

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

CASE NO. 6:25-cv-1737

UNITED STATES OF AMERICA,

Plaintiff,

v.

**COMPLAINT TO REVOKE
NATURALIZATION**

FERNANDO ADRIAN MOIO BARTOLINI,
a/k/a Fernando Adrian Moio,
a/k/a Fernando Adrian Moio Bartollini,

Defendant.

PRELIMINARY STATEMENT OF THE CASE

The United States of America brings this civil action against Defendant Fernando Adrian Moio Bartolini, a/k/a Fernando Adrian Moio, a/k/a Fernando Adrian Moio Bartollini (“Defendant”) to revoke his naturalization under 8 U.S.C. § 1451(a). Defendant is a native of Argentina who used a fraudulent Cuban identity to adjust status and naturalize as a U.S. citizen.

Defendant was born in Argentina and entered the United States under the Visa Waiver Program for Argentinian citizens. Thereafter, Defendant purchased a fraudulent Cuban birth certificate, obtained a fraudulent Cuban passport, and applied for permanent resident status in the United States under the Cuban Adjustment Act, claiming that he was a native and citizen of Cuba. In his naturalization proceedings, Defendant continued the false assertion that he was born in Cuba, and he denied committing fraud to obtain any immigration benefit.

After Defendant illegally procured naturalization, he fraudulently obtained a U.S. passport, falsely stating on his passport application that he was born in Cuba. In 2013, Defendant was arrested and charged with false statement in application and use of a passport, in violation of 18 U.S.C. § 1542. When he pleaded guilty, Defendant admitted that he was born in Argentina and that he used the fraudulent Cuban documents to adjust status to permanent resident and, ultimately, to naturalize as a U.S. citizen.

Defendant therefore illegally procured his naturalization and, independently, procured his naturalization by willfully misrepresented and concealed material facts during his naturalization proceedings. As a result, the Court must revoke the order admitting Defendant to U.S. citizenship and cancel his certificate of naturalization pursuant to 8 U.S.C. § 1451(a).

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff is the United States of America.
2. Defendant is a native of Argentina and a naturalized U.S. citizen.
3. 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 Defendant's Certificate of Naturalization No. 32489275.
4. The court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 1345 for a cause of action under 8 U.S.C. § 1451(a).
5. Venue is proper in this District under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Defendant resides in Orange County, Florida, which is within the jurisdiction and venue of this Court.

FACTUAL ALLEGATIONS

6. The affidavit of Max Duarte, Immigration Officer for the United States Citizenship and Immigration Services (“USCIS”) assigned to the Fraud Detection and National Security Directorate, an agency with the U.S. Department of Homeland Security (“DHS”), showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

I. Defendant’s Adjustment of Status to Permanent Resident

7. Defendant was born in Argentina. Argentinian Birth Certificate with Certified English Translation, attached as Exhibit B.

8. On November 18, 2000, Defendant was admitted to the United States as a nonimmigrant visitor under the Visa Waiver Program under 8 U.S.C. § 1187(a) with authorization to stay in the United States for 90 days or less.

9. Defendant did not depart the United States before the 90-day deadline under 8 U.S.C. § 1187(a)(1).

10. On or about June 2, 2005, Defendant filed a Form I-485, Application to Register Permanent Resident or Adjust Status (“first Form I-485”), with U.S. Citizenship and Immigration Services (“USCIS”) seeking permanent resident status under the Cuban Adjustment Act. First Form I-485, attached as Exhibit C.

11. Part 1 of the first Form I-485 asked the applicant for his “Country of Birth,” and Defendant answered “CUBA.”

12. On or about May 9, 2005, Defendant signed his first Form I-485 under penalty of perjury, certifying that the application and the evidence submitted with it were all true and correct.

13. On April 20, 2006, a USCIS officer placed Defendant under oath and interviewed him on his first Form I-485.

14. The USCIS officer asked Defendant his country of birth, and Defendant answered orally under oath that he was born in Cuba.

15. On or about April 22, 2006, USCIS denied the first Form I-485, and on May 5, 2006, USCIS issued a decision indicating that it denied the first Form I-485 because Defendant failed to provide sufficient evidence of his alleged Cuban birth and nationality.

16. On or about October 29, 2006, Defendant filed another Form I-485, Application to Register Permanent Resident or Adjust Status (“second Form I-485”), with USCIS seeking permanent resident status under the Cuban Adjustment Act. Second Form I-485, attached as Exhibit D.

17. Defendant submitted a putative Cuban birth certificate and a putative Cuban passport in support of the second Form I-485, both indicating that he was born in Cuba.

18. Part 1 of the second Form I-485 asked the applicant his “Country of Birth,” and Defendant answered “CUBA.”

19. Part 1 of the second Form I-485 asked the applicant his “Country of Citizenship/Nationality,” and Defendant answered “CUBA.”

20. Question 10 of Part 3 of the second Form I-485 asked the applicant whether he was “under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States or any immigration benefit.”

21. Defendant checked the box “No” to answer Question 10 of Part 3 of his second Form I-485.

22. On or about October 11, 2006, Defendant signed his second Form I-485 under penalty of perjury, certifying that the application and the evidence submitted with it were all true and correct.

23. On July 30, 2007, a USCIS officer placed Defendant under oath and interviewed him on his second Form I-485.

24. The USCIS officer asked Defendant whether he, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States, or any other immigration benefit, and Defendant orally answered under oath that he had not, confirming his answer Question 10 of Part 3 of his second Form I-485.

25. On July 30, 2007, USCIS approved Defendant’s second Form I-485 granting him permanent resident status retroactive to April 29, 2004.

II. Defendant’s Naturalization

26. On or about June 15, 2009, Defendant filed a Form N-400, Application for Naturalization (“naturalization application”). Naturalization Application, attached as Exhibit E.

27. Question D of Part 3 of the naturalization application asked the applicant’s “Country of Birth.”

28. Defendant answered “CUBA” in response to Question D of Part 3 of his naturalization application.

29. Question E of Part 3 of the naturalization application asked the applicant's "Country of Nationality."

30. Defendant answered "CUBA" in response to Question E of Part 3 of his naturalization application.

31. Question 23 of Part 10, Section D of the naturalization application asked the applicant if he had "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."

32. Defendant checked the box "No" to answer Question 23 of Part 10, Section D of his naturalization application.

33. On or about April 24, 2009, Defendant signed his naturalization application under penalty of perjury certifying that the application and evidence submitted with it were all true and correct.

34. On September 21, 2009, a USCIS officer placed Defendant under oath and interviewed him on his eligibility for naturalization.

35. The USCIS officer asked Defendant whether he had 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, and Defendant answered orally under oath that he had not, confirming his "No" answer to Question 23 of Part 10, Section D of his naturalization application.

36. At the conclusion of the interview, Defendant signed the naturalization application, again attesting under penalty of perjury that the contents of the application, including the six corrections made during the interview, were true and correct.

37. At no point during the naturalization process did Defendant disclose that he was not a Cuban native or national.

38. At no point during the naturalization process did Defendant disclose that he gave false and misleading information to U.S. government officials while applying for adjustment of status.

39. On September 21, 2009, based on his written application and the oral testimony that he provided at his naturalization interview, USCIS approved Defendant's naturalization application.

40. On September 25, 2009, Defendant took the Oath of Allegiance to the United States and was admitted as a U.S. citizen.

41. On September 25, 2009, USCIS issued Certificate of Naturalization No. 32489275 to Defendant in the name of Fernando Adrian Moio Bartolini listing Cuba as his country of former nationality. Naturalization Certificate, attached as Exhibit F.

III. Defendant's Arrest and Prosecution for Passport Fraud

42. On or about June 12, 2013, Defendant arrived at the Miami International Airport aboard a flight from Medellín, Colombia.

43. A U.S. Customs and Border Protection ("CBP") officer interviewed Defendant at the Miami International Airport.

44. Defendant admitted in a sworn statement to CBP that:

- a. he was born in Buenos Aires, Argentina;
- b. he was never a Cuban citizen;
- c. neither his parents nor his grandparents were Cuban citizens;

- d. “around 2004” he purchased a Cuban birth certificate for “around \$5,000.00 [from] a Cuban Lady in Miami Lakes, Florida;” and
- e. he knew it was illegal to obtain United States residency status with fraudulent documents.

Form I-867A, Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act (June 13, 2013), attached as Exhibit G.

45. On or about June 27, 2013, Defendant was indicted by a grand jury convened by the United States District Court for the Southern District of Florida for one count of false statement in application and use of a passport, in violation of 18 U.S.C. § 1542. Indictment, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. June 28, 2013), ECF No. 7, attached as Exhibit H.

46. Defendant spelled his last name “Moio Bartollini” with two Ls on his U.S. passport application, which was the spelling that the U.S. Department of State used on his U.S. passport and the spelling that the United States Attorney’s Office used in the indictment.

47. On or about August 1, 2013, Defendant pleaded guilty to the sole count in the indictment. Change of Plea Minutes, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 1, 2013), ECF No. 15, attached as Exhibit I.

48. The Court, being satisfied there was a factual basis for the plea, accepted Defendant’s plea of guilty and found Defendant guilty as charged.

49. With his guilty plea, Defendant signed and submitted to the Court a factual proffer explaining how he came to the United States from Argentina, obtained a fraudulent Cuban birth certificate and passport, and used those fraudulent documents to obtain

permanent resident status and U.S. citizenship. Factual Proffer, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 1, 2013), ECF No. 17, attached as Exhibit J.

50. Defendant admitted in the Factual Proffer that:

- a. “he obtained a false Cuban birth certificate in 2004 by paying \$5000 to a Cuban lady in Miami Lakes;”
- b. “he used that [false Cuban] birth certificate to apply for U.S. residency (LPR status);” and
- c. “he falsely stated his birthplace as Cuba throughout the process of acquiring his naturalization and his U.S. passport.”

51. During the change of plea hearing, the court asked and Bartolini answered the following:

THE COURT: Do you understand that as a result of an adjudication in this matter, it may result in the loss of your status as a United States citizen and subsequent removal from the United States?

THE DEFENDANT: Yes. I understand.

Change of Plea Hr’g Tr. 12:16–20, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. May 15, 2025), ECF No. 24, attached as Exhibit K.

52. On August 23, 2013, Defendant was sentenced to time served and one year of supervised release for false statement in application and use of a passport, in violation of 18 U.S.C. § 1542. Judgment, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 23, 2013), ECF No. 23, attached as Exhibit L.

GOVERNING LAW

I. Statutory Prerequisites to the Acquisition of Citizenship through Naturalization

53. 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).

54. 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)).

55. Among other requirements, Congress mandated that an applicant for naturalization must demonstrate that he or she has been *lawfully* admitted to the United States for permanent residence and subsequently resided in this country for at least five years before the date of application. 8 U.S.C. §§ 1427(a)(1), 1429.

56. Congress also mandated that an individual may not naturalize unless that person “during all periods referred to in [8 U.S.C. § 1427(a)] has been and still is a person of good moral character.” 8 U.S.C. § 1427(a).

57. The required statutory period for good moral character begins five years before the date the applicant files the application for naturalization and continues until the applicant takes the Oath of Allegiance and becomes a U.S. citizen. 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(1).

58. Congress has explicitly precluded individuals who give false testimony during the statutory period for the purpose of obtaining immigration benefits from being able to establish the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

II. The Denaturalization Statute

59. 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.

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

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

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

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

63. 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.

CAUSES OF ACTION

COUNT I
ILLEGAL PROCUREMENT OF NATURALIZATION
(Not Lawfully Admitted for Permanent Residence)

64. Defendant was not qualified for naturalization because he was never lawfully admitted to the United States for permanent residence. *See* 8 U.S.C. §§ 1427(a)(1), 1429.

65. 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.” 8 U.S.C. § 1101(a)(20).

66. Defendant applied to adjust status as a permanent resident under the Cuban Adjustment Act by falsely claiming to be a native and citizen of Cuba.

67. Defendant was not qualified for permanent resident status under the Cuban Adjustment Act because he was not a citizen of Cuba, was not married to a Cuban national, and was not the child of Cuban nationals. Cuban Adjustment Act of 1966, Pub. L. No. 89-732, 80 Stat. 1161 (1966) (reproduced as a historical note to 8 U.S.C. § 1255).

68. Defendant also was not qualified for permanent resident status because he was inadmissible for seeking to procure adjustment by fraud or by willfully misrepresenting a material fact, namely that he represented that he was born in Cuba and that he had never given false or misleading information to any U.S. government official when applying for an immigration benefit. 8 U.S.C. § 1182(a)(6)(C)(i).

69. Because Defendant was not qualified for permanent resident status, he did not lawfully adjust status to permanent resident.

70. Because Defendant was not lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

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

COUNT II
ILLEGAL PROCUREMENT OF NATURALIZATION
(Lack of Good Moral Character – False Testimony)

72. Defendant was required to establish that he was a person of good moral character from June 15, 2004, five years before he filed his naturalization application, until the date he became a U.S. citizen on September 25, 2009 (the “statutory period”). 8 U.S.C. § 1427(a); 8 C.F.R. § 316.10(a)(1).

73. Defendant was statutorily barred from showing that he was a person of good moral character during the statutory period because he gave false testimony, under oath, on three different occasions for the purpose of obtaining immigration benefits. 8 U.S.C. § 1101(f)(6).

74. First, as alleged in Paragraphs 13 and 14, Defendant testified falsely for the purpose of obtaining an immigration benefit when he testified, under oath, during his April 20, 2006 interview on his first Form I-485 that he was born in Cuba.

75. Defendant’s testimony was false because he was born in Argentina, and not in Cuba.

76. Second, as alleged in Paragraphs 23 and 24, Defendant testified falsely for the purpose of obtaining an immigration benefit when he testified, under oath, during his July 30, 2007 interview on his second Form I-485, that he had never, by fraud or willful

misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States, or any other immigration benefit.

77. Defendant's testimony was false because he testified, under oath, during his April 20, 2006 interview on his first Form I-485, that he was born in Cuba when, in fact, he was born in Argentina.

78. The fact that he was not born in Argentina and not in Cuba was material because an applicant for adjustment under the Cuban Adjustment Act must be a native or citizen of Cuba, married to a Cuban national, or the child of a Cuban national.

79. Third, as alleged in Paragraphs 34 and 35, Defendant testified falsely for the purpose of obtaining an immigration benefit when he testified, under oath, during his September 21, 2009 interview on his naturalization application, that 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.

80. As alleged in Paragraphs 74 through 77, Defendant's testimony in his naturalization interview was false, because he provided false testimony during his April 20, 2006 interview on his first Form I-485 and during his July 30, 2007 interview on his second Form I-485.

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

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

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

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

84. Under 8 U.S.C. § 1451(a), this Court must revoke and set aside the order admitting Defendant to citizenship and cancel his Certificate of Naturalization because he procured his naturalization by concealment of a material fact or by willful misrepresentation.

85. As alleged in Paragraphs 27 to 30, during the naturalization process Defendant willfully misrepresented and concealed the fact that he was born in and was a native of Argentina, not Cuba.

86. As alleged in Paragraphs 31, 32, and 66, during the naturalization process Defendant willfully misrepresented and concealed that fact that he had given false or misleading information to U.S. government officials while applying for immigration benefits or to prevent deportation, exclusion, or removal, namely that he provided false information about his place of birth.

87. Defendant made the misrepresentations and concealments voluntarily and despite knowing that such representations were false and misleading. Accordingly, Defendant made these representations willfully.

88. At no point during the naturalization process did Defendant disclose that he was born in and was a native of Argentina, and not Cuba; or that he had given false or

misleading information to U.S. government officials while applying for immigration benefits or to prevent deportation, exclusion, or removal.

89. Defendant's misrepresentations and concealments were material to his naturalization application, because each would have had a natural tendency to influence USCIS's decision whether to approve his naturalization application. Indeed, if USCIS had known that Defendant was born in Argentina, his naturalization application would have been denied for failure to lawfully adjust status to permanent resident.

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

PRAYER FOR RELIEF

WHEREFORE, the United States of America respectfully requests:

- (1) A declaration that Defendant illegally procured his U.S. citizenship;
- (2) A declaration that Defendant procured his U.S. citizenship by concealment of material facts and by willful misrepresentation;
- (3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. 32489275, effective as of the original date of the order and certificate, September 25, 2009.
- (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 September 25, 2009 naturalization;
- (5) Judgment requiring the Defendant to surrender and deliver, within ten days of entry of Judgment, his Certificate of Naturalization, as well as any copies thereof in his

possession or control—and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others—to the Attorney General, or his representative, including the undersigned;

(6) Judgment requiring the Defendant to immediately surrender and deliver, within ten days of entry of Judgment, any other indicia of U.S. citizenship, including, but not limited to, U.S. passports (whether valid or expired), U.S. passport cards (whether valid or expired), and Enhanced Driver's Licenses (whether valid or expired), as well as any copies thereof in his possession or control—and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others—to the Attorney General, or her representative, including the undersigned; and

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

Dated: September 9, 2025

GREGORY W. KEHOE
United States Attorney
Middle District of Florida

Respectfully submitted,

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Assistant Attorney General
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General Litigation and Appeals Section
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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

CASE NO. 6:25-cv-1737

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO ADRIAN MOIO BARTOLINI,

a/k/a Fernando Adrian Moio,

a/k/a Fernando Adrian Moio Bartollini,

Defendant.

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

- A. Affidavit of Good Cause of Max Duarte, Immigration Officer, Fraud Detention and National Security Directorate, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Sept. 4, 2025)
- B. Argentinian Birth Certificate with Certified English Translation
- C. Form I-485, Application to Register Permanent Resident or Adjust Status (June 2, 2005)
- D. Form I-485, Application to Register Permanent Resident or Adjust Status (Oct. 29, 2006)
- E. Form N-400, Application for Naturalization (June 15, 2009)
- F. Certificate of Naturalization No. 32489275 (Sept. 25, 2009)
- G. Form I-867A, Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act (June 13, 2013)
- H. Indictment, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. June 28, 2013), ECF No. 7
- I. Change of Plea Minutes, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 1, 2013), ECF No. 15

- J. Factual Proffer, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 1, 2013), ECF No. 17
- K. Change of Plea Hr'g Tr., *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 1, 2013), ECF No. 24
- L. Judgment, *United States v. Bartollini*, No. 13-20475-CR-LENARD (S.D. Fla. Aug. 23, 2013), ECF No. 23

Exhibit A

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	AFFIDAVIT OF GOOD CAUSE
v.)	
)	
FERNANDO ADRIAN MOIO BARTOLINI,)	
Also known as Fernando Adrian Moio,)	
Fernando A. Moio, and)	
Fernando Adrian Moio Bartollini,)	
)	
Defendant.)	

I, Max Duarte, declare under penalty of perjury as follows:

I am an Immigration Officer (“IO”) for the United States Citizenship and Immigration Services (“USCIS”) assigned to the Fraud Detection and National Security Directorate, an agency with the U.S. Department of Homeland Security (“DHS”) and have been so employed since April 10, 2022. I am currently on detail to U.S. Immigration and Customs Enforcement’s Homeland Security Investigations (HSI) as a Task Force Officer, where I assist in investigations to combat immigration benefits fraud. In this capacity, I have access to the official records of DHS, including the immigration file of Fernando Adrian Moio Bartolini (“Bartolini”), Alien Registration Number A [REDACTED]-220. Bartolini also used the names of Fernando Adrian Moio and Fernando A. Moio in applications for adjustment of status and the name of Fernando Adrian Moio Bartollini on a fraudulent Cuban birth certificate and fraudulent Cuban passport.

I have examined records relating to Bartolini, including, but not limited to, his immigration file(s) (“A-File”). An A-File is the official file for all immigration and naturalization records created. Based upon my review of Bartolini’s records, I state, on

information and belief, that the information set forth in this Affidavit of Good Cause is true and correct.

I. Bartolini was granted U.S. citizenship on September 25, 2009.

1. Bartolini filed an application for an F-1 student visa with the United States Department of State in Buenos Aires, Argentina. He listed Argentina as his country of birth. That student visa application was denied on November 8, 2000.

2. On November 18, 2000, Bartolini was admitted to the United States as a nonimmigrant visitor under the Visa Waiver Program under section 217 of the Immigration and Nationality Act (“INA” or “Act”), with authorization to remain in the United States for 90 days or less, and overstayed.

3. On or about June 2, 2005, Bartolini applied for Permanent Resident status under the Cuban Adjustment Act,¹ by filing a Form I-485, Application to Register Permanent Resident or Adjust Status (“Form I-485”) with U.S. Citizenship and Immigration Service (“USCIS”) in Miami, Florida, claiming he was a native and citizen of Cuba. In this application he used the name of Fernando Adrian Moio.

4. USCIS denied the Form I-485 on May 5, 2006, for failure to provide sufficient evidence of his Cuban birth and nationality, either through an original birth certificate or a Cuban passport.

5. Bartolini purchased a fraudulent Cuban birth certificate in the name of Fernando Adrian Moio Bartollini for \$5000.

6. On August 1, 2006, Bartolini obtained a fraudulent Cuban passport (No. C909662) in the name of Fernando Adrian Moio Bartollini, with expiration date of July 31, 2012.

¹ Public law 89-732, enacted on November 2, 1966.

7. Bartolini then reapplied for permanent resident status under the Cuban Adjustment Act by filing a new Form I-485 with USCIS on or about October 29, 2006, in the name of Fernando A. Moio. In that application he claimed he was a native and citizen of Cuba and presented his newly-acquired, but fraudulent, Cuban passport and the fraudulent Cuban birth certificate, both in the name of Fernando Adrian Moio Bartollini, as supporting evidence.

8. Bartolini's application to adjust status was approved after a personal interview on July 30, 2007. His permanent resident status was retroactive as of April 29, 2004, making him eligible to apply for naturalization on or about April 29, 2009.

9. Bartolini filed an Application for Naturalization ("Form N-400"), with the USCIS in Miami, Florida on June 15, 2009. An attorney appearance form was filed on that date and accompanied Bartolini's application. Both Bartolini and the attorney signed the Form N-400 under penalty of perjury.

10. On September 21, 2009, USCIS Immigration Services Officer Sims interviewed Bartolini under oath, concerning the information provided on his Form N-400 to determine his eligibility for naturalization.

11. On September 21, 2009, based on his N-400 application and on his testimony at the naturalization interview, USCIS Officer Sims approved Bartolini's N-400 application for naturalization.

12. Bartolini was also provided a Form N-649, Certificate of Preparation Sheet and Oath Declaration, in which he signed an Oath of Allegiance to the United States and listed Cuba as his country of former nationality.

13. On September 25, 2009, Bartolini completed the questionnaire on a Form N-445, Notice of Naturalization Oath Ceremony.

14. On September 25, 2009, Bartolini took the oath of allegiance and was admitted as a citizen of the United States. He was issued a Certificate of Naturalization, number 32489275, in the name of Fernando Adrian Moio Bartollini, bearing Cuba as the country of his former nationality.

15. On September 25, 2009, Bartolini submitted a U.S. Passport Application to the Clerk of Court in Miami, Florida where he presented his Certificate of Naturalization as proof of citizenship. Bartolini swore under oath that the statements he made on his U.S. Passport Application were true.

16. On September 28, 2009, the National Passport Center issued Bartolini a U.S. Passport book bearing the number [REDACTED] 899 in the name of Fernando Adrian Moio Bartollini and listed his place of birth as Cuba.

17. On or about June 13, 2013, Bartolini arrived at the Miami International Airport from Colombia via American Airlines and presented his U.S. Passport, bearing number [REDACTED] 899, to a U.S. Customs and Border Protection (“CBP”) officer for examination.² Bartolini was directed to the secondary inspection area for further investigation of possible passport and citizenship fraud.

18. During the secondary examination, CBP Officer Medrano asked Bartolini where he was born, to which Bartolini responded, Buenos Aires, Argentina. Bartolini was asked of what country he is a citizen; he replied, “Argentina.” When CBP Officer Medrano asked Bartolini if he had ever been a Cuban citizen legally, Bartolini replied, “No.” He also stated that his parents and grandparents have never been Cuban citizens. Bartolini also stated under oath that he obtained a false Cuban birth certificate in 2004 for \$5000.

² Bartollini had presented his U.S. Passport bearing number [REDACTED] 899 at least on two additional occasions when seeking admission into the United States as a U.S. citizen: on October 25, 2009, and again on April 26, 2010.

19. Bartolini told CBP Officer Medrano that he used the Cuban birth certificate and Cuban passport to apply for Permanent Resident status. He then used his Permanent Resident status to apply for U.S. citizenship. After acquiring citizenship status on September 25, 2009, he applied for a U.S. passport which was issued on September 28, 2009. He falsely stated his birthplace as Cuba throughout the process of acquiring his Permanent Resident status, his naturalization, and his U.S. Passport.³

20. On June 13, 2013, Bartolini was arrested by CBP Enforcement Officer Cervantes and Miami HSI Special Agent Sklarsky. Bartolini provided a written statement post *Miranda* in which he admitted engaging in the fraudulent conduct.

21. On June 14, 2013, a criminal complaint was filed in the United States District Court for the Southern District of Florida charging Bartolini with One Count of False Statements in Application for Passport and Use of a Passport Fraudulently Obtained, in violation of 18 U.S.C. § 1542.

22. On June 27, 2013, Bartolini was subsequently indicted for violation of 18 U.S.C. § 1542. The charge carries a maximum term of imprisonment of up to ten years.

23. On August 23, 2013, Bartolini pled guilty to the charge and was sentenced to a term of imprisonment of time served, one year of supervised release, and monetary assessment of \$100. As part of the Special Conditions of Supervision, the Court ordered that Bartolini should surrender to the Department of Homeland Security for removal after imprisonment.

³ On his U.S. Passport Application, Bartollini stated under oath that his mother, Maria Angelica Bartollini, was born in Cuba. In the sworn statement Bartollini gave to the CBP officer on June 13, 2013, he stated that his mother, Maria Angelica Bartollini, was born in Argentina and her citizenship is Argentinian.

II. Bartolini illegally procured his naturalization.

24. To be eligible for naturalization, an applicant, 1) immediately preceding the date of filing his application for naturalization must have resided continuously, after being lawfully admitted for permanent residence, within the United States for at least five years, 2) has resided continuously within the United States from the date of the application up to the time of admission to citizenship, and 3) has been a person of good moral character for five years immediately preceding the filing of the application until the date on which he was admitted as a citizen of the United States (the “statutory period”). INA § 316(a) 8 U.S.C. § 1427(a).

A. Bartolini was not lawfully admitted as a permanent resident to the United States.

25. Bartolini was ineligible to naturalize because he was not lawfully admitted to the United States for permanent residence under the Cuban Adjustment Act.

26. Adjustment of status under the Cuban Adjustment Act is available to nationals of Cuba, and their non-Cuban spouses and children under special circumstances. The Cuban national must also be inspected and admitted or paroled into the United States and physically present in the United States for at least one year prior to filing their adjustment application.⁴

27. Bartolini presented a fraudulent Cuban birth certificate and a fraudulent Cuban passport in his name; however, he was a native and citizen of Argentina, and not Cuba. Therefore, Bartolini was ineligible to adjust his status under the Cuban Adjustment Act and should not have been granted Permanent Resident status because he was not a Cuban national, was not married to a Cuban national, and was not the child of Cuban nationals.

⁴ Some non-Cubans may be eligible to adjust status under the Cuban Adjustment Act if they reside with the Cuban spouse or parent. However, this scenario is not applicable in the instant case as Bartollini is not married to a Cuban national, and his parents are not Cuban nationals.

28. Moreover, under the law in effect, as today, an individual who by fraud or willfully misrepresenting a material fact seeks to procure (or had sought to procure or had procured) a visa, other documentation, admission into the United States, or other benefit under the INA was inadmissible. INA § 212(a)(6)(C)(i); 8 U.S.C. § 1182(a)(6)(C)(i).

29. Based on the information contained above, Bartolini willfully misrepresented material facts, specifically his nationality and country of birth, at the time he adjusted his status. Because he misrepresented material facts, he was inadmissible at the time of his adjustment and thus was not lawfully admitted for permanent resident status. Moreover, Bartolini was not lawfully admitted for permanent resident status at the time of his adjustment since he was not a national or citizen of Cuba, was not married to a Cuban national, or was not the child of Cuban nationals.

B. Bartolini committed unlawful acts that adversely reflected upon his moral character.

30. Bartolini was required to prove that he was a person of good moral character from June 15, 2004, five years before he filed his application for naturalization, until September 25, 2009, the date on which he was admitted as a citizen of the United States (the “statutory period”).

31. Under the law then in effect, an individual cannot establish good moral character if, during the statutory period, he commits unlawful acts that adversely reflect 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).

32. During the statutory period, Bartolini committed the following criminal offenses for which he was never charged: perjury, in violation of 18 U.S.C. § 1621(1); false swearing in an immigration matter, in violation of 18 U.S.C. § 1546(a); and false statements, in violation of 18 U.S.C. § 1001(a).

33. Bartolini could not have established that he was a person of good moral character because during the statutory period from April 24, 2004 to September 25, 2009, he committed the following unlawful acts that adversely reflected upon his moral character.

- a. On or about June 2, 2005, Bartolini applied for Permanent Resident status under the Cuban Adjustment Act, claiming he was a native and citizen of Cuba, when, in fact, he was not.
- b. On or about October 29, 2006, Bartolini reapplied for Permanent Resident status under the Cuban Adjustment Act, in which he claimed he was a native and citizen of Cuba and presented his fraudulently obtained Cuban passport and Cuban birth certificate.
- c. On April 24, 2009, Bartolini completed (or caused to be completed) the questions on the Form N-400 Application for Naturalization based on his fraudulently obtained Permanent Resident status and signed the Form N-400 and submitted it to the USCIS on or about June 15, 2009.

34. Based on the facts above and contained herein, during the statutory period, Bartolini committed unlawful acts that adversely reflected on his good moral character, and he could not establish extenuating circumstances; accordingly, he was not eligible for naturalization and illegally procured his citizenship.

C. Bartolini lacked good moral character during the statutory period because he gave false testimony to obtain an immigration benefit.

35. An applicant for naturalization shall be found to lack good moral character during the statutory period if he has given false testimony to obtain any benefit under the Immigration and Nationality Act. This applies to oral testimony or affirmative oral misrepresentations made under oath with the intent to obtain an immigration benefit. Under this provision, it is irrelevant whether the information provided in the false testimony was material, in the sense that if given truthfully it would have rendered the applicant ineligible for immigration benefits.

36. On April 20, 2006, during the statutory period, Bartolini was interviewed by USCIS Officer Bruno regarding his June 2, 2005, Application for Permanent Residence or Adjustment of Status. He was placed under oath and provided the following false statements:

a. He was applying for adjustment to permanent resident status because he was a native and citizen of Cuba.

b. He denied the question in Part 3, 1a, that he had ever knowingly committed a crime of moral turpitude for which he had not been arrested.

c. He denied the question in Part 3, 10, that he had ever by fraud or willful misrepresentation of a material fact, sought to procure, or procured, a visa or other documentation, entry into the U.S. or any immigration benefit.

37. On July 30, 2007, during the statutory period, Bartolini was interviewed under oath by USCIS Officer Hantzes regarding his October 29, 2006, Application for Permanent Residence or Adjustment of Status. He was placed under oath and testified to the following:

a. He was applying for permanent resident status under the Cuban Adjustment Act because he was a native and citizen of Cuba.

b. In response to the question in Part 3, 1a, he had never knowingly committed a crime of moral turpitude for which he had not been arrested.

c. In response to question in Part 3, 10, he had never by fraud or willful misrepresentation of a material fact, sought to procure, or procured, a visa or other documentation, entry into the U.S. or any immigration benefit.

38. On September 21, 2009, during the statutory period, Bartolini appeared for an interview regarding his application for naturalization.

39. At the beginning of the naturalization interview, Bartolini took an oath or affirmed that he would answer all questions truthfully.

40. During the course of the naturalization interview, and to determine his eligibility for naturalization, USCIS Officer Sims went over the answers that appeared on Bartolini's N-400 application. Under oath and under penalty of perjury under the laws of the United States, Bartolini provided the following false statements:

a. He had never given false or misleading information to any U.S. government official while applying for any immigration benefit.

b. His nationality is Cuban.

c. He had never lied to any U.S. Government official to gain entry or admission into the United States.

41. Because Bartolini provided false testimony during the naturalization interview and throughout the statutory period to obtain permanent resident status and ultimately naturalize, he could not establish that he was a person of good moral character.

III. Bartolini procured his naturalization by willful misrepresentation and concealment of material facts.

42. Bartolini willfully misrepresented and concealed his true nationality during the naturalization proceedings.

43. On or about April 24, 2009, Bartolini completed (or caused to be completed) the questions on the Form N-400 Application for Naturalization and signed the Form N-400 and submitted it to the USCIS on or about June 15, 2009.

44. In response to Question 23, Bartolini checked the “No” box representing that he had not given false or misleading testimony while applying for any immigration benefit.

45. In response to Question 15, Bartolini checked the “No” box representing that he had not committed any crime or offense for which he had not been arrested.

46. Bartolini signed his Form N-400 on September 21, 2009, thereby certifying, under penalty of perjury, that all the information contained on the Form N-400 was true and correct.

47. During the naturalization interview, to adjudge his eligibility for naturalization, USCIS Officer Sims asked Bartolini whether he had ever given false or misleading information to any U.S. government official while applying for any immigration benefit.

48. In response to this question, Bartolini testified under oath that he never gave false or misleading information to any U.S. government official while applying for any immigration benefit.

49. This representation was false. Bartolini's true nationality was material to determining his eligibility to naturalize because it would have influenced USCIS's decision whether to approve his application for naturalization. In fact, if Bartolini had answered truthfully the questions regarding his true nationality, it would have indicated that he obtained his permanent resident status by fraud and would have further precluded him from establishing good moral character.

50. At the end of his interview, Bartolini signed his naturalization application without changing his responses. Therefore, Bartolini procured his naturalization by misrepresenting and concealing his true nationality.

51. Based on the facts outlined in the foregoing paragraphs, good cause exists to institute proceedings pursuant to INA § 340(a) 8 U.S.C. § 1451(a), to revoke Bartolini's citizenship, and to cancel his certificate of naturalization.

52. Bartolini's last known address is 5425 Walsh Pond Court, Windermere, Florida, 34786.

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
September 4, 2025.



Max Duarte
Immigration Officer
Department of Homeland Security
United States Citizenship and Immigration Services
Fraud, Detection and National Security
Homeland Security Investigations (HSI)
Miami, Florida

Exhibit B

MINISTERIO DE DEFENSA DE CONSUMIDORES Y JUSTICIA
DIRECCION DEL REGISTRO DE LAS PERSONAS
DE LA PROVINCIA DE BUENOS AIRES

PARTIDA EXENTA DE SELLADO

CERTIFICO que la presente es copia del acta original labrada en el Libro respectivo del Departamento de Archivo General de Protocolos del Registro de las Personas de la Provincia de Buenos Aires. Se expide la misma en papel simple y al solo efecto de ser presentada para los siguientes trámites: a) Para obtener Documento Nacional de Identidad; b) Para promover demanda por accidente de trabajo; c) Para tramitar jubilaciones y pensiones; d) Para inscripción escolar; e) Para trabajadores del Estado comprendidos en los beneficios del salario familiar; f) Para adopciones; g) Para tenencia de hijos; h) Para trasladar cadáveres y restos.
DE ACUERDO A LO DISPUESTO POR EL ART. 291 AP. 4) DE LA LEY 13.731 (CÓDIGO FISCAL).

19 MAY 2013

En el presente documento se encuentran cumplimentados todos los trámites de legalización en la Provincia de Buenos Aires (Ley 8946).



Lic. Miguel A. Mosquera
Jefe Interino Dpto. Archivo
Gral. De Protocolos
Disp. 1653/12

88

J. Ludovico

ACTA Nº 349 TA. En Wilems Partido Wilems

provincia de Buenos Aires, a 26 de setiembre /19 77 Ante mí Alfredo

Delegado, don Gabriel Ernesto MOI'O

C.I. Nº 8529602 Domiciliado J. Prohino 652, Wilems

DECLARA: Que el día mes año mil
novecientos setenta y cinco hora 12,45 lugar Prohino 652, Wilems

NACIO una criatura del sexo masculino constatada por lo doctor
Elijo Buzon recibió el nombre de Fernando Adrian

APELLIDO MOI'O su padre el declarante

C.I. Nº su madre Maria Au

Felice BERTOLINI C.I. Nº 3998925

L. Sanitaria Nº 520849 Ficha identificadora Nº 2443149

Leída esta acta, la firman conmigo

Gabriel Moio

[handwritten text is indicated in italics]

MINISTRY OF THE [CABINET CHIEF OF MINISTERS]
OFFICE OF THE CIVIL REGISTRY
OF THE PROVINCE OF BUENOS AIRES

CERTIFICATE EXEMPT FROM STAMP DUTY

I CERTIFY that this is a copy of the original record drawn up in the respective Book of the General Protocol Archive Department of the Civil Registry of the Province of Buenos Aires. It is issued on plain paper and solely for the purpose of being submitted for the following procedures: a) To obtain a National Identity Document; b) To file a claim for a work accident; c) To process retirements and pensions; d) For school enrollment; e) For State workers included in the family salary benefits; f) For adoptions; g) For child custody; h) To transport bodies and remains.

IN ACCORDANCE WITH THE PROVISIONS OF ART. 291 SEC. 4) OF LAW 13.731 (TAX CODE).

[stamp:] 09 MAY 2013

All legalization procedures in the Province of Buenos Aires are fulfilled in this document (Law 8946).

[stamp:]
PROVINCE OF BUENOS AIRES
ISSUANCE AND CERTIFICATIONS DIVISION
PROVINCIAL DIRECTORATE OF THE CIVIL REGISTRY

[signature]
[stamp:] Miguel A. Mosquera
Interim Head of the Archive Department
General Protocols
Provision 1653/12

[illegible] MOIO
[Fernando A.]

[illegible] 88

RECORD No. 349-[IA]. In [Quilmes], District of [Quilmes],
Province of Buenos Aires, on February 26, 1975. Before me, [illegible]

Delegate, Mr. Gabriel Ernesto Moio
ID No. 8529607 Domiciled at [J. Molinas 652] [illegible]
DECLARES: That on the [redacted] day of [redacted], year
nineteen seventy-five, at 9:45 p.m., at [illegible] 128, [Quilmes],
A child of male sex WAS BORN, verified by Dr.
[illegible], and was given the name Fernando Adrian

LAST NAME: Moio father: the declarant
ID No.: _____ mother: [illegible]
Felice BERTOLINI ID No. 3PP8P25
Health Record No. 59084P Identification File No. 2443P14P
Having read this record, they sign with me: [signature]

[signature]

[signature]

CERTIFICATION

I, Meredith Veto, hereby certify that I am competent to translate from Spanish to English and that the attached translation is, to the best of my knowledge and belief, a true and accurate translation.

- Birth Certificate of Fernando Adrian Moio

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Meredith Veto
PRINTED LINGUIST NAME


LINGUIST SIGNATURE

June 9, 2025
Date:

Exhibit C

JUN 02 2005
OMB No. 4120-0045

U.S. Department of Justice
Immigration and Naturalization Service

**Form I-485, Application to Register
Permanent Resident or Adjust Status**

START HERE - Please Type or Print

Part 1. Information About You.

Family Name MOIO	Given Name FERNANDO	Middle Initial A. <i>David</i>
Address - C/O [REDACTED]		
Street Number and Name [REDACTED]	Apt. # 11	
City MIAMI <i>Doral, FL</i>		
State FLORIDA	Zip Code 33166 <i>33178</i>	
Date of Birth (month/day/year) [REDACTED]/1975	Country of Birth CUBA <i>La Vieda</i>	
Social Security # NONE [REDACTED] <i>5853</i>	A # (if any) NONE [REDACTED] <i>220</i>	
Date of Last Arrival (month/day/year) 11/18/2000	I-94 # 998815254 07	
Current INS Status OVERSTAY VISITOR	Expires on (month/day/year) 02/17/01	

FOR INS USE ONLY	
Returned	Receipt
Resubmitted	MSC-05-258-30839 06/02/2005 I-485 2005 JUN 15 PM 9:29
Reloc Sent	
Reloc Rec'd	
Applicant Initials <i>A. Bruno</i>	
Section of Law <input type="checkbox"/> Sec. 209(b), INA <input type="checkbox"/> Sec. 13, Act of 9/11/57 <input type="checkbox"/> Sec. 245, INA <input type="checkbox"/> Sec. 249, INA <input type="checkbox"/> Sec. 2 Act of 11/2/66 <input type="checkbox"/> Sec. 2 Act of 11/2/66 <input type="checkbox"/> Other	
Country Chargeable	
Eligibility Under Sec. 245 Approved Visa Petition Dependent of Principal Alien Special Immigrant Other	
Preference Action Block DENIED U.S. APR 22 2006 001009 Department of Homeland Security Citizenship and Immigration Services	

Part 2. Application Type. (check one)

I am applying for an adjustment to permanent resident status because:

- a. an immigrant petition giving me an immediately available immigrant visa number has been approved. (Attach a copy of the approval notice-- or a relative, special immigrant juvenile or special immigrant military visa petition filed with this application that will give you an immediately available visa number, if approved.)
- b. my spouse or parent applied for adjustment of status or was granted lawful permanent residence in an immigrant visa category that allows derivative status for spouses and children.
- c. I entered as a K-1 fiance(e) of a U.S. citizen whom I married within 90 days of entry, or I am the K-2 child of such a fiance(e). [Attach a copy of the fiance(e) petition approval notice and the marriage certificate.]
- d. I was granted asylum or derivative asylum status as the spouse or child of a person granted asylum and am eligible for adjustment.
- e. I am a native or citizen of Cuba admitted or paroled into the U.S. after January 1, 1959, and thereafter have been physically present in the U.S. for at least one year.
- f. I am the husband, wife or minor unmarried child of a Cuban described in (e) and am residing with that person, and was admitted or paroled into the U.S. after January 1, 1959, and thereafter have been physically present in the U.S. for at least one year.
- g. I have continuously resided in the U.S. since before January 1, 1972.
- h. Other basis of eligibility. Explain. (If additional space is needed, use a separate piece of paper.)

I am already a permanent resident and am applying to have the date I was granted permanent residence adjusted to the date I originally arrived in the U.S. as a nonimmigrant or parolee, or as of May 2, 1964, whichever date is later, and: (Check one)

- i. I am a native or citizen of Cuba and meet the description in (e), above.
- j. I am the husband, wife or minor unmarried child of a Cuban, and meet the description in (f), above.

To be Completed by
Attorney or Representative, if any

Fill in box if G-28 is attached to represent the applicant.

VOLAG #

ATTY State License #

Part 3. Processing Information.

A. City/Town/Village of Birth SAGUA LA GRANDE	Current Occupation SELF EMPLOYED
Your Mother's First Name MARIA	Your Father's First Name GABRIEL

Give your name exactly how it appears on your Arrival /Departure Record (Form 1-94)
FERNANDO MOIO

Place of Last Entry Into the U.S. (City/State) MIAMI, FLORIDA	In what status did you last enter? (Visitor, student, exchange alien, crewman, temporary worker, without inspection, etc.) VISITOR
Were you inspected by a U.S. Immigration Officer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Nonimmigrant Visa Number N/A	Consulate Where Visa Was Issued N/A
Date Visa Was Issued (month/day/year) N/A	Sex: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
	Marital Status <input checked="" type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed

Have you ever before applied for permanent resident status in the U.S.? No Yes If you checked "Yes," give date and place of filing and final disposition.

B. List your present husband/wife and all your sons and daughters. (If you have none, write "none." If additional space is needed, use a separate piece of paper.)

Family Name FUSCO	Given Name MARINA	Middle Initial	Date of Birth (month/day/year) [REDACTED]/76
Country of Birth ARGENTINA	Relationship WUIFE	A # NONE	Applying with You? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Family Name M [REDACTED]	Given Name L [REDACTED]	Middle Initial	Date of Birth (month/day/year) [REDACTED]/05
Country of Birth USA	Relationship DAUGHTER	A # NONE	Applying with You? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of Birth	Relationship	A #	Applying with You? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of Birth	Relationship	A #	Applying with You? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (month/day/year)
Country of Birth	Relationship	A #	Applying with You? <input type="checkbox"/> Yes <input type="checkbox"/> No

C. List your present and past membership in or affiliation with every political organization, association, fund, foundation, party, club, society or similar group in the United States or in other places since your 16th birthday. Include any foreign military service in this part. If none, write "none." Include the name(s) of the organization(s), location(s), dates of membership from and to, and the nature of the organization (s). If additional space is needed, use a separate piece of paper.

NONE

Part 3. Processing Information. (Continued)

Please answer the following questions. (If your answer is "Yes" to any one of these questions, explain on a separate piece of paper. Answering "Yes" does not necessarily mean that you are not entitled to adjust your status or register for permanent residence.)

1. Have you ever, in or outside the U. S.:
 - a. knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested? Yes No
 - b. been arrested, cited, charged, indicted, fined or imprisoned for breaking or violating any law or ordinance, excluding traffic violations? Yes No
 - c. been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action? Yes No
 - d. exercised diplomatic immunity to avoid prosecution for a criminal offense in the U. S.? Yes No

2. Have you received public assistance in the U.S. from any source, including the U.S. government or any state, county, city or municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? Yes No

3. Have you ever:
 - a. within the past ten years been a prostitute or procured anyone for prostitution, or intend to engage in such activities in the future? Yes No
 - b. engaged in any unlawful commercialized vice, including, but not limited to, illegal gambling? Yes No
 - c. knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the U.S. illegally? Yes No
 - d. illicitly trafficked in any controlled substance, or knowingly assisted, abetted or colluded in the illicit trafficking of any controlled substance? Yes No

4. Have you ever engaged in, conspired to engage in, or do you intend to engage in, or have you ever solicited membership or funds for, or have you through any means ever assisted or provided any type of material support to, any person or organization that has ever engaged or conspired to engage, in sabotage, kidnapping, political assassination, hijacking or any other form of terrorist activity? Yes No

5. Do you intend to engage in the U.S. in:
 - a. espionage? Yes No
 - b. any activity a purpose of which is opposition to, or the control or overthrow of, the government of the United States, by force, violence or other unlawful means? Yes No
 - c. any activity to violate or evade any law prohibiting the export from the United States of goods, technology or sensitive information? Yes No

6. Have you ever been a member of, or in any way affiliated with, the Communist Party or any other totalitarian party? Yes No

7. Did you, during the period from March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever order, incite, assist or otherwise participate in the persecution of any person because of race, religion, national origin or political opinion? Yes No

8. Have you ever engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin or political opinion? Yes No

9. Have you ever been deported from the U.S., or removed from the U.S. at government expense, excluded within the past year, or are you now in exclusion or deportation proceedings? Yes No

10. Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, 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 immigration benefit? Yes No

11. Have you ever left the U.S. to avoid being drafted into the U.S. Armed Forces? Yes No

12. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and not yet complied with that requirement or obtained a waiver? Yes No

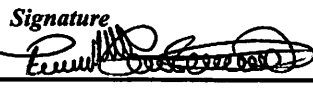
13. Are you now withholding custody of a U.S. citizen child outside the U.S. from a person granted custody of the child? Yes No

14. Do you plan to practice polygamy in the U.S.? Yes No

Part 4. Signature. *(Read the information on penalties in the instructions before completing this section. You must file this application while in the United States.)*

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it is all true and correct. I authorize the release of any information from my records which the INS needs to determine eligibility for the benefit I am seeking.

Selective Service Registration. The following applies to you if you are a man at least 18 years old, but not yet 26 years old, who is required to register with the Selective Service System: I understand that my filing this adjustment of status application with the Immigration and Naturalization Service authorizes the INS to provide certain registration information to the Selective Service System in accordance with the Military Selective Service Act. Upon INS acceptance of my application, I authorize INS to transmit to the Selective Service System my name, current address, Social Security number, date of birth and the date I filed the application for the purpose of recording my Selective Service registration as of the filing date. If, however, the INS does not accept my application, I further understand that, if so required, I am responsible for registering with the Selective Service by other means, provided I have not yet reached age 26.

<i>Signature</i>	<i>Print Your Name</i>	<i>Date</i>	<i>Daytime Phone Number</i>
	FERNANDO A. MOIO	05/09/05	(786) 325-0022

Please Note: *If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested benefit and this application may be denied.*

Part 5. Signature of Person Preparing Form, If Other Than Above. (Sign Below)

I declare that I prepared this application at the request of the above person and it is based on all information of which I have knowledge.


<i>Signature</i>	<i>Print Your Name</i>	<i>Date</i>	<i>Daytime Phone Number</i>
	ERLING UMANA	05/09/05	(305) 221-3477
<i>Firm Name and Address</i> 11321 WEST FLAGLER STREET MIAMI, FLORIDA 33174			

Exhibit D

Department of Homeland Security
U.S. Citizenship and Immigration Services

OCT 29 2006

OMB No. 1615-0023; Expires 09/30/08
185, Application to Register
Permanent Residence or Adjust Status

START HERE - Please type or print in black ink.

FOR USCIS USE ONLY

Part 1. Information about you.

Family Name MOIO		Given Name FERNANDO	Middle Name A.
Address - C/O [REDACTED]			
Street Number and Name [REDACTED]		Apt. # [REDACTED]	
City MIAMI			
State FL		Zip Code 33178	
Date of Birth (mm/dd/yyyy) [REDACTED]-1975	Country of Birth: CUBA		
Country of Citizenship/Nationality: CUBA			
U.S. Social Security # [REDACTED] 5853		A # (if any) [REDACTED] 220	
Date of Last Arrival (mm/dd/yyyy) 11-18-2000		I-94 # 99881525407	
Current USCIS Status WT		Expires on (mm/dd/yyyy) 02-17-2001	

Returned	Receipt
Resubmitted	MSC-07-031-18714 10/29/2006
Reloc Sent	1-485
Reloc Rec'd	
<input type="checkbox"/> Applicant Interviewed	

Part 2. Application Type. (check one)

I am applying for an adjustment to permanent resident status because:

- a. an immigrant petition giving me an immediately available immigrant visa number has been approved. (Attach a copy of the approval notice, or a relative, special immigrant juvenile or special immigrant military visa petition filed with this application that will give you an immediately available visa number, if approved.)
- b. my spouse or parent applied for adjustment of status or was granted lawful permanent residence in an immigrant visa category that allows derivative status for spouses and children.
- c. I entered as a K-1 fiancé(e) of a United States citizen whom I married within 90 days of entry, or I am the K-2 child of such a fiancé(e). (Attach a copy of the fiancé(e) petition approval notice and the marriage certificate).
- d. I was granted asylum or derivative asylum status as the spouse or child of a person granted asylum and am eligible for adjustment.
- e. I am a native or citizen of Cuba admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least one year.
- f. I am the husband, wife or minor unmarried child of a Cuban described above in (e) and am residing with that person, and was admitted or paroled into the United States after January 1959, and thereafter have been physically present in the United States for at least one year.
- g. I have continuously resided in the United States since before January 1, 1972. *we never*
- h. Other basis of eligibility. Explain. (If additional space is needed, use a separate piece of paper.)

July 30 2007 HANTRES

Section of Law

- Sec. 209(b), INA
- Sec. 13, Act of 9/11/57
- Sec. 245, INA
- Sec. 249, INA
- Sec. 2 Act of 11/2/66
- Sec. 2 Act of 11/2/66
- Other

Country Chargeable

Eligibility Under Sec. 245

- Approved Visa Petition
- Dependent of Principal Alien
- Special Immigrant
- Other



I am already a permanent resident and am applying to have the date I was granted permanent residence adjusted to the date I originally arrived in the United States as a nonimmigrant or parolee, or as of May 2, 1964, whichever date is later, and: (Check one)

- i. I am a native or citizen of Cuba and meet the description in (e), above.
- j. I am the husband, wife or minor unmarried child of a Cuban, and meet the description in (f), above.

To Be Completed by Attorney or Representative, if any

Fill in box if G-28 is attached to represent the applicant

VOLAG#

ATTY State License #

Part 3. Processing Information

A. City/Town/Village of Birth VILLA CLARA	Current Occupation
Your Mother's First Name MARIA	Your Father's First name GABRIEL

Give your name exactly how it appears on your Arrival /Departure Record (Form I-94)

FERNANDO MOIO

Place of Last Entry Into the United States (City/State) MIAMI	In what status did you last enter? (Visitor, Student, exchange alien, crewman, temporary worker, without inspection, etc.) WT
Were you inspected by a U.S. Immigration Officer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Consulate Where Visa Was Issued N/A
Nonimmigrant Visa Number N/A	Marital Status: <input checked="" type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed
Date Visa was Issued (mm/dd/yyyy) N/A	Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female

Have you ever before applied for permanent resident status in the U.S.? No Yes If you checked "Yes," give date and place of filing and final disposition.
2005 DENIED

B. List your present husband/wife, all your sons and daughters (if you have none, write "none". If additional space is needed, use separate paper).

Family Name FUSCO	Given Name MARINA /	Middle	Date of Birth (mm/dd/yyyy) 1976
Country of Birth ARGENTINA	Relationship WIFE	A # 096 541 221	Applying with you? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Family Name M	Given Name L /	Middle	Date of Birth (mm/dd/yyyy) 2005
Country of Birth USA	Relationship DAUGHTER	A # U.S CITIZEN	Applying with you? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family Name	Given Name	Middle	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No

C. List your present and past membership in or affiliation with every political organization, association, fund, foundation, party, club, society or similar group in the United States or in other places since your 16th birthday. Include any foreign military service in this part. If none, write "none." Include the name(s) of organization(s), location(s), dates of membership from and to, and the nature of the organization(s). If additional space is needed, use a separate piece of paper.

NONE

Part 3. Processing Information. (Continued)

Please answer the following questions. (If your answer is "Yes" on any one of these questions, explain on a separate piece of paper and refer to "What Are the General Filing Instructions? Initial Evidence" to determine what documentation to include with your application. Answering "Yes" does not necessarily mean that you are not entitled to adjust status or register for permanent residence.)

1. Have you ever, in or outside the United States:
 - a. knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested? Yes No
 - b. been arrested, cited, charged, indicted, fined or imprisoned for breaking or violating any law or ordinance, excluding traffic violations? Yes No
 - c. been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action? Yes No
 - d. exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States? Yes No
2. Have you received public assistance in the United States from any source, including the United States government or any state, county, city or municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? Yes No
3. Have you ever:
 - a. within the past ten years been a prostitute or procured anyone for prostitution, or intend to engage in such activities in the future? Yes No
 - b. engaged in any unlawful commercialized vice, including, but not limited to, illegal gambling? Yes No
 - c. knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the United States illegally? Yes No
 - d. illicitly trafficked in any controlled substance, or knowingly assisted, abetted or colluded in the illicit trafficking of any controlled substance? Yes No
4. Have you ever engaged in, conspired to engage in, or do you intend to engage in, or have you ever solicited membership or funds for, or have you through any means ever assisted or provided any type of material support to any person or organization that has ever engaged or conspired to engage in sabotage, kidnapping, political assassination, hijacking or any other form of terrorist activity? Yes No
5. Do you intend to engage in the United States in:
 - a. espionage? Yes No
 - b. any activity a purpose of which is opposition to, or the control or overthrow of, the government of the United States, by force, violence or other unlawful means? Yes No
 - c. any activity to violate or evade any law prohibiting the export from the United States of goods, technology or sensitive information? Yes No
6. Have you ever been a member of, or in any way affiliated with, the Communist Party or any other totalitarian party? Yes No
7. Did you, during the period from March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever order, incite, assist or otherwise participate in the persecution of any person because of race, religion, national origin or political opinion? Yes No
8. Have you ever engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin, or political opinion? Yes No
9. Have you ever been deported from the United States, or removed from the United States at government expense, excluded within the past year, or are you now in exclusion, deportation, removal or rescission proceedings? Yes No
10. Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States or any immigration benefit? Yes No
11. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? Yes No
12. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and have not yet complied with that requirement or obtained a waiver? Yes No
13. Are you now withholding custody of a U.S. citizen child outside the United States from a person granted custody of the child? Yes No
14. Do you plan to practice polygamy in the United States? Yes No

Part 4. Signature. (Read the information on penalties in the instructions before completing this section. You must file this application while in the United States.)

Your registration with U.S. Citizenship and Immigration Services.

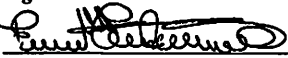
"I understand and acknowledge that, under section 262 of the Immigration and Nationality Act (Act), as an alien who has been or will be in the United States for more than 30 days, I am required to register with U.S. Citizenship and Immigration Services. I understand and acknowledge that, under section 265 of the Act, I am required to provide USCIS with my current address and written notice of any change of address within ten days of the change. I understand and acknowledge that USCIS will use the most recent address that I provide to USCIS, on any form containing these acknowledgements, for all purposes, including the service of a Notice to Appear should it be necessary for USCIS to initiate removal proceedings against me. I understand and acknowledge that if I change my address without providing written notice to USCIS, I will be held responsible for any communications sent to me at the most recent address that I provided to USCIS. I further understand and acknowledge that, if removal proceedings are initiated against me and I fail to attend any hearing, including an initial hearing based on service of the Notice to Appear at the most recent address that I provided to USCIS or as otherwise provided by law, I may be ordered removed in my absence, arrested and removed from the United States."

Selective Service Registration.

The following applies to you if you are a male at least 18 years old, but not yet 26 years old, who is required to register with the Selective Service System: "I understand that my filing this adjustment of status application with U.S. Citizenship and Immigration Services authorizes USCIS to provide certain registration information to the Selective Service System in accordance with the Military Selective Service Act. Upon USCIS acceptance of my application, I authorize USCIS to transmit to the Selective Service System my name, current address, Social Security Number, date of birth and the date I filed the application for the purpose of recording my Selective Service registration as of the filing date. If, however, USCIS does not accept my application, I further understand that, if so required, I am responsible for registering with the Selective Service by other means, provided I have not yet reached age 26."

Applicant's Certification.

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it is all true and correct. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

<i>Signature</i>	<i>Print Your Name</i>	<i>Date</i>	<i>Daytime Phone Number</i>
	FERNANDO A. MOIO	10-11-2006	305 965-9550

NOTE: If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested document and this application may be denied.

Part 5. Signature of person preparing form if other than above. (Sign below)

I declare that I prepared this application at the request of the above person and it is based on all information of which I have knowledge.

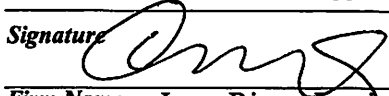
<i>Signature</i>	<i>Print Your Name</i>	<i>Date</i>	<i>Phone Number</i>
	AIMEE ECHEGOYEN	10-11-2006	(Include Area Code) 305 443-3900
<i>Firm Name and Address</i>	Jorge Rivera Immigration Law Office 3030 3030 Coral Way Miami, FL 33145		<i>E-mail Address (if any)</i>

Exhibit E

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0052; Expires 12/31/09

**N-400 Application
for Naturalization**

Print clearly or type your answers using CAPITAL letters. Failure to print clearly may delay your application. Use black ink.

Part 1. Your Name (Person applying for naturalization)

Write your USCIS A-Number here:
A XXXXXXXXXX220

A. Your current legal name.

For USCIS Use Only

Family Name (Last Name)

Bar Code

Date Stamp

MOIO BARTOLINI

Given Name (First Name)

Full Middle Name (If applicable)

FERNANDO

ADRIAN

B. Your name exactly as it appears on your Permanent Resident Card.

Family Name (Last Name)

MOIO

Given Name (First Name)

Full Middle Name (If applicable)

FERNANDO

A.

C. If you have ever used other names, provide them below.

Family Name (Last Name)

Given Name (First Name)

Middle Name

NONE

D. Name change (optional)

Read the instructions before you decide whether to change your name.

1. Would you like to legally change your name? Yes No

2. If "Yes," print the new name you would like to use. Do not use initials or abbreviations when writing your new name.

Family Name (Last Name)

Given Name (First Name)

Full Middle Name

Part 2. Information About Your Eligibility (Check only one)

I am at least 18 years old AND

A. I have been a lawful permanent resident of the United States for at least five years.

B. I have been a lawful permanent resident of the United States for at least three years, and I have been married to and living with the same U.S. citizen for the last three years, and my spouse has been a U.S. citizen for the last three years.

C. I am applying on the basis of qualifying military service.

D. Other (Explain) _____

NBC*000306223

Remarks

Action Block



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Part 3 Information About You

Write your USCIS A-Number here:
A [redacted] 220

A. U.S. Social Security Number [redacted] 5853
B. Date of Birth (mm/dd/yyyy) [redacted] 1975
C. Date You Became a Permanent Resident (mm/dd/yyyy) 04/29/2004

D. Country of Birth CUBA
E. Country of Nationality CUBA

F. Are either of your parents U.S. citizens? (If yes, see instructions) Yes No
G. What is your current marital status? Single, Never Married Married Divorced Widowed
 Marriage Annulled or Other (Explain) _____

H. Are you requesting a waiver of the English and/or U.S. History and Government requirements based on a disability or impairment and attaching Form N-648 with your application? Yes No

I. Are you requesting an accommodation to the naturalization process because of a disability or impairment? (See instructions for some examples of accommodations.) Yes No

If you answered "Yes," check the box below that applies:

- I am deaf or hearing impaired and need a sign language interpreter who uses the following language: _____
- I use a wheelchair.
- I am blind or sight impaired.
- I will need another type of accommodation. Explain: _____

Part 4 Addresses and Telephone Numbers

A. Home Address - Street Number and Name (Do not write a P.O. Box in this space.) [redacted] Apartment Number [redacted]
City: Doral County: Miami-Dade State: Florida ZIP Code: 33178 Country: USA

B. Care of Mailing Address - Street Number and Name (If different from home address) FERNANDO MOIO SAME AS ABOVE Apartment Number [redacted]
City: [redacted] State: [redacted] ZIP Code: [redacted] Country: [redacted]

C. Daytime Phone Number (If any) (786) [redacted] Evening Phone Number (If any) (786) [redacted] E-Mail Address (If any) [redacted]

2009162088888 2900197 007970 23 E230762 061509 12:09 061509 N400CIU-29902E

Part 5. Information for Criminal Records Search

Write your USCIS A-Number here:
A 96541220

NOTE: The categories below are those required by the FBI. See instructions for more information.

A. Gender
 Male Female

B. Height
 5 Feet 11 Inches

C. Weight
 162 Pounds

D. Are you Hispanic or Latino?
 Yes No

E. Race (Select one or more)
 White Asian Black or African American American Indian or Alaskan Native Native Hawaiian or Other Pacific Islander

F. Hair color
 Black Brown Blonde Gray White Red Sandy Bald (No Hair)

G. Eye color
 Brown Blue Green Hazel Gray Black Pink Maroon Other

Part 5. Information About Your Residence and Employment

A. Where have you lived during the last five years? Begin with where you live now and then list every place you lived for the last five years. If you need more space, use a separate sheet of paper.

Street Number and Name, Apartment Number, City, State, Zip Code, and Country	Dates (mm/dd/yyyy)	
	From	To
Current Home Address - Same as Part 4.A	03/01/2009	Present
[Redacted] Doral, Fl. 33178	07/01/2006	03/01/2009
[Redacted] Doral, Fl. 33178	08/01/2001	07/01/2006

B. Where have you worked (or, if you were a student, what schools did you attend) during the last five years? Include military service. Begin with your current or latest employer and then list every place you have worked or studied for the last five years. If you need more space, use a separate sheet of paper.

Employer or School Name	Employer or School Address (Street, City, and State)	Dates (mm/dd/yyyy)		Your Occupation
		From	To	
INSIDE-PHONE SOLUTIONS, INC.	9737 N.W. 41 Street, #727 Doral, Fl. 33178	11/20/2001	present	owner, telemarketing and sales
IPBX LLC.	9737 N.W. 41 Street, #727 Doral, Fl. 33178	12/05/2005	present	boip solutions telecommunications

Part 7. Time Outside the United States
 (Including Trips to Canada, Mexico and the Caribbean Islands)

Write your USCIS A- number here:
 A [REDACTED] 220

- A. How many total days did you spend outside of the United States during the past five years? 310 days
- B. How many trips of 24 hours or more have you taken outside of the United States during the past five years? 11 trips
- C. List below all the trips of 24 hours or more that you have taken outside of the United States since becoming a lawful permanent resident. Begin with your most recent trip. If you need more space, use a separate sheet of paper.

claims no other

Date You Left the United States (mm/dd/yyyy)	Date You Returned to the United States (mm/dd/yyyy)	Did Trip Last Six Months or More?		Countries to Which You Traveled	Total Days Out of the United States
07/10/2009	09/14/2009	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA, PERU	64
04/25/2009	06/29/2009	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA, PERU, DOM. REPUBLIC	66
04/04/2009	03/10/2009	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	17
03/21/2009	03/29/2009	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	8
03/14/2009	03/16/2009	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	2
02/28/2009	03/10/2009	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	11
10/08/2008	10/21/2008	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	13
10/30/2008	11/18/2008	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	COLOMBIA	19
04/16/2008	05/20/2008	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	MEXICO	35
02/02/2008	04/06/2008	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	MEXICO	64

Spent time in U.S. on trips to Colombia

9/27/08 10/7/08 Colombia

Part 8. Information About Your Marital History

- A. How many times have you been married (including annulled marriages)? 1 If you have never been married, go to Part 9.

claims no other

B. If you are now married, give the following information about your spouse:

1. Spouse's Family Name (Last Name) Given Name (First Name) Full Middle Name (If applicable)

2. Date of Birth (mm/dd/yyyy) 3. Date of Marriage (mm/dd/yyyy) 4. Spouse's U.S. Social Security #

5. Home Address - Street Number and Name Apartment Number

City State Zip Code

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Part B. Information About Your Marital History (Continued)

Write your USCIS A-Number here:
A [REDACTED] 220

C. Is your spouse a U.S. citizen? Yes No

D. If your spouse is a U.S. citizen, give the following information:

1. When did your spouse become a U.S. citizen? At Birth Other

If "Other," give the following information:

2. Date your spouse became a U.S. citizen

3. Place your spouse became a U.S. citizen (See instructions)

City and State

E. If your spouse is not a U.S. citizen, give the following information :

1. Spouse's Country of Citizenship

2. Spouse's USCIS A- Number (If applicable)

CA

3. Spouse's Immigration Status

Lawful Permanent Resident Other

F. If you were married before, provide the following information about your prior spouse. If you have more than one previous marriage, use a separate sheet of paper to provide the information requested in Questions 1-5 below.

1. Prior Spouse's Family Name (Last Name)

Given Name (First Name)

Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

U.S. Citizen
 Lawful Permanent Resident
 Other

3. Date of Marriage (mm/dd/yyyy)

4. Date Marriage Ended (mm/dd/yyyy)

5. How Marriage Ended

Divorce Spouse Died Other

G. How many times has your current spouse been married (including annulled marriages)?

If your spouse has ever been married before, give the following information about your spouse's prior marriage. If your spouse has more than one previous marriage, use a separate sheet(s) of paper to provide the information requested in Questions 1 - 5 below.

1. Prior Spouse's Family Name (Last Name)

Given Name (First Name)

Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

U.S. Citizen
 Lawful Permanent Resident
 Other

3. Date of Marriage (mm/dd/yyyy)

4. Date Marriage Ended (mm/dd/yyyy)

5. How Marriage Ended

Divorce Spouse Died Other

Part 9. Information About Your Children

Write your USCIS A-Number here:
A [redacted] 220

A. How many sons and daughters have you had? For more information on which sons and daughters you should include and how to complete this section, see the Instructions.

1

B. Provide the following information about all of your sons and daughters. If you need more space, use a separate sheet of paper.

claims no other

Full Name of Son or Daughter	Date of Birth (mm/dd/yyyy)	USCIS A- number (if child has one)	Country of Birth	Current Address (Street, City, State and Country)
L [redacted] M [redacted]	[redacted] 2005	A NONE	USA	Bernal, Republica Argentina
		A		
		A		
		A		
		A		
		A		
		A		
		A		

Add Children

Go to continuation page

Part 10. Additional Questions

Answer Questions 1 through 14. If you answer "Yes" to any of these questions, include a written explanation with this form. Your written explanation should (1) explain why your answer was "Yes" and (2) provide any additional information that helps to explain your answer.

A. General Questions.

- Have you ever claimed to be a U.S. citizen (in writing or any other way)? Yes No
- Have you ever registered to vote in any Federal, State, or local election in the United States? Yes No
- Have you ever voted in any Federal, State, or local election in the United States? Yes No
- Since becoming a lawful permanent resident, have you ever failed to file a required Federal, State, or local tax return? Yes No
- Do you owe any Federal, State, or local taxes that are overdue? Yes No
- Do you have any title of nobility in any foreign country? Yes No
- Have you ever been declared legally incompetent or been confined to a mental institution within the last five years? Yes No

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Part 10: Additional Questions (Continued)

Write your USCIS A-Number here:
A [redacted] 220

B. Affiliations.

8. a Have you ever been a member of or associated with any organization, association, fund foundation, party, club, society, or similar group in the United States or in any other place? Yes No

b. If you answered "Yes," list the name of each group below. If you need more space, attach the names of the other group(s) on a separate sheet of paper.

claims none

Name of Group	Name of Group
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

9. Have you ever been a member of or in any way associated (either directly or indirectly) with:

- a. The Communist Party? Yes No
- b. Any other totalitarian party? Yes No
- c. A terrorist organization? Yes No

10. Have you ever advocated (either directly or indirectly) the overthrow of any government by force or violence?

Yes No

11. Have you ever persecuted (either directly or indirectly) any person because of race, religion, national origin, membership in a particular social group, or political opinion?

Yes No

12. Between March 23, 1933, and May 8, 1945, did you work for or associate in any way (either directly or indirectly) with:

- a. The Nazi government of Germany? Yes No
- b. Any government in any area (1) occupied by, (2) allied with, or (3) established with the help of the Nazi government of Germany? Yes No
- c. Any German, Nazi, or S.S. military unit, paramilitary unit, self-defense unit, vigilante unit, citizen unit, police unit, government agency or office, extermination camp, concentration camp, prisoner of war camp, prison, labor camp, or transit camp? Yes No

C. Continuous Residence.

Since becoming a lawful permanent resident of the United States:

13. Have you ever called yourself a "nonresident" on a Federal, State, or local tax return? Yes No

14. Have you ever failed to file a Federal, State, or local tax return because you considered yourself to be a "nonresident"? Yes No

2009-15-20889999 2900197 007970 23 E230762 061509 12:09 061509 H00610-29902C

Part II. Additional Questions (continued)

Write your USCIS A-Number here:
A ████████220

D. Good Moral Character.

For the purposes of this application, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record.

- 15. Have you ever committed a crime or offense for which you were **not** arrested? Yes No
- 16. Have you ever been arrested, cited, or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason? Yes No
- 17. Have you ever been charged with committing any crime or offense? Yes No
- 18. Have you ever been convicted of a crime or offense? Yes No
- 19. Have you ever been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? Yes No
- 20. Have you ever received a suspended sentence, been placed on probation, or been paroled? Yes No
- 21. Have you ever been in jail or prison? Yes No

If you answered "Yes" to any of Questions 15 through 21, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Claims no arrest, no DUI, no offense

Why were you arrested, cited, detained, or charged?	Date arrested, cited, detained, or charged? (mm/dd/yyyy)	Where were you arrested, cited, detained, or charged? (City, State, Country)	Outcome or disposition of the arrest, citation, detention, or charge (No charges filed, charges dismissed, jail, probation, etc.)

Answer Questions 22 through 33. If you answer "Yes" to any of these questions, attach (1) your written explanation why your answer was "Yes" and (2) any additional information or documentation that helps explain your answer.

- 22. Have you ever:
 - a. Been a habitual drunkard? Yes No
 - b. Been a prostitute, or procured anyone for prostitution? Yes No
 - c. Sold or smuggled controlled substances, illegal drugs, or narcotics? Yes No
 - d. Been married to more than one person at the same time? Yes No
 - e. Helped anyone enter or try to enter the United States illegally? Yes No
 - f. Gambled illegally or received income from illegal gambling? Yes No
 - g. Failed to support your dependents or to pay alimony? Yes No
- 23. 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? Yes No
- 24. Have you ever lied to any U.S. Government official to gain entry or admission into the United States? Yes No

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Part 10. Additional Questions (Continued)

Write your USCIS A-Number here:
A [redacted] 220

E. Removal, Exclusion, and Deportation Proceedings.

- 25. Are removal, exclusion, rescission, or deportation proceedings pending against you? Yes No
- 26. Have you ever been removed, excluded, or deported from the United States? Yes No
- 27. Have you ever been ordered to be removed, excluded, or deported from the United States? Yes No
- 28. Have you ever applied for any kind of relief from removal, exclusion, or deportation? Yes No

F. Military Service.

- 29. Have you ever served in the U.S. Armed Forces? Yes No
- 30. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? Yes No
- 31. Have you ever applied for any kind of exemption from military service in the U.S. Armed Forces? Yes No
- 32. Have you ever deserted from the U.S. Armed Forces? Yes No

G. Selective Service Registration.

- 33. Are you a male who lived in the United States at any time between your 18th and 26th birthdays in any status except as a lawful nonimmigrant? Yes No

If you answered "NO," go on to question 34.

If you answered "YES," provide the information below.

If you answered "YES," but you did not register with the Selective Service System and are still under 26 years of age, you must register before you apply for naturalization, so that you can complete the information below:

Date Registered (mm/dd/yyyy) Selective Service Number

If you answered "YES," but you did not register with the Selective Service and you are now 26 years old or older, attach a statement explaining why you did not register.

H. Oath Requirements. (See Part 14 for the text of the oath)

Answer Questions 34 through 39. If you answer "No" to any of these questions, attach (1) your written explanation why the answer was "No" and (2) any additional information or documentation that helps to explain your answer.

- 34. Do you support the Constitution and form of government of the United States? Yes No
- 35. Do you understand the full Oath of Allegiance to the United States? Yes No
- 36. Are you willing to take the full Oath of Allegiance to the United States? Yes No
- 37. If the law requires it, are you willing to bear arms on behalf of the United States? Yes No
- 38. If the law requires it, are you willing to perform noncombatant services in the U.S. Armed Forces? Yes No
- 39. If the law requires it, are you willing to perform work of national importance under civilian direction? Yes No

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2009162088000 2900197 007970 23 E200762 061509

12:09 061509 H400C10-295026

Part 11. Your Signature

Write your USCIS A-Number here:
A [redacted] 220

I certify, under penalty of perjury under the laws of the United States of America, that this application, and the evidence submitted with it, are all true and correct. I authorize the release of any information that the USCIS needs to determine my eligibility for naturalization.

Your Signature

Date (mm/dd/yyyy)

[Handwritten Signature]

04/24/2009

Part 12. Signature of Person Who Prepared This Application for You (If applicable)

I declare under penalty of perjury that I prepared this application at the request of the above person. The answers provided are based on information of which I have personal knowledge and/or were provided to me by the above named person in response to the exact questions contained on this form.

Preparer's Printed Name

Preparer's Signature

ALICIA M. NAVARRO, ESQ.

[Handwritten Signature]

Date (mm/dd/yyyy)

Preparer's Firm or Organization Name (if applicable)

Preparer's Daytime Phone Number

04/25/2009

ALICIA NAVARRO LAW OFFICE

305-445-8239

Preparer's Address - Street Number and Name

City

State

Zip Code

220 MIRACLE MILE, SUITE #236

CORAL GABLES

FLORIDA

33134

NOTE: Do not complete Parts 13 and 14 until a USCIS Officer instructs you to do so.

Part 13. Signature at Interview

I swear (affirm) and certify under penalty of perjury under the laws of the United States of America that I know that the contents of this application for naturalization subscribed by me, including corrections numbered 1 through 6 and the evidence submitted by me numbered pages 1 through 6, are true and correct to the best of my knowledge and belief.

Subscribed to and sworn to (affirmed) before me

[Handwritten Signature]
Officer's Printed Name or Stamp

9/21/09
Date (mm/dd/yyyy)

Complete Signature of Applicant

Officer's Signature

[Handwritten Signature]

[Handwritten Signature]

Part 14. Oath of Allegiance

If your application is approved, you will be scheduled for a public oath ceremony at which time you will be required to take the following Oath of Allegiance immediately prior to becoming a naturalized citizen. By signing, you acknowledge your willingness and ability to take this oath:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen;

that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

that I will bear true faith and allegiance to the same;

that I will bear arms on behalf of the United States when required by the law;

that I will perform noncombatant service in the Armed Forces of the United States when required by the law;

that I will perform work of national importance under civilian direction when required by the law; and

that I take this obligation freely, without any mental reservation or purpose of evasion, so help me God.

Printed Name of Applicant

Complete Signature of Applicant

Fernando Adrian Mario Bartollini

[Handwritten Signature]

Exhibit F

THE UNITED STATES OF AMERICA

No. 32489275

CERTIFICATE OF



NATURALIZATION

Personal description of holder
as of date of naturalization:

DOB Registration No. [REDACTED]

Date of birth [REDACTED] 1975

I certify that the description given is true, and that the photograph affixed
hereto is a likeness of me.

Sex: MALE

Height: 5 feet 11 inches

(Complete and true signature of holder)

Marital status: DIVORCED

Be it known that, pursuant to an application filed with the Secretary of
Homeland Security

Country of former nationality:
CUBA

at: HIALEAH, FLORIDA

The Secretary having found that:

FERNANDO ADRIAN MOIO BARTOLINI



then residing in the United States, intends to reside in the United States when so
required by the Naturalization Laws of the United States, and had in all other
respects complied with the applicable provisions of such naturalization laws and
was entitled to be admitted to citizenship, such person having taken the oath of
allegiance in a ceremony conducted by the

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

at: HIALEAH, FLORIDA

on: SEPTEMBER 25, 2009

that such person is admitted as a citizen of the United States of America.

Alexander May 2015
151

IT IS PUNISHABLE BY U. S. LAW TO COPY,
PRINT OR PHOTOGRAPH THIS CERTIFICATE,
WITHOUT LAWFUL AUTHORITY.

Director, U. S. Citizenship and Immigration Services

Exhibit G

**Record of Sworn Statement in Proceedings
under Section 235(b)(1) of the Act**

U.S. Department of Homeland Security

Office: MIAMI INTERNATIONAL AIRPORT, MIAMI
FLORIDA, POE
Statement by: FERNANDO ADRIAN MOIO BARTOLLINI

SIGMA Event: 738
File No: A 220
Event Number :MIA 0310

In the case of: FERNANDO A. MOIO BARTOLLINI

Date of Birth: /1975

Gender (circle one): Male Female

At: MIAMI INTERNATIONAL AIRPORT Date: June 13, 2013

Before: JOSE MEDRANO (Name and Title) CBP O

In the SPANISH language. Interpreter _____ Employed by _____

I am an officer of the United States Department of Homeland Security. I am authorized to administer the immigration laws and to take sworn statements. I want to take your sworn statement regarding your application for admission to the United States. Before I take your statement, I also want to explain your rights, and the purpose and consequences of this interview.

You do not appear to be admissible or to have the required legal papers authorizing your admission to the United States. This may result in your being denied admission and immediately returned to your home country without a hearing. If a decision is made to refuse your admission into the United States, you may be immediately removed from this country, and if so, you may be barred from reentry for a period of 5 years or longer.

This may be your only opportunity to present information to me and the Department of Homeland Security to make a decision. It is very important that you tell me the truth. If you lie or give misinformation, you may be subject to criminal or civil penalties, or barred from receiving immigration benefits or relief now or in the future.

Except as I will explain to you, you are not entitled to a hearing or review.

U.S. law provides protection to certain persons who face persecution, harm or torture upon return to their home country. If you fear or have a concern about being removed from the United States or about being sent home, you should tell me so during this interview because you may not have another chance. You will have the opportunity to speak privately and confidentially to another officer about your fear or concern. That officer will determine if you should remain in the United States and not be removed because of that fear.

Until a decision is reached in your case, you will remain in the custody of the Department of Homeland Security.

Any statement you make may be used against you in this or any subsequent administrative proceeding.

Q. Do you understand what I have said to you?
A. Yes.

Q. Any statement you make must be given freely and voluntarily. Are you willing to answer my questions at this time?
A. Yes.

Q. Do you swear or affirm that all the statements you are about to make are true and complete?
A. Yes.

Q. Do you understand me in the Spanish language?
A. Yes.

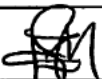
Q. Do you have any medical conditions that I need to be aware of?
A. I had a stomach surgery around three weeks ago.

Q. Are you on any medications?
...(CONTINUED ON I-831)

x FM

U.S. Department of Homeland Security


Continuation Page for Form I-867A

Alien's Name FERNANDO ADRIAN MOIO BARTOLLINI	File Number A [REDACTED] 220 SIGMA Event: [REDACTED] 738 Event No: MIA [REDACTED] 310	Date June 13, 2013
<p>A. Yes I take Lasix for my stomach surgery.</p> <p>Q. What is your true and complete name? A. Fernando Adrian MOIO BARTOLLINI.</p> <p>Q. Have you ever used or been known by any other names? A. No.</p> <p>Q. What is your date of birth? A. [REDACTED], 1975.</p> <p>Q. Where were you born? A. Buenos Aires, Argentina.</p> <p>Q. Of what country are you a citizen? A. Argentina.</p> <p>Q. Have you ever been a Cuban citizen legally? A. No.</p> <p>Q. Has your parents or grandparents ever been Cuban citizens? A. No.</p> <p>Q. Do you make any claim to being a citizen of the Untied States? A. No.</p> <p>Q. Are you a Lawful Permanent Resident of the United States? A. No.</p> <p>Q. Have you ever been given permission to live and/or work legally in the United States? A. No.</p> <p>Q. What is your father's name? A. Gabriel Ernesto Moio.</p> <p>Q. What is your father's date of birth? A. I can t remember the date.</p> <p>Q. Where was your father born? A. Buenos Aires, Argentina.</p> <p>Q. What is your father's citizenship? A. Argentina.</p> <p>Q. Has your father ever claimed to be a citizen of the United States? A. No.</p> <p>Q. Has your father ever resided in the United States? A. No.</p> <p>Q. What is your mother's name? A. Maria Angelica Bartollini. ... (CONTINUED ON NEXT PAGE)</p>		
Signature JOSE MEDRANO 	Title CBP O	

x FM

U.S. Department of Homeland Security

Continuation Page for Form I-867A

Alien's Name FERNANDO ADRIAN MOIO BARTOLLINI	File Number A [REDACTED] 220 SIGMA Event: [REDACTED] 738 Event No: MIA [REDACTED] 310	Date June 13, 2013
<p>Q. What is your mother's date of birth? A. [REDACTED] I can t remember the year.</p> <p>Q. Where was your mother born? A. Buenos Aires, Argentina.</p> <p>Q. What is your mother's citizenship? A. Argentina.</p> <p>Q. Has your mother ever claimed to be a citizen of the United States? A. No.</p> <p>Q. Has your mother ever resided in the United States? A. No.</p> <p>Q. Are you married? A. Yes.</p> <p>Q. What is your wife's name? A. Carolina Maria Bolivar Toro.</p> <p>Q. What is your wife s date of birth? A. [REDACTED] 1983.</p> <p>Q. Where was your wife born? A. Medellin, Colombia.</p> <p>Q. What is your wife s citizenship? A. Colombian.</p> <p>Q. Has your wife ever claimed to be a citizen of the United States? A. No.</p> <p>Q. Has your wife ever resided in the United States? A. Yes she is a US Resident.</p> <p>Q. How did you wife became a US Resident? A. I requested her with my US Citizenship.</p> <p>Q. Do you have any children? A. Yes.</p> <p>Q. What is the name and age of your children? A. My daughter is L [REDACTED] M [REDACTED] she is eight years old and my son M [REDACTED] M [REDACTED] he is two years old.</p> <p>Q. What are your children citizenships? A. They are both US Citizen.</p> <p>Q. What is your address in the US? A. [REDACTED] Doral, Florida 33178.</p> <p>... (CONTINUED ON NEXT PAGE)</p>		
Signature JOSE MEDRANO 	Title CBP O	

X FM

U.S. Department of Homeland Security

Continuation Page for Form I-867A

Alien's Name FERNANDO ADRIAN MOIO BARTOLLINI	File Number A [REDACTED] 220 SIGMA Event: [REDACTED] 38 Event No: MIA [REDACTED] 310	Date June 13, 2013
--	--	-----------------------

Q. What is your address outside the United States?
A. I don t have one.

Q. What documents did you present to the Customs and Border Protection Officer to facilitate your entry into the United States today?
A. My United States passport, blue paper.

Q. Who were you traveling with?
A. With my wife Carolina Maria Bolivar Toro and my son M [REDACTED] Mc [REDACTED]

Q. From where and on what airline did you arrive to the United States?
A. On American Airlines AA#928 from Medellin, Colombia.

Q. I am showing you a United States Passport # [REDACTED] 899 bearing your photograph bearing the name of Fernando Adrian MOIO BARTOLLINI, born in Cuba is this passport the one that you presented to the officer?
A. Yes.

Q. Do you present it to a US Customs and Border protection Officer at Miami International Airport for admission as a US Citizen?
A. Yes I did.

Q. What is your true and correct name?
A. Fernando Adrian MOIO BARTOLLINI.

Q. What is your true and correct date of birth?
A. [REDACTED] 1975.

Q. Where were you born?
A. Argentina.

Q. How did you obtain the United States Passport # [REDACTED] 899?
A. I bought a Birth Certificate from Cuba around 2004.

Q. How much did you pay for the Cuban Birth certificate and to whom?
A. Around \$5,000.00 to a Cuban Lady in Miami Lakes, Florida.

Q. Do you know the name of the Cuban Lady you pay for the Cuban birth certificate?
A. No I can t remember the name.


Q. Where did you meet the Cuban Lady to collect the documents?
A. We met at her house in Miami Lakes.

Q. What name was on the Cuban birth certificate?
A. My name Fernando Adrian MOIO BARTOLLINI.

Q. What documents did you do to present to obtain the U.S Passport# # [REDACTED] 899?
A. I presented my US resident card.

Q. When did you obtain you U. S. residency?
A. Back in 2004.

... (CONTINUED ON NEXT PAGE)

Signature JOSE MEDRANO 	Title CBP O
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x FM

U.S. Department of Homeland Security

Continuation Page for Form I-867A

Alien's Name FERNANDO ADRIAN MOIO BARTOLLINI	File Number A [REDACTED] 220 SIGMA Event: [REDACTED] 38 Event No: MIA [REDACTED] 310	Date June 13, 2013
--	--	-----------------------

Q How did you obtain you US residency?
A. I presented the Cuban birth certificate I bought from the Cuban Lady.

Q. Do you know it is illegal to obtain a United States residency status with fraudulent documents?
A. Yes.

Q. I f you knew it was illegal to obtain any US benefit with fraudulent documents why did you did it?
A. Because when I enter in 1999 I tried to adjust with the 245 Immigration law but my lawyer was placed on jail for immigration fraud. I had already established my business and I made the decision to pay for the Cuban birth certificate to be able to stay in the United States.

Q. The Cuban lady sold you a Cuban birth certificate with your true name and date of birth?
A. Yes she did.

Q. What name does the documents that you use to apply for the US Passport # [REDACTED] 399 have?
A. Fernando Adrian MOIO BARTOLLINI.

Q. What was the purpose of you obtaining this U.S Passport # [REDACTED] 399?
A. To be able to benefit my family.

Q. Was it your intention to live and work in the Unites States with the US passport and your previous US resident card?
A. Yes it was.

Q. Do you know it's illegal to obtain a U.S passport by presenting fraudulent documents?
A. Yes.

Q. How many times have you traveled using this U.S passport #461216899?
A. Many times I can t remember.

Q. How and when did you arrive to the United States for the first time?
A. I arrived from Argentina. We did not need a US Visa, I flew around November 1999.

Q. Did you leave the United States after you entered around November 1999?
A. No I never left.


Q. What U.S. government documents did you present to enter the U.S. around November 1999?
A. Argentinean Passport.

Q. How long have you been living in the U.S?
A. For around 14 years.

Q. How did you support yourself while you were in the United States?
A. I have a business IPBX LLC a telecommunication business.

Q. How much money were you making with your business?
A. About \$5,000.00 US dollars per month.

... (CONTINUED ON NEXT PAGE)

Signature JOSE MEDRANO 	Title CBP O
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X 77

U.S. Department of Homeland Security

Continuation Page for Form I-867A

Alien's Name FERNANDO ADRIAN MOIO BARTOLLINI	File Number A [REDACTED] 220 SIGMA Event: [REDACTED] 738 Event No: MIA [REDACTED] 310	Date June 13, 2013
--	---	-----------------------

Q. Did you know it is illegal to work in the United States without permission of the United States government?

A. Yes.

Q. What is the purpose for your entry today in the United States?

A. To continue my life and work in the United States. My family lives here.

Q. For how long were you planning to stay in the United States?

A. Indefinitely.

Q. How much money are you carrying with you today?

A. I have no cash with me.

Q. Today, Mr. Fernando Adrian MOIO BARTOLLINI you have been found inadmissible to the United States under the sections, 212(a) (6) (C) (i) (II), 212(a) (7) (A) (i) (I) as amended in the INA . Do you understand?

A. Yes.

Q. You are being removed from the United States under Expedited Removal proceedings, pursuant to 235(b) (II). Do you understand?

A. Yes.

Q. You will be have a lifetime barred from reentering the United States. If you attempt to reenter within that time without a wavier you may be subject to criminal prosecution. Do you understand?

A. Yes.

Q. In addition, you will be required to obtain a new visa for any future visits. Is that clear?

A. Yes.

Q. Do you understand that you must disclose to the Consular Officer what took place today in Miami International Airport for any future visa applications to enter the United States?

A. Yes.

Q. Do you understand you must disclose the fact that you assumed another Nationality (Cuba) under your true name of Fernando Adrian MOIO BARTOLLINI and obtained a United States passport with that Nationality?


A. Yes.

Q. Have you understand everything that I have asked you?

A. Yes.

Q. Do you have anything you like to add?

A. No.

Signature JOSE MEDRANO		Title CBP O
-------------------------------	---	--------------------

Jurat for Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act

U.S. Department of Homeland Security

SIGMA Event: 1738738

Q: Why did you leave your home country or country of last residence?

A. To come to live and work in the United States

Q. Do you have any fear or concern about being returned to your home country or being removed from the United States?

A. No

Q. Would you be harmed if you are returned to your home country or country of last residence?

A. No

Q. Do you have any question or is there anything else you would like to add?

A. No

I have read (or have had read to me) this statement, consisting of 3 pages (including this page). I state that my answers are true and correct to the best of my knowledge and that this statement is a full, true and correct record of my interrogation on the date indicated by the above named officer of the Department of Homeland Security. I have initialed each page of this statement (and the corrections noted on page(s) 0).



Signature: FERNANDO A. MOIO BARTOLLINI

Sworn and subscribed to before me at MIAMI INTERNATIONAL AIRPORT
on June 13, 2013.

JOSE MEDRANO
CBP O



Signature of Immigration Officer

Witnessed by: MENDEZ, R 

Exhibit H

CF D.C.
ELECTRONIC
Jun 27, 2013
STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
13-20475-CR-LENARD/O'SULLIVAN
CASE NO. _____
18 U.S.C. § 1542

UNITED STATES OF AMERICA

vs.

rw

FERNANDO ADRIAN MOIO BARTOLLINI,

R

Defendant.

INDICTMENT

The Grand Jury charges that:

On or about June 12, 2013, at Miami International Airport, in Miami-Dade County, in the Southern District of Florida, the defendant,

FERNANDO ADRIAN MOIO BARTOLLINI,

did willfully and knowingly use and attempt to use a United States passport, the issuance of which was secured by reason of a false statement, in that the defendant represented that he was born in Cuba, when in truth and in fact, and as the defendant then and there well knew, he was not born in Cuba, in violation of Title 18, United States Code, Section 1542.

A TRUE BILL

FOREPERSON

/

Wifredo A. Ferrer

WIFREDO A. FERRER
UNITED STATES ATTORNEY

Diane Patrick

DIANE PATRICK
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

FERNANDO ADRIAN MOIO BARTOLLINI,

Defendant.

Superseding Case Information:

Court Division: (Select One)

X Miami ___ Key West
___ FTL ___ WPB ___ FTP

New Defendant(s) Yes ___ No ___
Number of New Defendants ___
Total number of counts ___

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes
List language and/or dialect Spanish

4. This case will take 2 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

	(Check only one)		(Check only one)
I	0 to 5 days <u> X </u>	Petty	_____
II	6 to 10 days _____	Minor	_____
III	11 to 20 days _____	Misdem.	_____
IV	21 to 60 days _____	Felony	<u> X </u>
V	61 days and over _____		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes: Judge: _____ Case No. _____
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) Yes

If yes: Magistrate Case No. 13mj-2889-110
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of 06/13/2013
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? ___ Yes X No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? ___ Yes X No


DIANE PATRICK
ASSISTANT UNITED STATES ATTORNEY
Florida Bar No. 0770744

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: FERNANDO ADRIAN MOIO BARTOLLINI

Case No: _____

Count # 1

False Statement in Application and Use of Passport

Title 18, United States Code, Section 1542

***Max. Penalty: 10 Years' Imprisonment**

Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

Exhibit I

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO. 13-20475-CR-LENARD

CHANGE OF PLEA MINUTES

vs.

FERNANDO ADRIAN BARTOLINI,
_____ /

On August 1, 2013 the above named defendant appeared in person before the Honorable **Joan A. Lenard**, United States District Judge, with **Frank Gaviria** counsel appointed by the Court/retained by the defendant, and said defendant stated in open court that he desired to withdraw the plea of not guilty heretofore entered and desired to enter a plea of guilty as to Count 1 of the Indictment.

After the defendant was duly sworn, the Court made inquiry as to guilt. The Court, being satisfied there was a factual basis for the plea, accepted the plea of guilty and found the defendant guilty as charged. Whereupon:

- () The Court Arraigned the defendant on the Superseding Indictment.
- () The Court proceeded to pronounce sentence. (See J&C)
- (X) The Court postponed sentencing **August 23, 2013 at 2:30 pm.**
- () The defendant being allowed to remain on bond until sentencing.
- () Modifications of Conditions of Release:.
- () The defendant being remanded to the custody of the U.S. Marshal until a _____ bond in the amount of \$ _____ is approved and posted.
- (X) The defendant being surrendered/remanded to the custody of the U.S. Marshal awaiting sentencing.

Judge Joan A. Lenard
Court Reporter Lisa Edwards
Courtroom Deputy Patricia Mitchell

AUSA: Diane Patrick
Interpreter: Spanish
Time: 10:50am-11:10am

Exhibit J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 13-20475-CR-LENARD

UNITED STATES OF AMERICA

vs.

FERNANDO ADRIAN MOIO BARTOLLINI,

Defendant.

FACTUAL PROFFER

Had this case proceeded to trial, the United States would have proven beyond a reasonable doubt the following facts pertaining to a violation of Title 18, U.S.C., Section 1542.

On June 12, 2013, the defendant arrived at Miami International Airport in the Southern District of Florida aboard American Airlines flight #928 from Medellin, Colombia. The defendant presented a U.S. passport bearing his own name, photograph, and date of birth to U.S. Customs and Border Protection (CBP) officers for entry into the United States. The defendant was referred to secondary inspection for possible passport fraud.

In secondary inspection, computer database systems were queried, and the defendant's passport, which indicated his place of birth as Cuba, was examined. The

officer asked basic biographical questions of the defendant and became aware that the defendant had an Argentinian accent and was unfamiliar with locations in Cuba. A search of the immigration records disclosed that the defendant had previously applied for a student's visa and had listed Argentina as his place of birth. That application was denied on November 8, 2000. However, the defendant was able to enter the United States on November 18, 2000 under the visa waiver program for Argentina. Additional records showed that the defendant subsequently availed himself of the Cuban Adjustment Act and applied for Legal Permanent Resident (LPR) status on May 9, 2005, which was denied on April 2, 2006, for failure to provide sufficient evidence of his Cuban birth and nationality, either through a birth certificate or Cuban passport. Thereafter, the defendant obtained a Cuban passport in his name on August 1, 2006 (expiring July 31, 2012). He then re-applied for LPR status on October 11, 2006 and provided his newly-acquired Cuban passport and a Cuban birth certificate in his name. This application, substantiated by the documents, was approved on July 30, 2007, and the defendant was able to successfully adjust his status to LPR. Subsequent records also showed that on April 24, 2009, the defendant applied for U.S. citizenship. (An attorney appearance form was filed on that date and accompanied the defendant's written application.) On September 21, 2009, the defendant took his citizenship exam, which he passed. This resulted in the issuance of a Certificate of Naturalization on September 25, 2009. The defendant then proceeded to use his newly acquired citizenship status as the basis for his application and request for a United States passport, which was issued on September 28, 2009. CBP

officers obtained a copy of the defendant's passport application and saw that the defendant had falsely represented that he was born in Cuba, whereas in fact he had been born in Argentina. At trial, the government would introduce the above-mentioned documents, including a certified copy of the defendant's Argentinian birth certificate.


The defendant provided a sworn statement to CBP officers and indicated that he obtained a false Cuban birth certificate in 2004 by paying \$5000 to a Cuban lady in Miami Lakes. The defendant then described how he used that birth certificate to apply for U.S. residency (LPR status). He also stated that in 2009 he obtained a U.S. passport utilizing his United States residency and that he falsely stated his birthplace as Cuba throughout the process of acquiring his naturalization and his U.S. passport. The defendant also admitted that he knew it was illegal to make false statements on his passport application.

WIFREDO A. FERRER
UNITED STATES ATTORNEY

Date: 8/1/13

By: 
DIANE PATRICK
ASSISTANT UNITED STATES ATTORNEY

Date: 8/1/13

By: 
FRANK J. GAVIRIA
ATTORNEY FOR DEFENDANT

Date: 8/1/13

By: 
FERNANDO ADRIAN MOIO BARTOLLINI
DEFENDANT

Exhibit K

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO. 13-20475-CRIMINAL-LENARD

UNITED STATES OF AMERICA, Miami, Florida
Plaintiff, August 1, 2013
vs. 10:54 a.m. to 11:15 a.m.
FERNANDO ADRIAN MOIO
BARTOLLINI,
Defendant. Pages 1 to 19

CHANGE OF PLEA
BEFORE THE HONORABLE JOAN A. LENARD,
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE GOVERNMENT: DIANE PATRICK, ESQ.
ASSISTANT UNITED STATES ATTORNEY
99 Northeast Fourth Street
Miami, Florida 33132

FOR THE DEFENDANT: FRANK J. GAVIRIA, ESQ.
FRANK J. GAVIRIA, P.A.
14 Northeast First Avenue
Suite 300
Miami, Florida 33132

REPORTED BY: LISA EDWARDS, RDR, CRR
Reporterlisaedwards@gmail.com
(305) 439-7168

1 THE COURT: Good morning. You may be seated.

2 MR. GAVIRIA: Good morning.

3 THE COURT: United States of America versus Fernando
4 Adrian Moio Bartollini, Case No. 13-20475.

5 Good morning, counsel. State your appearances, please,
6 for the record.

7 MS. PATRICK: Good morning, your Honor. Diane Patrick
8 on behalf of the United States.

9 THE COURT: Good morning.

10 MR. GAVIRIA: Good morning, your Honor. Frank Gaviria
11 on behalf of Mr. Bartollini.

12 THE COURT: Good morning.

13 Thank you for accommodating the Court. We had a
14 two-day sentencing hearing, so I appreciate your cooperation in
15 rescheduling this.

16 MR. GAVIRIA: No problem.

17 THE COURT: The Defendant is present and using the aid
18 of the Spanish-language interpreter. He is here for a change
19 of plea. Correct?

20 MR. GAVIRIA: That's correct, your Honor.

21 MS. PATRICK: Yes, your Honor.

22 THE COURT: And is there a plea agreement?

23 MS. PATRICK: No, your Honor.

24 MR. GAVIRIA: No, your Honor.

25 THE COURT: Place the Defendant under oath, please.

1 (Whereupon, the Defendant was duly sworn.)

2 THE COURT: You may be seated, sir.

3 Do you understand that you are now under oath and if
4 you answer any of my questions falsely, your answers may later
5 be used against you in another prosecution for perjury or for
6 making a false statement?

7 THE DEFENDANT: Yes. I understand.

8 THE COURT: What is your full name?

9 THE DEFENDANT: Fernando Adrian Moio Bartollini.

10 THE COURT: Have you been known by any other name or
11 names?

12 THE DEFENDANT: No.

13 THE COURT: What is your age?

14 THE DEFENDANT: I'm 38.

15 THE COURT: Could you explain your education? What was
16 the last grade you completed in school?

17 THE DEFENDANT: High school. I completed high school.

18 THE COURT: Are you currently under the influence of
19 any drug or medication or alcoholic beverage?

20 THE DEFENDANT: No.

21 THE COURT: Within the last 24 hours, have you used any
22 drug, medication or alcoholic beverage?

23 THE DEFENDANT: No.

24 THE COURT: Have you recently been under the care of a
25 doctor or a psychiatrist?

1 THE DEFENDANT: No.

2 THE COURT: Have you recently been hospitalized for any
3 reason, including the use of narcotics, medicine, drugs or
4 alcohol?

5 THE DEFENDANT: No. No.

6 THE COURT: The ability to understand the charge
7 brought against you, has that ability been affected at any time
8 by the use of any drug, medication or alcoholic beverage?

9 THE DEFENDANT: No.

10 THE COURT: The ability to understand the explanations
11 and advice given to you by your lawyer, has that ability been
12 affected at any time by the use of any drug, medication or
13 alcoholic beverage?

14 THE DEFENDANT: No.

15 THE COURT: Have you read a copy of the indictment,
16 which sets forth the written charge made against you in this
17 case, or was it read to you?

18 THE DEFENDANT: Yes.

19 THE COURT: Do you understand that you have the right
20 to plead not guilty to any offense charged against you and to
21 persist in that plea?

22 THE DEFENDANT: Yes.

23 THE COURT: Do you understand that you would then have
24 the right to a trial by jury in which you would be assisted by
25 a lawyer in your defense and at which you would have the right

1 to see and hear all of the witnesses who would testify against
2 you and have them cross-examined in your defense?

3 THE DEFENDANT: Yes. Yes. I understand.

4 THE COURT: Do you understand that at a trial, the
5 Government cannot force you to testify unless you voluntarily
6 do so in your own defense?

7 THE DEFENDANT: Yes. I understand.

8 THE COURT: Do you understand that, should you decide
9 not to testify at trial or put on any evidence at trial, that
10 these facts cannot be used against you at trial?

11 THE DEFENDANT: Yes.

12 THE COURT: Do you understand that the decision to
13 testify or not testify at trial is your decision and your
14 decision alone?

15 THE DEFENDANT: Yes.

16 THE COURT: Do you understand that you would have the
17 right to have subpoenas issued to witnesses to compel them to
18 attend the trial and testify on your behalf?

19 THE DEFENDANT: Yes.

20 THE COURT: Do you understand that the Government would
21 have to prove beyond a reasonable doubt at trial the essential
22 elements of the offense charged against you?

23 THE DEFENDANT: Yes.

24 THE COURT: And do you also understand that all 12
25 jurors must unanimously agree before a finding of guilty could

1 be made?

2 THE DEFENDANT: Yes.

3 THE COURT: Do you understand that if you were
4 convicted at trial, you would have the right to appeal my
5 rulings at trial and your conviction?

6 THE DEFENDANT: Yes.

7 THE COURT: Do you further understand that if you enter
8 a plea of guilty and if I accept your plea of guilty, there
9 will be no trial and you will have waived or given up your
10 right to a trial as well as the various rights associated with
11 the trial I've just described?

12 THE DEFENDANT: Yes. I understand.

13 THE COURT: You are charged by indictment that on or
14 about June 12th, 2013, at Miami International Airport in
15 Miami-Dade County, in the Southern District of Florida, the
16 Defendant, Fernando Adrian Moio Bartollini, did willfully and
17 knowingly use and attempt to use a United States passport, the
18 issuance of which was secured by reason of a false statement,
19 in that the Defendant represented that he was born in Cuba,
20 when in truth and in fact and as the Defendant then and there
21 well knew, he was not born in Cuba, in violation of Title 18,
22 United States Code, Section 1542.

23 Would counsel for the Government make a representation
24 concerning the facts the Government is prepared to prove at
25 trial, please.

1 MS. PATRICK: Certainly, your Honor.

2 Had this case proceeded to trial, the United States
3 would have proven the following facts beyond a reasonable doubt
4 in relationship to a violation of Title 18, United States Code,
5 Section 1542:

6 On June 12, 2013, the Defendant arrived at Miami
7 International Airport in the Southern District of Florida
8 aboard American Airlines Flight 928 from Medellin, Colombia.
9 The Defendant presented a US passport bearing his own name,
10 photograph and date of birth to US Customs and Border
11 Protection officers for entry into the United States. The
12 Defendant was referred to secondary inspection for possible
13 passport fraud.

14 In secondary inspection, computer database systems were
15 queried and the Defendant's passport, which indicated his place
16 of birth as Cuba, was examined. The officer asked basic
17 biographical questions of the Defendant and became aware that
18 the Defendant had an Argentinian accent and was unfamiliar with
19 locations in Cuba.

20 A search of the immigration records disclosed that the
21 Defendant had previously applied for a student visa and had
22 listed Argentina as his place of birth. That application was
23 denied on November 8, 2000. However, the Defendant was able to
24 enter the United States on November 18, 2000, under the visa
25 waiver program for Argentina.

1 Additional records showed that the Defendant
2 subsequently availed himself of the Cuban Adjustment Act and
3 applied for legal permanent resident status on May 9, 2005,
4 which was denied on April 2nd, 2006, for failure to provide
5 sufficient evidence of his Cuban birth and nationality either
6 through a birth certificate or Cuban passport.

7 Thereafter, the Defendant obtained a Cuban passport in
8 his name on August 1, 2006, which expired July 31, 2012. He
9 then reapplied for LPR status on October 11, 2006, and provided
10 his newly acquired Cuban passport and a Cuban birth certificate
11 in his name.

12 This application, substantiated by the documents, was
13 approved on July 30, 2007, and the Defendant was able to
14 successfully adjust his status to LPR.

15 Subsequent records also showed that on April 24, 2009,
16 the Defendant applied for US citizenship. An attorney
17 appearance form was filed on that date and accompanied the
18 Defendant's written application.

19 On September 21, 2009, the Defendant took his
20 citizenship exam, which he passed. This resulted in the
21 issuance of a certificate of naturalization on September 25,
22 2009. The Defendant then proceeded to use his newly acquired
23 citizenship status as the basis for his application and request
24 for a United States passport, which was issued on September 28,
25 2009. CBP officers obtained a copy of the Defendant's passport

1 application and saw that the Defendant had falsely represented
2 that he was born in Cuba, whereas in fact he had been born in
3 Argentina.

4 At trial, the Government would produce the
5 above-mentioned documents, including a certified copy of the
6 Defendant's Argentinian birth certificate.

7 The Defendant provided a sworn statement to CBP
8 officers and indicated that he obtained a false Cuban birth
9 certificate in 2004 by paying \$5,000 to a Cuban lady in Miami
10 Lakes. The Defendant then described how he used that birth
11 certificate to apply for US residency, LPR status. He also
12 stated that in 2009 he obtained a US passport utilizing his
13 United States residency and that he falsely stated his birth
14 place as Cuba throughout the process of acquiring his
15 naturalization and his US passport. The Defendant also
16 admitted that he knew it was illegal to make false statements
17 on his passport application.

18 Thank you, your Honor.

19 THE COURT: Do you understand the charge against you,
20 sir?

21 THE DEFENDANT: Yes. I understand.

22 THE COURT: Do you admit or not admit the facts as
23 stated by the prosecutor?

24 THE DEFENDANT: Yes. I admit.

25 THE COURT: Is this your signature on the written

1 factual proffer?

2 THE DEFENDANT: Yes. That's my signature.

3 THE COURT: Did you read the written factual proffer
4 before you signed it or was it read to you before you signed
5 it?

6 THE DEFENDANT: Yes. My attorney read it to me.

7 THE COURT: Did you fully discuss the written factual
8 proffer with your attorney before you signed it?

9 THE DEFENDANT: Yes.

10 THE COURT: Did you understand the written factual
11 proffer before you signed it?

12 THE DEFENDANT: Yes, I did.

13 THE COURT: Did you sign the written factual proffer
14 freely and voluntarily?

15 THE DEFENDANT: Yes.

16 THE COURT: Do you have any deletions or corrections to
17 what was stated in open court or what's contained in the
18 written factual proffer?

19 THE DEFENDANT: No.

20 THE COURT: How do you wish to plead to the one-count
21 indictment: guilty or not guilty?

22 THE DEFENDANT: Guilty.

23 THE COURT: Are you pleading guilty because you are
24 guilty?

25 THE DEFENDANT: Yes. I am guilty.

1 THE COURT: Do you understand that the maximum possible
2 penalty of confinement provided by law for the offense to which
3 you plead guilty is ten years' imprisonment?

4 THE DEFENDANT: Yes. I understand.

5 THE COURT: In addition, following a term of
6 imprisonment, the Court may impose a term of supervised
7 release. Such term of supervised release shall commence upon
8 release from imprisonment.

9 The maximum amount of time in supervised release in
10 this matter is three years. Do you understand that as well?

11 THE DEFENDANT: Yes. I understand.

12 THE COURT: Do you understand that if you violate the
13 conditions of supervised release, you can be given additional
14 time in prison?

15 THE DEFENDANT: Yes. I understand.

16 THE COURT: The maximum fine that may be imposed
17 against you for this offense is up to \$250,000. The Court may
18 sentence you to serve a sentence of confinement and also assess
19 a fine against you.

20 Do you understand that as well?

21 THE DEFENDANT: Yes. I understand.

22 THE COURT: In addition to the penalties of confinement
23 and fines, you may be ordered to make restitution and you will
24 be required to pay a special assessment of \$100.

25 Do you understand that as well?

1 THE DEFENDANT: Yes. I understand.

2 THE COURT: Do you understand that the offense to which
3 you plead guilty is a felony offense?

4 THE DEFENDANT: Yes. I understand.

5 THE COURT: Do you understand that if your plea of
6 guilty is accepted, you will be adjudicated guilty of that
7 offense?

8 THE DEFENDANT: Yes. I understand.

9 THE COURT: Do you understand that if you are a
10 naturalized citizen and this offense was committed before or
11 during the pendency of your citizenship application, that such
12 adjudication may result in the loss of your status as a United
13 States citizen and/or further immigration consequences,
14 including removal from the United States?

15 THE DEFENDANT: Yes. I understand.

16 THE COURT: Do you understand that as a result of an
17 adjudication in this matter, it may result in the loss of your
18 status as a United States citizen and subsequent removal from
19 the United States?

20 THE DEFENDANT: Yes. I understand.

21 THE COURT: Have you discussed these consequences with
22 your attorney, including denaturalization and subsequent
23 removal?

24 THE DEFENDANT: Yes.

25 THE COURT: And are you satisfied with his services?

1 THE DEFENDANT: Yes.

2 THE COURT: Do you understand that the provisions of
3 the sentencing guidelines promulgated by the United States
4 Sentencing Commission will advise the Court in this matter?

5 THE DEFENDANT: Could you repeat that, please?

6 THE COURT: Sure.

7 Do you understand that the provisions of the sentencing
8 guidelines promulgated by the United States Sentencing
9 Commission will advise the Court in this matter?

10 THE DEFENDANT: Yes.

11 THE COURT: Have you and your attorney talked about how
12 the sentencing guidelines might apply to your case?

13 THE DEFENDANT: Yes.

14 THE COURT: Do you understand that the Court will not
15 be able to determine the advisory guideline range for your
16 sentence until after the advisory presentence investigation
17 report has been completed and you and the Government have had
18 the opportunity to challenge the reported facts and the
19 application of the guidelines as recommended by the probation
20 officer?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you understand that the Court will
23 consider all of the sentencing factors provided by law,
24 including the sentencing guidelines?

25 THE DEFENDANT: Yes. I understand.

1 THE COURT: Do you understand that after considering
2 all of those factors, the Court will impose a sentence it finds
3 appropriate, up to the statutory maximum?

4 THE DEFENDANT: Yes. I understand.

5 THE COURT: Do you understand that the sentence imposed
6 may be different from any estimate your attorney may have given
7 you?

8 THE DEFENDANT: Yes. I understand.

9 THE COURT: Do you understand that parole has been
10 abolished and that if you are sentenced to prison, you will not
11 be released on parole?

12 THE DEFENDANT: Yes. I understand.

13 THE COURT: Do you understand that under some
14 circumstances, you or the Government may have the right to
15 appeal any sentence that I impose?

16 THE DEFENDANT: Yes.

17 THE COURT: Is your plea of guilty being made freely
18 and voluntarily?

19 THE DEFENDANT: Yes.

20 THE COURT: Has anyone forced or threatened you or
21 coerced you to plead guilty?

22 THE DEFENDANT: No.

23 THE COURT: Has anyone made any representations to you
24 to convince you to plead guilty?

25 THE DEFENDANT: No.

1 THE COURT: Are you satisfied with your attorney?

2 THE DEFENDANT: Yes.

3 THE COURT: Have you had adequate time to fully confer
4 with your attorney and he with you about this charge, these
5 proceedings and all matters relating to this charge?

6 THE DEFENDANT: Yes.

7 THE COURT: Mr. Gaviria -- did I say your name right?
8 The.

9 MR. GAVIRIA: Perfect, your Honor.

10 THE COURT: Is this your signature on the written
11 factual proffer?

12 MR. GAVIRIA: Yes, your Honor.

13 THE COURT: And, Ms. Patrick, your signature as well?

14 MS. PATRICK: Yes, your Honor.

15 THE COURT: Mr. Gaviria, are you satisfied that
16 pleading guilty to the charge is in the best interest of your
17 client, considering all the circumstances in this case?

18 MR. GAVIRIA: Yes, your Honor.

19 THE COURT: And do you feel there would be sufficient
20 evidence upon which to convict the Defendant of this charge?

21 MR. GAVIRIA: Yes, your Honor.

22 THE COURT: Mr. Moio Bartollini, do you have any
23 questions, sir, about the possible consequences of your plea of
24 guilty?

25 THE DEFENDANT: No.

1 THE COURT: Do you understand fully all of the possible
2 consequences of your plea of guilty?

3 THE DEFENDANT: Yes.

4 THE COURT: It is the finding of the Court in the case
5 of the United States of America versus Fernando Adrian Moio
6 Bartollini that the Defendant is fully competent and capable of
7 entering an informed plea; that the Defendant is aware of the
8 nature of the charge and the consequences of the plea; and that
9 the plea of guilty is a knowing and voluntary plea supported by
10 an independent basis in fact containing each of the essential
11 elements of the offense.

12 The plea is therefore accepted and the Defendant is now
13 adjudicated guilty of the indictment.

14 A written advisory presentence investigation report
15 will now be prepared by the probation office to assist the
16 Court in sentencing. You will be asked, sir, to give
17 information for the report and your attorney may be present if
18 you wish. The Court shall permit the Defendant and counsel to
19 read the advisory presentence investigation report and file any
20 objections to the report before the sentencing hearing. The
21 Defendant and his counsel shall be afforded the opportunity to
22 speak on behalf of the Defendant at the sentencing hearing.

23 At this time, I'm going to refer the Defendant to the
24 probation office for an advisory presentence investigation
25 report. He's to be remanded to the Bureau of Prisons pending a

1 sentencing date and time which Patricia will give to us now.

2 MR. GAVIRIA: Judge, we were hoping to request an
3 expedited PSI.

4 THE COURT: You're going to need to contact Probation.
5 Probably the soonest that I can give you one is in September or
6 the end of August, because I'm out of the district for the next
7 few weeks.

8 MR. GAVIRIA: The quickest date would be the best, your
9 Honor, that we could arrange.

10 MS. PATRICK: The Government has no objection to that.

11 THE COURTROOM DEPUTY: September 23rd at 3:00 p.m.

12 THE COURT: If anything opens up before that, we'll --

13 MR. GAVIRIA: Something will open up, we hope. Thank
14 you, your Honor.

15 THE COURT: Sometimes if I don't have any trials --
16 which I don't know if that's going to happen; I'm pretty busy
17 come end of August, beginning of September -- but I may have
18 some additional time. Is that not a good date for you?

19 MS. PATRICK: I'm sorry, your Honor. It was September
20 23 at 3:00 p.m.?

21 THE COURTROOM DEPUTY: Yes.

22 MS. PATRICK: Thank you.

23 THE COURT: You can check with Patricia, if you want.
24 Usually the procedure is that you're supposed to go to
25 Probation first before you ask me. But that's okay. We set it

1 ahead of the 70-day period. I'm going to leave it to you to go
2 to Probation --

3 MR. GAVIRIA: I will.

4 THE COURT: -- to request the report.

5 Once you have a date from them as to when they think
6 they'll be able to finish an expedited report, I suggest that
7 you check in with Patricia.

8 MR. GAVIRIA: I will.

9 THE COURT: Sometimes things get canceled or, you
10 know -- but I'm sure she'll make a note of your case and try
11 and move you if we can.

12 MR. GAVIRIA: Thank you, your Honor.

13 THE COURT: Any other issues or matters the Court needs
14 to take up in regard to this case at this time?

15 MR. GAVIRIA: No, your Honor.

16 MS. PATRICK: Nothing else, your Honor. Thank you so
17 much.

18 THE COURT: Thank you. Nice to see you.

19 MS. PATRICK: Thank you. Good to see you, too, your
20 Honor.

21 THE COURT: We're in recess in this matter.

22 (Proceedings concluded.)
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C E R T I F I C A T E

I hereby certify that the foregoing is an accurate transcription of the proceedings in the above-entitled matter produced to the best of my ability.

DATE

/s/Lisa Edwards
LISA EDWARDS, RDR, CRR
(305) 439-7168
Reporterlisaedwards@gmail.com

Exhibit L

United States District Court
Southern District of Florida
MIAMI DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

Case Number - 1:13-20475-CR-LENARD-1

FERNANDO ADRIAN MOIO BARTOLLINI

USM Number: 01631-104

Counsel For Defendant: Frank Gaviria
Counsel For The United States: Diane Patrick
Court Reporter: Lisa Edwards


The defendant pleaded guilty to Count(s) 1 of the Indictment.
The defendant is adjudicated guilty of the following offense(s):

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE ENDED</u>	<u>COUNT</u>
18 U.S.C. § 1542	False Statement in Application and Use of Passport	June 12, 2013	1

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

Date of Imposition of Sentence:
August 23, 2013


JOAN A. LENARD
United States District Judge

August 23, 2013

DEFENDANT: FERNANDO ADRIAN MOIO BARTOLLINI
CASE NUMBER: 1:13-20475-CR-LENARD-1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **time served**.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

DEFENDANT: FERNANDO ADRIAN MOIO BARTOLLINI
CASE NUMBER: 1:13-20475-CR-LENARD-1

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **1 year**.

The defendant must report to the probation office in the district to which the defendant is released within 48 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

The defendant shall cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer within the first **fifteen (15) days** of every month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **forty-eight (48) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: FERNANDO ADRIAN MOIO BARTOLLINI
CASE NUMBER: 1:13-20475-CR-LENARD-1

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

Surrendering to Immigration for Removal After Imprisonment - At the completion of the defendant's term of imprisonment, the defendant shall be surrendered to the custody of the U.S. Immigration and Customs Enforcement for removal proceedings consistent with the Immigration and Nationality Act. If removed, or the defendant voluntarily leaves the United States, shall not reenter the United States without the prior written permission of the Secretary of Homeland Security. The term of supervised release shall be non-reporting while the defendant is residing outside the United States. If the defendant reenters the United States within the term of supervised release, the defendant is to report to the nearest U.S. Probation Office within 48 hours of the defendant's arrival.

DEFENDANT: FERNANDO ADRIAN MOIO BARTOLLINI
CASE NUMBER: 1:13-20475-CR-LENARD-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on the Schedule of Payments sheet.

Total Assessment

\$100

Total Fine

\$

Total Restitution

\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: FERNANDO ADRIAN MOIO BARTOLLINI
CASE NUMBER: 1:13-20475-CR-LENARD-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A. Lump sum payment of **\$100** due immediately, balance due

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the CLERK, UNITED STATES COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
400 NORTH MIAMI AVENUE, ROOM 8N09
MIAMI, FLORIDA 33128-7716**

The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Troy Liggett, U.S. Dep't of Justice, P.O. Box 878, Ben Franklin Station, Washington, DC 20044, 202-532-4765

DEFENDANTS

Fernando Adrian Moio Bartolini

County of Residence of First Listed Defendant Orange County (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Linda Osberg-Braun, 10800 Biscayne Blvd., Suite 925, Miami, FL 33161, 305-350-0707

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 8 U.S.C. § 1451(a)
Brief description of cause: Revocation of Naturalization

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [] Yes [x] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE Sep 9, 2025 SIGNATURE OF ATTORNEY OF RECORD /s/ Troy D. Liggett

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 6:25-cv-1737
FERNANDO ADRIAN MOIO BARTOLINI,)	
a/k/a Fernando Adrian Moio,)	
a/k/a Fernando Adrian Moio Bartollini,)	
)	
Defendant.)	
)	

SUMMONS IN A CIVIL ACTION TO REVOKE NATURALIZATION

TO: FERNANDO ADRIAN MOIO BARTOLINI
5425 Walsh Pond Court
Windermere, FL 34786

A lawsuit has been filed against you.

Under 8 U.S.C. § 1451(b), within 60 days after service of this summons on you (not counting the day you received it), you must serve on the Plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the Plaintiff's attorney, whose name and address are:

Troy D. Liggett
U.S. Department of Justice, Civil Division
Office of Immigration Litigation
General Litigation and Appeals Section
P.O. Box 878, Ben Franklin Station
Washington, DC 20044

If you fail to respond, Plaintiff may move the Court for judgment against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No. 6:25-cv-1737

PROOF OF SERVICE

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)*
_____, a person of suitable age and discretion
who resides there, on *(date)* _____, and mailed a copy to the
individual's last known address; or

I served the summons on *(name of individual)* _____,
who is designated by law to accept service of process on behalf of *(name of organization)*
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: