matters of Lin, Yung Lian</i> . . . In Exclusion Proceedings (EOIR Los Angeles, CA Jan. 26, 1993).
H	Order, <i>In re Yung Xian Lin a.k.a. John Doe</i> In Exclusion Proceedings (BIA Mar. 15, 1993) (per curiam).
I	<i>In the Matter of Lin, Yung Xian</i> In Exclusion Proceedings (EOIR Los Angeles, CA May 11, 1993).
J	Form G-325A: Biographic Information (June 18, 1993).
K	Form I-221: Order to Show Cause and Notice of Hearing (Nov. 4, 1996).
L	<i>In the Matter of Lin, Yong Xian</i> In Deportation Proceedings (EOIR New York, NY Jan. 6, 2000).
M	Form I-485: Application to Register Permanent Residence or Adjust Status (Jan. 16, 2001).
N	Form G-325A: Biographic Information (July 12, 2005).

Exhibit	Description
O	Form N-400: Application for Naturalization (Dec. 14, 2009).
P	USCIS Decision (May 6, 2010).
Q	Form N-336: Request for a Hearing on a Decision in Naturalization Proceedings (June 15, 2010).
R	Form N-445: Notice of Naturalization Oath Ceremony (Feb. 11, 2011).
S	Certificate of Naturalization of Yong Xian Lin (Feb. 24, 2011).



UNITED STATES OF AMERICA)

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

AFFIDAVIT OF GOOD CAUSE

Yong Xian Lin, [REDACTED])
a/k/a Yung Hsing Lin,)
a/k/a Yung Xian Lin,)
a/k/a John Doe, [REDACTED])

I, Svetlana Lebedinski, declare under penalty of perjury as follows:

I am an Officer with the 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 Yong Xian Lin, [REDACTED], (hereinafter "Lin") a/k/a Yung Hsing Lin a/k/a Yung Xian Lin a/k/a John Doe, [REDACTED].

I have examined records relating to Lin, including but not limited to, his immigration files. Based upon my review of records relating to Lin, 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 Lin and to cancel his Certificate of Naturalization.

The known last place of residence for Lin is [REDACTED].

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 USCIS as appropriate.

² While some provisions of the INA, 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.

Affidavit of Good Cause, Lin [REDACTED]

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BACKGROUND

DHS records, including fingerprint comparison, establish that the person who naturalized as Lin was previously ordered excluded and deported under the name Yung Hsing Lin a/k/a Yung Xian Lin a/k/a John Doe.

Immigration History as Yung Hsing Lin, a/k/a Yung Xian Lin, a/k/a John Doe D.O.B. [REDACTED], 1971, [REDACTED]

1. On or about December 22, 1992, the individual in question, using the name Yung Hsing Lin, arrived at the San Francisco Seaport aboard Motor Vessel Manyoshi Maru without documents. He was placed in custody of Immigration and Naturalization Service (INS) and, on December 24, 1992, a Form I-546, Order to Appear Deferred Inspection was issued, indicating that he would be processed administratively for exclusion proceedings. The I-546 referred to him as "John Doe a/k/a Yung Hsing Lin." He was assigned alien registration number [REDACTED].
2. On December 25, 1992, he testified in a sworn statement, taken by Supervisory Immigration Officer Samuel Mooney, that his full name was Yung Hsing Lin, that he was born in Fuchou, China on [REDACTED], 1971, and that he had come to the United States to work.
3. On December 25, 1992, INS issued Form I-122, Notice to Applicant for Admission Detained for Hearing Before Immigration Judge, charging him as excludable under INA § 212(a)(7)(A)(i)(I), as an immigrant not in possession of a valid immigrant visa or other valid entry document. The I-122 referred to him as "John Doe a/k/a Yung Hsing Lin." INS served the I-122 on him the same day.
4. On January 11, 1993, he appeared in the immigration court in Los Angeles, California without representation. He testified that his name as "Yuan Xian Lin." Proceedings were continued to allow him to seek an attorney.
5. On January 15, 1993, he again appeared in immigration court without counsel. A hearing was held, and he was ordered excluded and deported from the United States pursuant to INA § 212(a)(7)(A)(i) under the name "Yung Xian Lin."
6. On January 22, 1993, his attorney filed an appeal of the exclusion order to the Board of Immigration Appeals (the BIA).
7. On January 26, 1993, INS filed a motion to reopen or remand.
8. On March 15, 1993, the BIA remanded his proceedings to the immigration court to permit him to apply for an immigration benefit.

Affidavit of Good Cause, Lin. [REDACTED]

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9. On April 30, 1993, he appeared at remanded proceedings without an attorney and the immigration court continued proceedings to May 11, 1993, for him to submit an application for an immigration benefit to the immigration court.
10. On May 11, 1993, he appeared at continued proceedings in immigration court without an attorney. He did not submit an application for an immigration benefit to the immigration court. The immigration judge ordered him excluded and deported from the United States pursuant to INA § 212(a)(7)(A)(i)(I). The order referred to him as "Yung Hsing Lin."
11. DHS has no record that he appealed the immigration judge's May 11, 1993 order.
12. On May 12, 1993, INS San Francisco District set an exclusion bond in the amount of \$2,000 to release him from Bakersfield/Lerdo, California jail.
13. On May 12, 1993, International Fidelity Ins. Co. in New York, New York posted a bond on his behalf in the amount of \$2,000.
14. On July 8, 1993, INS issued Form I-340, Notice to Deliver Alien, to International Fidelity Ins. Co., demanding his surrender into INS custody at 300 N. Los Angeles Street, Los Angeles, CA 90012, Room 7621, on September 15, 1993 for deportation.
15. On September 15, 1993, he failed to appear for enforcement of departure in Los Angeles, California.
16. On October 26, 1993, INS issued Form I-323, Notice-Immigration Bond Breached to International Fidelity Ins. Co., and mailed it by certified mail.

Immigration History as Yong Xian Lin

D.O.B. [REDACTED]/1971, [REDACTED]

17. On or about June 25, 1993, the same individual using the name Yong Xian Lin filed an application for an immigration benefit with INS. On the application, which he signed under penalty of perjury on June 18, 1993, Lin represented that his name was Yong Xian Lin, that he was born on [REDACTED], 1971 in Fuchou, China, and that he last entered the United States as a stowaway in December of 1992. Under the box requesting an "Alien Registration Number: (if applicable)," Lin entered "N/A."
18. Along with this application, Lin also submitted Form G-325A, Biographic Information. On the Form G-325A, which he signed June 18, 1993 under severe penalties for knowingly and willfully falsifying or concealing a material fact, he represented his name as Yong Xian Lin. Under the box requesting "ALL OTHER

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NAMES USED (including names by previous marriages)," Lin entered "N/A."

Under the box requesting an "File Number A-", Lin entered "N/A."

19. INS assigned Lin alien registration number [REDACTED].
20. On October 30, 1996, Lin was interviewed by an INS officer at the INS Office in Lyndhurst, New Jersey. During the interview, he updated his address, specified that he arrived in the U.S. on December 24, 1992, and represented that his immigration status was "EW1." At the end of the interview, he signed the application affirming that its contents, including his three corrections, were true to the best of his knowledge.
21. On October 30, 1996, the INS officer referred Lin's case to the immigration court.
22. On November 4, 1996, INS issued a Form I-221, Order to Show Cause and Notice of Hearing ("OSC"), to Lin, charging him with deportability under INA section 241(a)(1)(B) for having entered the United States without inspection. The OSC ordered Lin to appear at the immigration court in New York, New York on March 26, 1997.
23. On November 25, 1996, the INS Officer served OSC upon Lin by certified mail.
24. On March 26, 1997, Lin appeared for his immigration court hearing, and the case was continued to September 22, 1998. The hearing was continued to March 8, 1999, October 19, 1999, December 2, 1999, and again to January 6, 2000.
25. On January 6, 2000, after a hearing in immigration court, an immigration judge granted Lin's application for the immigration benefit.
26. On or about January 16, 2001, Lin submitted a Form I-485, Application to Register Permanent Residence or Adjust Status, to INS. On the Form I-485, which he signed under penalty of perjury on January 8, 2001, he represented that:
 - His name was Yong Xian Lin;
 - He was born [REDACTED], 1971 in China;
 - He last entered the United States without inspection at San Francisco;
 - He had never been arrested, cited, charged, indicted, fined or imprisoned for breaking or violating any law or ordinance, excluding traffic violations;
 - He had never been deported from the U.S., or removed from the U.S. at government expense, excluded within the past year, nor was he then in exclusion or deportation proceedings;
 - He had never, by fraud or willful misrepresentation of a material fact, ever

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sought to procure, or procured, a visa, other documentation, entry into the U.S. or any immigration benefit.

27. Along with the Form I-485, Lin also submitted Form G-325A, Biographic Information. On the G-325A, which he signed under severe penalties for knowingly and willfully falsifying or concealing a material fact, he represented his name was Yong Xian Lin. Under the box requesting "ALL OTHER NAMES USED (including names by previous marriages)," Lin entered "None."
28. On December 29, 2005, USCIS approved Form I-485 and Lin was accorded lawful permanent resident status as of December 29, 2004. Prior to approving Lin's Form I-485, the adjudicating officer granted a waiver of his inadmissibility under INA § 212(a)(6)(A)(i) (for having entered the United States without inspection).
29. On or about December 14, 2009, Lin filed a Form N-400, Application for Naturalization, based on having been a lawful permanent resident for a period of five years. On his Form N-400, which he signed under penalty of perjury on December 9, 2009, Lin represented that:
- his current legal name was Yong Xian Lin;
 - he had never used any other names;
 - he 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;
 - he had never lied to any U.S. Government official to gain entry or admission to the United States; and
 - he had never been ordered to be removed, excluded, or deported from the United States.
30. On April 20, 2010, Lin was interviewed at the New York District Office to determine his eligibility for naturalization. During his interview, District Adjudications Officer Monica F. Dixon placed Lin under oath and asked him the following questions:
- Current Legal Name?
 - Have you ever used any other names?
 - 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?

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- Have you ever lied to any U.S. Government official to gain entry or admission to the United States?
- Have you ever been ordered to be removed, excluded, or deported from the United States?

31. In response, Lin testified that his legal name was "Yong Xian Lin" and that he had never used any other names. Lin verbally answered "no" to the remaining questions above. During the interview, he made two total corrections to the written responses on his N-400, both relating to his 2010 citation in Brooklyn, New York.

32. At the end of the April 20, 2010 interview, Lin again signed the N-400, affirming and certifying under penalty of perjury that the contents of his application, including the two corrections made during the interview, were true and correct to the best of his knowledge and belief.

33. On May 6, 2010, USCIS denied Lin's N-400 for lack of good moral character relating to a citation for Disorderly Conduct dated January 5, 2010.

34. On or about June 15, 2010, Lin filed a Form N-336, Request for a Hearing on a Decision in Naturalization Proceedings.

35. On January 5, 2011, Lin appeared for his N-336 hearing.

36. On the basis of Lin's written application, the testimony he provided during his naturalization interview and his N-336 hearing, USCIS approved Lin's application for naturalization on February 3, 2011. On February 24, 2011, Lin took the Oath of Allegiance and was admitted as a citizen of the United States. He was issued Certificate of Naturalization No. ☒.

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

37. 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.

38. Among the INA provisions applicable at the time of Lin's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 209(b)(5), 8 U.S.C. § 1159(b)(5) (2005).

39. Under the law then in effect, and as today, an individual who by fraud or willfully

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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).

40. Based on the information contained above, Lin willfully misrepresented material facts, specifically, his identity and immigration history.
41. Because Lin misrepresented material facts, he was inadmissible to the United States at the time of his adjustment of status and was not lawfully admitted for permanent residence; accordingly, he illegally procured his naturalization.

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

42. As an applicant for naturalization under section 316(a) of the INA, Lin was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the time of admission to citizenship. This period is generally referred to as the "statutory period."
43. Lin filed his application for naturalization on December 14, 2009; accordingly, he was required to establish that he was a person of good moral character from December 14, 2004, until the time of his admission to citizenship on February 24, 2011.
44. 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(f)(6); 8 U.S.C. § 1101(f)(6).
45. Based on the facts contained above, Lin provided false testimony while under oath during his naturalization interview. Specifically, Lin provided false testimony regarding:
- his use of other names;
 - whether he had given false or misleading information to any U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal;
 - whether he had ever lied to any U.S. Government official to gain entry or admission to the United States; and
 - whether he had ever been ordered to be removed, excluded, or deported from the United States.

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46. Because Lin provided false testimony to obtain an immigration benefit during the statutory period, he was not eligible for naturalization; accordingly, he illegally procured his naturalization.

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

47. As an applicant for naturalization under section 316(a) of the INA, Lin was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the time of admission to citizenship. This period is generally referred to as the "statutory period."
48. Lin filed his application for naturalization on December 14, 2009; accordingly, he was required to establish that he was a person of good moral character from December 14, 2004, until the time of his admission to citizenship on February 24, 2011.
49. Under the law then in effect, an individual could not establish good moral character if, during the statutory period, he committed unlawful acts that adversely reflected on his moral character, unless he could establish extenuating circumstances. INA §101(f); 8 U.S.C. §1101(f); 8 C.F.R. §316.10(b)(3)(iii).
50. Based on the facts contained above, during the statutory period Lin committed unlawful acts that adversely reflected on his moral character as he made false statements in conjunction with his naturalization application. Specifically, Lin provided false information regarding his identity, his immigration history, and whether he had ever provided false or misleading information to any immigration official.
51. Lin cannot establish extenuating circumstances in light of the deliberate and continuing nature of his violations. Accordingly, he was not eligible for naturalization and illegally procured his naturalization.

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

52. A naturalized citizen is subject to revocation of naturalization if he procured naturalization by willfully misrepresenting or concealing

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material facts.

53. Based on the facts contained above, Lin's willfully misrepresented his identity and immigration history throughout the naturalization process.
54. The misrepresentations made by Lin during the naturalization process were material to determining his eligibility for naturalization because they would have had the natural tendency to influence the decision whether to approve his naturalization application. In fact, Lin misrepresented and concealed facts that would have shown that he 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.
55. Because Lin procured naturalization by his concealments and misrepresentations, he was not eligible for naturalization.

Affidavit of Good Cause, Lin, ☒ ☒

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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 22, 2026 at Troy, Michigan.



SVETLANA LEBEDINSKI
Immigration Services Officer
United States Citizenship and Immigration Services
Department of Homeland Security