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11 Attorneys for United States

12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 RAMON SENA NAVARRO,

18 Defendant.

Civil Action No.

**COMPLAINT TO REVOKE
NATURALIZATION**

19 **I. PRELIMINARY STATEMENT**

20 The United States of America brings this civil action against Ramon Sena Navarro
21 (“Defendant”) to revoke his naturalized U.S. citizenship under 8 U.S.C. § 1451(a). Before he
22 became a U.S. citizen, Defendant committed marriage fraud to obtain the permanent resident
23 status that he used to obtain United States citizenship. Defendant and his current wife admitted
24 that fraud to government investigators after he naturalized.

25 Based on Defendant’s actions described further below and in the attached affidavit
26 showing good cause, the United States brings this civil action under 8 U.S.C. § 1451(a) to revoke
27 and set aside the order admitting Defendant to citizenship and to cancel his Certificate of
28 Naturalization.

II. JURISDICTION AND VENUE

1. This is an action filed under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel Defendant's Certificate of Naturalization No. 35280229.

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

3. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Defendant resides in Lathrop, California, 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 is a native of the Philippines.

IV. FACTUAL ALLEGATIONS

6. The affidavit of Christopher S. Laska, Immigration Services Officer with U.S. Citizenship and Immigration Services ("USCIS"), showing good cause for this action as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

IMMIGRATION HISTORY

7. Defendant entered the United States in 2003 on a nonimmigrant tourist visa.

8. At that time, he was married to Marilyn Lopez Navarro (Lopez), a native and citizen of the Philippines with whom he had two children, born in 2000 and 2001.

9. A relative of Lopez introduced the couple to Angela Marie Bacani Devera (Devera), a citizen of the United States.

10. At an unknown time, Defendant divorced Lopez.

11. On June 3, 2004, Defendant married Devera.

12. A true and accurate copy of Marriage Certificate for Defendant and Devera, except for immaterial redactions of personal privacy information, is attached as Exhibit B.

13. On July 27, 2004, Devera filed a Form I-130 visa petition on behalf of Defendant, and Defendant concurrently filed an application to register for permanent residence, Form I-485.

14. A true and accurate copy of the Form I-130 Devera filed on behalf of Defendant, except for immaterial redactions of personal privacy information, is attached as Exhibit C.

15. A true and accurate copy of the Form I-485 Defendant filed, except for immaterial redactions of personal privacy information, is attached as Exhibit D.

16. The Form I-130 and Defendant's application to register for permanent residence were granted on June 28, 2005. Defendant and Devera divorced in 2009.

NATURALIZATION PROCEEDINGS

Naturalization Application

17. On or about October 15, 2012, Defendant filed a Form N-400, Application for Naturalization (“Naturalization Application”), with U.S. Citizenship and Immigration Services (“USCIS”) seeking citizenship based on his status as a permanent resident for at least five years.

18. A true and accurate copy of Defendant's Form N-400, except for immaterial redactions of personal privacy information, is attached as Exhibit E.

19. In response to Part 10, Question 23, which asked, “Have you ever given false or misleading information to any U.S. Government official while applying for any immigration benefit. . . .?” Defendant marked, “No.”

20. On or about October 10, 2012, Defendant signed his Naturalization Application under penalty of perjury, thereby certifying that his answers to the questions therein were true and correct. *See* Form N-400, Application for Naturalization.

Naturalization Interview

21. On December 14, 2012, a USCIS officer interviewed Defendant on his naturalization application.

22. At the beginning of the naturalization interview, the USCIS officer placed Defendant under oath.

23. During the naturalization interview, the USCIS officer asked Defendant many of the same questions included in the written naturalization application.

24. During the interview, Defendant testified orally and under oath that he had *never* given false or misleading information to any U.S. Government official while applying for any immigration benefit, consistent with his response to Part 10, Question 23.

25. At the conclusion of his naturalization interview, on December 14, 2012, Defendant again signed his Form N-400 in Part 13, thereby certifying under penalty of perjury under the laws of the United States that he knew that the contents of his naturalization application were true and correct to the best of his knowledge and belief.

26. On or about December 14, 2012, based on Defendant's representations in his Form N-400 naturalization application and his sworn testimony during his naturalization interview, USCIS approved Defendant's naturalization application.

Oath Of Allegiance

27. On January 24, 2013, based on Defendant's approved naturalization application and the responses he provided on his Form N-400, Defendant was administered the oath of allegiance, admitted to U.S. citizenship, and issued Certificate of Naturalization No. [REDACTED]

28. A true and accurate copy of Defendant's Certificate of Naturalization, except for immaterial redactions of personal privacy information, is attached as Exhibit F.

Defendant's Admission That He Committed Marriage Fraud In Order to Obtain the Permanent Residence Underpinning His Naturalization

29. After he became a naturalized U.S. Citizen, Defendant subsequently re-married Lopez and attempted to use his citizenship to obtain immigration status for Lopez and his two children.

30. Defendant successfully petitioned for a visa for his children, and he filed a visa petition for Lopez.

31. In the course of a subsequent investigation of Lopez's visa petition, Devera admitted in a May 27, 2016 sworn statement that her marriage to Defendant was solely for the purpose of Defendant obtaining an immigration benefit, they never lived in the same room, the marriage was not consummated or legitimate, the "true reason" for the marriage was for

1 Defendant to “get his family here[,]” and Defendant and Lopez lived together as though they
2 were married during the period Devera was legally married to Defendant.

3 32. A true and accurate copy of Devera’s May 27, 2016 statement during the
4 investigation into the visa petition, except for immaterial redactions of personal privacy
5 information, is attached as Exhibit G.

6 33. DHS interviewed Devera on August 2, 2016, and she reaffirmed that she married
7 Defendant solely for immigration purposes so that he could eventually move his family to the
8 United States. She stated that the family was living in his room in the house that they shared and
9 was living with him at the time of separation. She stated that she divorced Petitioner because she
10 wanted a new life and wanted to live with her mother.

11 34. A true and accurate copy of the August 2, 2016 Record of DHS Interview with
12 Devera, except for immaterial redactions of personal privacy information, is attached as Exhibit
13 H.

14 35. In an August 3, 2016 sworn statement, Defendant admitted that he married
15 Devera to “get a paper/document” for him to remain in the United States, they were roommates
16 and not living as husband and wife, he paid rent and stayed in the garage, and he did it to help his
17 family and so that they could be together again.

18 36. A true and accurate copy of Defendant’s August 3, 2016 statement, except for
19 immaterial redactions of personal privacy information, is attached as Exhibit I.

20 37. During the August 3, 2016 interview, DHS took photographs. These are attached
21 to reflect the nature of the interview and the subsequent statements.

22 38. A true and accurate copy of the photographs taken during August 3, 2016
23 interview, except for immaterial redactions of personal privacy information, are attached as
24 Exhibit J.

25 39. In an August 3, 2016 sworn statement, Lopez admitted that the marriage between
26 Defendant and Devera was “just to obtain paper.”

27 40. A true and accurate copy of Lopez’s August 3, 2016 statement, except for
28 immaterial redactions of personal privacy information, is attached as Exhibit K.

V. GOVERNING LAW

Congressionally Imposed Prerequisites to the Acquisition of Citizenship

41. 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). 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) (“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).

42. Among other requirements, Congress has mandated that an individual may not naturalize unless that person was “lawfully admitted for permanent residence” in the United States. 8 U.S.C. §§ 1427(a)(1), 1429.

43. The term “lawfully admitted for permanent residence” means “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.” 8 U.S.C. § 1101(a)(20).

44. That status requires the applicant to have been admitted in compliance with the substantive legal requirements—as opposed merely to the procedural requirements—of permanent residence. *Monet v. INS*, 791 F.2d 752, 753 (9th Cir. 1986) (“The term ‘lawfully’ denotes compliance with substantive legal requirements, not mere procedural regularity. . . .”) (quoting *In re Longstaff*, 716 F.2d 1439, 1441 (5th Cir. 1983)); *see also Shin v. Holder*, 607 F.3d 1213, 1217 (9th Cir. 2010)) (an applicant who fails to have complied with the substantive legal requirements is not lawfully admitted for permanent residence).

45. Individuals cannot lawfully adjust to permanent resident status based on a marriage to a U.S. citizen if the marriage is not bona fide. *See* 8 U.S.C. §§ 1151(b)(2)(A)(i), 1154(c), 1255(a); *Bourfa v. Mayorkas*, 604 U.S. 6, 10 (2024).

46. Individual further cannot lawfully adjust to permanent resident status if they are inadmissible when they seek to adjust status. 8 U.S.C. § 1255(a)(2) (providing that alien may adjust status only if admissible); *see Shin*, 607 F.3d at 1217.

1 citizenship or by concealing or misrepresenting facts that are material to the decision on whether
2 to grant his or her naturalization application, Congress enacted 8 U.S.C. § 1451.

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

5 A. illegally procured, or

6 B. procured by concealment of a material fact or by willful misrepresentation.

7 56. Failure to comply with any of the congressionally imposed prerequisites to the
8 acquisition of citizenship renders the citizenship "illegally procured." *Fedorenko*, 449 U.S. at
9 506.

10 57. Naturalization was procured by concealment of a material fact or by willful
11 misrepresentation, where: (1) the naturalized citizen misrepresented or concealed some fact
12 during the naturalization process; (2) the misrepresentation or concealment was willful; (3) the
13 fact was material; and (4) the naturalized citizen procured citizenship as a result of the
14 misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

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

19 **VI. CAUSES OF ACTION**

20 **COUNT I**

21 **ILLEGAL PROCUREMENT OF NATURALIZATION**
22 **FAILURE TO LAWFULLY OBTAIN PERMANENT RESIDENT STATUS**
23 **(FRAUDULENT MARRIAGE)**

24 59. The United States re-alleges and incorporates by reference the factual and legal
25 allegations contained in Sections II through V of this Complaint.

26 60. Defendant did not lawfully obtain his permanent resident status because his grant
27 of permanent resident status was based on a marriage to a U.S. citizen that was fraudulent and
28 not bona fide.

61. Defendant's grant of permanent resident status was based on his marriage to Devera, a U.S. citizen.

62. Defendant and Devera did not marry with the intent at the time they were married to establish a life together.

63. Defendant and Devera married to evade immigration laws.

64. Defendant and Devera married to obtain immigration benefits for Defendant to which he was not eligible to receive lawfully.

65. Defendant's marriage to Devera was, therefore, fraudulent and not bona fide.

66. Because Defendant's marriage to Devera was fraudulent and not bona fide, it could not provide the basis for a lawful adjustment to permanent resident status. *See* 8 U.S.C. §§ 1154(c), 1151(b)(2)(A)(i), 1154, 1255(a); *Bourfa*, 604 U.S. at 10.

67. Because Defendant had no lawful basis to adjust status to permanent resident, Defendant was not admitted to permanent resident status in compliance with the substantive legal requirements for that status.

68. Because Defendant was not lawfully admitted to permanent resident status, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(1).

69. Because he was ineligible to naturalize, Defendant illegally procured his citizenship.

70. Because Defendant illegally procured his citizenship, his citizenship must be revoked as provided for by 8 U.S.C. § 1451(a).

COUNT II

**ILLEGAL PROCUREMENT OF NATURALIZATION
FAILURE TO LAWFULLY OBTAIN PERMANENT RESIDENT STATUS
(INADMISSIBILITY DUE TO IMMIGRATION FRAUD)**

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

72. Defendant was inadmissible when he sought and procured his permanent resident status because he had sought his permanent resident status through fraud or willful

misrepresentation on his I-485, application to register permanent resident or adjust status. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

73. Defendant sought his permanent resident status through fraud or willful misrepresentation on his I-485 by claiming by seeking permanent resident status based on his marriage to Devera, who is a U.S. citizen. .

74. In fact, Defendant's marriage to Devera was fraudulent and not bona fide because at the time they were married, Defendant and Devera did not intend to establish a life together, and, instead, they married to evade immigration laws and to obtain immigration benefits for Defendant.

75. Because Defendant was inadmissible when he sought permanent resident status, Defendant was not lawfully admitted to permanent resident status. *See* 8 U.S.C. § 1255(a)(2).

76. Because Defendant was not lawfully admitted to permanent resident status, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(1).

77. Because he was ineligible to naturalize, Defendant illegally procured his citizenship.

78. Because Defendant illegally procured his citizenship, his citizenship must be revoked as provided for by 8 U.S.C. § 1451(a).

COUNT III

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

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

80. To be eligible for naturalization, Defendant was required to establish that he was a person of good moral character from October 15, 2007 (the date five years prior to his filing of his N-400 on October 15, 2012), until he became a U.S. citizen on January 24, 2013.

81. Defendant could not establish the requisite good moral character for naturalization because he gave false testimony, under oath, during his statutory period for good moral character. 8 U.S.C. § 1101(f)(6); 8 C.F.R. § 316.10(b)(2)(vi).

82. During his statutory period, Defendant testified under oath during his Naturalization Interview that he had never provided false or material information to an immigration official for a benefit, that he had married Devera and then separated because she was jealous, and that he had lived alone after the separation in 2008-2010.

83. Defendant later admitted, during an August 13, 2016 interview, that the marriage that was the basis of his immigrant visa that was subsequently the basis for his citizenship application was solely for immigration purposes. Likewise, he conceded that information provided in the visa application was false. Also, Devera confirmed that Defendant's real family was living with him when they separated in 2008.

84. Defendant's testimony that he had never misled any official for a benefit, that he and Devera separated because she was jealous, and that he lived alone after the separation was knowingly false, and he gave it for the purpose of obtaining an immigration benefit, namely naturalization.

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

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

87. Because he was ineligible to naturalize, Defendant illegally procured his citizenship.

88. Because Defendant illegally procured his citizenship, his citizenship must be revoked as provided for by 8 U.S.C. § 1451(a).

COUNT IV

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

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

1 90. As set forth above, throughout his naturalization process, including in his
2 Naturalization Application and during his naturalization interview, Defendant stated that he had
3 never given any U.S. Government official or officials any information or documentation that was
4 false, fraudulent, or misleading, when he had in fact engaged in marriage fraud.

5 91. Defendant's misrepresentations and concealment material to his naturalization
6 because the disclosure of his fraudulent marriage would have had a natural tendency to influence
7 USCIS's decision whether to approve Defendant's N-400 because those misrepresentations
8 related to statutory eligibility criteria for such benefit.

9 92. Had Defendant disclosed the truth about his fraudulent marriage, USCIS would
10 have discovered his statutory ineligibility for naturalization and could not have approved his N-
11 400 or administered the oath of allegiance to him.

12 93. Defendant thus procured his naturalization by willful misrepresentation and
13 concealment of material facts, and his citizenship must be revoked as provided for by e8 U.S.C.
14 § 1451(a).
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PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following:

- (1) A declaration that Defendant illegally procured his citizenship;
- (2) A declaration that Defendant procured his citizenship by concealment of a 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 order and certificate, January 24, 2013;
- (4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to U.S. citizenship that he obtained as a result of his naturalization;
- (5) Judgment requiring Defendant, within ten days of the entry of judgment against him, to surrender and deliver his naturalization certificate 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 his representative, including undersigned counsel;
- (6) Judgment requiring Defendant, within ten days of the entry of judgment against him, to surrender and deliver any other indicia of U.S. citizenship (including, but not limited to, U.S. passports and passport cards, Enhanced Driver's Licenses, 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 his representative, including undersigned counsel; and
- (7) Judgment granting the United States such other relief as may be lawful and proper in this case.

1 Dated: October 2, 2026

Respectfully submitted,

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4 U.S. Attorney
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