

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORGE LUIS ALVARADO,  
a/k/a Jorge Luis Mateo Alvarado,  
a/k/a Jorge Alvarado-Mateo,

Defendant.

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CIVIL ACTION NO. 7:17-cv-451

**COMPLAINT TO REVOKE NATURALIZATION**

The United States of America, in this Complaint to Revoke Naturalization against Defendant Jorge Luis Alvarado, a/k/a Jorge Luis Mateo Alvarado and Jorge Alvarado-Mateo (“Defendant”), states and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the decision admitting Defendant to U.S. citizenship and to cancel his Certificate of Naturalization, No. 25350693, issued in the name of “Jorge Luis Alvarado.”

2. The United States alleges that Defendant procured his naturalization unlawfully and that he willfully misrepresented and concealed material facts in applying to naturalize. Specifically, before he became a citizen of the United States, Defendant engaged in criminal activity that he concealed throughout the naturalization process and that made him ineligible for U.S. citizenship. On or around December 31, 1996, and before he filed his naturalization application with United States immigration officials, Defendant made unlawful sexual contact with a sixteen-year-old child, a second degree felony, in violation of Tex. Penal Code § 21.11.

On his naturalization application, which Defendant filed only months later, he stated that he had never committed a crime for which he had not been arrested. In 2007, after Defendant naturalized, he admitted and pleaded guilty to the foregoing crime. Under 8 U.S.C. § 1451(a), a United States district court must revoke and set aside the order admitting a naturalized citizen to citizenship and cancel his certificate of naturalization upon a showing that such naturalization was illegally procured or procured by concealment of a material fact or by willful misrepresentation.

3. The United States, therefore, brings this action for an order revoking Defendant's United States citizenship and canceling his certificate of naturalization pursuant to 8 U.S.C. § 1451(a).

#### JURISDICTION AND VENUE

4. This Court has jurisdiction pursuant to 28 U.S.C. § 1345 and 8 U.S.C. § 1451(a).

5. Venue is proper in this district pursuant to 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391.

6. This Court has personal jurisdiction over Defendant because he can be found in and resides in this District, pursuant to U.S. Const., art. 3, § 2, cl. 1.

#### PARTIES

7. Defendant was born in Mexico and is a naturalized U.S. citizen. His last known address is in Edinburg, Texas, which is within the jurisdiction and venue of this Court.

8. Plaintiff is the United States of America.

#### FACTUAL ALLEGATIONS

9. The affidavit of Juan R. Cienega, a U.S. Customs and Border Protection Enforcement Officer, showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

A. Defendant's Relevant Immigration History

10. Defendant was born in 1961 in Mexico.

11. Defendant became a lawful permanent resident of the United States on May 25, 1989.

B. Defendant's Relevant Criminal History

12. On November 10, 2005, officers of the McAllen, Texas, police department arrested Defendant and charged him with sexual assault of a child and indecency with a child.

13. On or around March 7, 2006, a two-count indictment against Defendant was filed in the Hidalgo County, Texas, District Court. Ex. B, Indictment, *State of Texas v. Jorge Luis Mateo Alvarado*, CR-0623-06-B (93rd Judicial Dist. Ct., Hidalgo Co., Tex.).

14. In the March 7, 2006 Indictment, the Grand Jury charged Defendant with two counts: (1) Sexual Assault of a Child; and (2) Indecency with a Child (By Contact). *Id.*

15. On March 19, 2007, Defendant entered a plea agreement with the state's attorney whereby Defendant would plead guilty to Indecency with a Child – Sexual Contact, committed on December 31, 1996, a second degree felony, in violation of Texas Penal Code § 21.11. Ex. C, Testimony & Plea of Guilty, *State of Texas v. Jorge Luis Mateo Alvarado*, CR-0623-06-B (93rd Judicial Dist. Ct., Hidalgo Co., Tex.).

16. In his March 19, 2007 agreement, Defendant asked the court to consider suspending the imposition of the sentence and place him on community supervision and to consider deferring further proceedings without entering an adjudication of guilty. *Id.*

17. With the March 19, 2007 agreement, Defendant admitted that he committed each and every element of the offense alleged in Paragraph Two of Count Two of the Indictment, which alleged Defendant:

did . . . engage in sexual contact with . . . the victim, a child younger than 17 years, and not the spouse of defendant by then and there touching the breast of the victim, with intent to arouse and gratify the sexual desire of the defendant.

*Id.*; Ex. B.

18. On March 19, 2007, Defendant pleaded guilty in the District Court of Hidalgo County, Texas, to Indecency with a Child – Sexual Contact in violation of Texas Penal Code § 21.11(a)(1), and the court entered an Order of Deferred Adjudication & Community Supervision requiring Defendant to serve five years of community supervision, pay a fine of \$1,000.00, and register as a sex offender. Ex. D, Order of Deferred Adjudication & Community Supervision, *State of Texas v. Jorge Luis Mateo Alvarado*, CR-0623-06-B (93rd Judicial Dist. Ct., Hidalgo Co., Tex.).

19. In the March 19, 2007 order, the District Court of Hidalgo County, Texas, found the offense was committed on December 31, 1996, and the age of the victim at the time of the offense was sixteen years old. *Id.*

C. Defendant's Unlawful Naturalization

20. On or about June 5, 1997, Defendant filed a Form N-400, Application for Naturalization, with the Immigration and Naturalization Service (“INS”).<sup>1</sup> Ex. E, Defendant's Form N-400, Application for Naturalization.

21. Question 15a of Part 7, Additional Eligibility Factors, of Defendant's N-400 asked if the applicant had ever “knowingly committed any crime for which you have not been arrested?”

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<sup>1</sup> On March 1, 2003, the INS ceased to exist and many of its relevant functions transferred to DHS. *See* Homeland Security Act of 2002, Pub. L. No. 107-296, 110 Stat. 2135 (Nov. 25, 2002). However, because the many of the events in this case took place prior to the transfer, “INS” will be referenced where factually appropriate.

22. On his Form N-400, Defendant checked the box “No” to answer Question 15a of Part 7, Additional Eligibility Factors.

23. On or around February 16, 1997, Defendant signed his N-400 under penalty of perjury, thereby certifying that his answers to the questions therein were true and correct.

24. On October 15, 1998, Neville H. Claflin, a District Adjudications Officer with the INS, orally interviewed Defendant in person regarding his N-400 to determine Defendant’s eligibility for naturalization.

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

26. During the interview, Officer Claflin asked Defendant whether he had ever knowingly committed any crime for which he had not been arrested, consistent with Question 15a, Part 7, Additional Eligibility Factors, of Defendant’s N-400.

27. Consistent with his written answer to Question 15a, Part 7, Additional Eligibility Factors, of Defendant’s N-400, Defendant testified that he had never knowingly committed any crime for which he had not been arrested.

28. At the end of his interview, Defendant signed his Form N-400 in the presence of Officer Claflin and swore that the contents of his application, corrections made at his request, and his amended application were true to the best of his knowledge and belief.

29. Based upon the information supplied by Defendant on his Form N-400 and based on the sworn answers he gave during his naturalization interview, the INS approved Defendant’s naturalization application on January 21, 2000.

30. On March 9, 2000, Defendant took the oath of allegiance and became a naturalized U.S. citizen. *See* Ex. F, Certification of Naturalization No. 25350693.

31. On March 9, 2000, the INS issued Certificate of Naturalization No. 25350693 to Jorge Luis Alvarado. *See id.*

### GOVERNING LAW

#### A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

32. No alien has a right to naturalization “unless all statutory requirements are complied with.” *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). Indeed, the Supreme Court has underscored that “[t]here must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship.” *Fedorenko v. United States*, 449 U.S. 490, 506 (1981); *see also id.* (“An alien who seeks political rights as a member of this Nation can rightfully obtain them only upon the terms and conditions specified by Congress.”) (quoting *Ginsberg*, 243 U.S. at 474)).

33. Congress has mandated that an individual may not naturalize unless that person “during all periods referred to in this subsection has been and still is a person of good moral character . . . .” *See* 8 U.S.C. § 1427(a)(3). The required statutory period for good moral character typically begins five years before the date the applicant files the application for naturalization, and it continues until the applicant takes the oath of allegiance and becomes a United States citizen. *Id.*

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

35. In addition to enumerating classes of persons precluded from establishing the good moral character necessary to naturalize, Congress also created a residual provision which states, “[t]he fact that any person is not within any of the foregoing classes shall not preclude a

finding that for other reasons such person is or was not of good moral character.” 8 U.S.C. § 1101(f).

36. Individuals who, during the statutory period they are required to prove good moral character, commit unlawful acts adversely reflecting upon their moral character cannot meet the good moral character requirement, unless they prove extenuating circumstances exist. *See* 8 C.F.R. § 316.10(b)(3)(iii); 8 U.S.C. § 1101(f).

37. “[A] conviction during the statutory period is not necessary for a finding that an applicant lacks good moral character. It is enough that the offense was ‘committed’ during that time.” *United States v. Suarez*, 664 F.3d 655, 661 (7th Cir. 2011) (discussing 8 C.F.R. § 316.10(b)(3)(iii)).

38. Nevertheless, an individual who is convicted is collaterally estopped from contesting all facts that were essential to proving the elements of the crime. *See Johnson v. Sawyer*, 47 F.3d 716, 722 n.13 (5th Cir. 1995) (en banc).

B. The Denaturalization Statute

39. 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.

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

(a) illegally procured, or

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

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

42. 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).

43. Where the government establishes that the defendant’s citizenship was procured illegally or by willful misrepresentation of material facts, “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 LACK OF GOOD MORAL CHARACTER (UNLAWFUL ACTS)

44. The United States incorporates by reference the allegations set forth in paragraphs 1 through 43 of this Complaint.

45. To be eligible for naturalization, Defendant must have shown that he was a person of good moral character from June 5, 1992 (five years before he filed his naturalization application) until he naturalized on March 9, 2000. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

46. Defendant could not establish the requisite good moral character for naturalization if he committed unlawful acts during the statutory period that reflected adversely on his moral



character and there were no extenuating circumstances. 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

47. Defendant could not establish the requisite good moral character for naturalization because he engaged in sexual contact with a sixteen-year-old child in violation of Texas Penal Code § 21.11(a)(1), which adversely reflected on his moral character and for which there are no extenuating circumstances. *See* 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

48. The regulatory catch-all provision for unlawful acts at 8 C.F.R. § 316.10(b)(3)(iii) applies to Defendant because he committed the unlawful act on December 31, 1996, during the statutory period before he was naturalized, even though he pleaded guilty to this crime after he was granted citizenship.

49. An individual illegally procured naturalization if he committed unlawful acts during the statutory period before he was naturalized, even if he was found guilty of those crimes after he was granted citizenship. *See, e.g., United States v. Ledesma*, 33 F. Supp. 3d 734, 743 (S.D. Tex. 2012).

50. Because Defendant committed unlawful acts that adversely reflected on his moral character during the statutory period and he cannot demonstrate extenuating circumstances, he was barred under 8 U.S.C. § 1101(f) and 8 C.F.R. § 316.10(b)(3)(iii) from showing that he had the good moral character necessary to become a naturalized United States citizen.

51. Because Defendant could not establish that he was a person of good moral character during the statutory period, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3).

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

COUNT II

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

53. The United States incorporates by reference the allegations set forth in paragraphs 1 through 43 of this Complaint.

54. To be eligible for naturalization, Defendant must have shown that he was a person of good moral character from June 5, 1992 (five years before he filed his naturalization application) until he naturalized on March 9, 2000. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

55. Defendant could not establish the requisite good moral character for naturalization if he gave false testimony for the purpose of obtaining an immigration benefit. 8 U.S.C. § 1101(f)(6).

56. Defendant could not establish the requisite good moral character for naturalization because on October 15, 1998, he provided false testimony, under oath, for the purpose of obtaining naturalization, an immigration benefit. 8 U.S.C. § 1101(f)(6).

57. As set forth in paragraphs 24 through 28, Defendant testified that he had never knowingly committed any crime for which he had not been arrested.

58. Defendant's testimony that he had never knowingly committed any crime for which he had not been arrested was false.

59. At his naturalization interview on October 15, 1998, Defendant did not disclose that he had committed the offense of indecency with a child, a second degree felony, in violation of Texas Penal Code § 21.11(a)(1), committed on December 31, 1996.

60. As set forth in paragraph 18, Defendant pleaded guilty to this offense on March 19, 2007.

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

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

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

### COUNT III

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

64. The United States incorporates by reference the allegations set forth in paragraphs 1 through 43 of this Complaint.

65. Under 8 U.S.C. § 1451(a), this Court must revoke Defendant's citizenship and cancel his Certificate of Naturalization if he procured his naturalization by concealment of a material fact or by willful misrepresentation.

66. Defendant willfully misrepresented and concealed throughout the naturalization process the unlawful sexual contact he made with a sixteen-year-old child on December 31, 1996.

67. At no point during the naturalization process did Defendant disclose that he engaged in unlawful sexual contact with a sixteen-year-old child on December 31, 1996, for which he had not been arrested.

68. Defendant's misrepresentation and concealment of his unlawful activity were material to his naturalization application because they would have had a natural tendency to influence the government's decision whether to approve his naturalization application. Indeed, Defendant's conduct rendered him ineligible for citizenship.

69. Had Defendant disclosed his criminal conduct, the INS would have denied his application for naturalization.

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

PRAYER FOR RELIEF

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

- (1) A declaration that Defendant procured his citizenship illegally;
- (2) A declaration that Defendant procured his 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. 25350693, effective as of the original date of the order and certificate, March 9, 2000;
- (4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages related to United States citizenship that he obtained as a result of his March 9, 2000 naturalization;
- (5) Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, his Certificate of Naturalization No. 25350693 and any copies thereof in his possession—and to make good faith efforts to recover and immediately surrender any copies thereof that he knows are in the possession of others—to the Attorney General, or his designated representative, including undersigned counsel;
- (6) Judgment requiring Defendant to surrender and deliver, within ten days of the entry of judgment against him, any other indicia of United States citizenship (including, but not limited to, U.S. passports, voter registration cards, and other relevant documents, whether current or expired), and any copies thereof in his possession—and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession of others—to the Attorney General, or his designated representative, including undersigned counsel; and

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

Dated: November 21, 2017

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Respectfully submitted,

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*Counsel for the United States*

# **Exhibit A**

UNITED STATES OF AMERICA	)	
	)	
SOUTHERN DISTRICT OF TEXAS	)	
	)	
In the Matter of the Revocation of the	)	AFFIDAVIT OF GOOD CAUSE
Naturalization of	)	
	)	
Jorge Luis ALVARADO	)	
A090-453-008	)	

I, Juan R. Cienega, declare under penalty of perjury as follows:

1. I am an Enforcement Officer for the U.S. Customs and Border Protection (CBP), U.S. Department of Homeland Security (DHS). In this capacity, I have access to the official records of DHS, including the immigration file of Mr. Jorge Luis Alvarado (hereafter Mr. Alvarado), A090-453-008.
2. I have examined the records relating to Mr. Alvarado. Based upon my review of these records, I state, on information and belief, that the information set forth in this Affidavit of Good Cause is true and correct.
3. Mr. Alvarado was born in Mexico in [REDACTED] 1961. The Immigration and Naturalization Service (INS) approved Mr. Alvarado's application for status as a temporary resident in April 1988. He adjusted his status to that of a lawful permanent residence of the United States on May 25, 1989. On June 5, 1997, Mr. Alvarado filed an application for naturalization, INS Form N-400, with the INS pursuant to Section 316( a) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1427(a).
4. On October 15, 1998, Mr. Alvarado appeared before Neville H. Claflin, an INS District Adjudications Officer, in Harlingen, Texas, to determine his eligibility for naturalization. At that time, Mr. Alvarado stated, under oath, that he had been arrested on only one



occasion, in 1985 for a driving under the influence. Additionally, at that time he stated, under oath, that he had never committed a crime for which he had not been arrested. At the completion of his interview Mr. Alvarado swore or affirmed that the contents of his application were true and correct. The case was continued for Mr. Alvarado to provide conviction and probation documents associated with his arrest for the driving under the influence offense.

5. Mr. Alvarado submitted to the INS copies of Hidalgo County Court at Law, Texas, records regarding his 1985 arrest for driving under the influence. Mr. Alvarado submitted a July 31, 1985 judgment against him for the misdemeanor offense of driving a motor vehicle while intoxicated in a public place and an April 10, 1986 order by the court granting Mr. Alvarado's motion for early termination of probation. On the basis of Mr. Alvarado's written application, documents he submitted, and his testimony at the naturalization interview, his application for naturalization was approved on January 21, 2000. On or about February 24, 2000, the INS sent Mr. Alvarado a Notice of Naturalization Oath Ceremony, Form N-445 (hereafter Form N-445). Form N-445 advised Mr. Alvarado that he was scheduled to appear for a hearing on his Petition for Naturalization, to take the oath of allegiance, and that he was required to bring and submit Form N-445 with all questions answered prior to being sworn in as a United States citizen. Mr. Alvarado completed his answers to the questions on Form N-445 and signed Form N-445 on March 9, 2000, thereby certifying that his answers to the questions on this form were true and correct.
6. On the basis of the representations made on his completed Application to File Petition for Naturalization, Form N-400, and his responses to the questions on Form N-445, Mr.

Alvarado was permitted to take the oath of allegiance and was admitted as a citizen of the United States on March 9, 2000. On this same date he was issued a Certificate of Naturalization, number 25350693.

7. Mr. Alvarado illegally procured his naturalization because he could not have established that he was a person of good moral character. As an applicant for naturalization pursuant to section 316(a) of the Immigration and Nationality Act, 8 U.S.C. § 1429(a), Mr. Alvarado was required to prove that he was a person of good moral character from June 5, 1992, five years before he filed his application for naturalization, until March 9, 2000, the date on which he was admitted as a citizen of the United States (“the statutory period”).
8. Mr. Alvarado could not have established that he was a person of good moral character because he committed unlawful acts that adversely reflected on his moral character.
  - a. Unless there are extenuating circumstances, an applicant for naturalization is precluded from establishing good moral character if, during the statutory period, he commits unlawful acts that adversely reflect upon his moral character.
  - b. Whether unlawful acts affect an applicant’s moral character is a case-by-case determination, considering the standards of the average citizen in the applicant’s community of residence.
  - c. On or around March 7, 2006, the Hidalgo County, Texas, District Court filed an indictment against Mr. Alvarado on two counts: sexual assault of a child, by intentionally and knowingly causing his finger to penetrate the sexual organ of [REDACTED] the victim, a child younger than 17 years of age,

occurring on or about December 31, 1997; and indecency with a child, by engaging in sexual contact with [REDACTED] the victim, a child younger than 17 years, and not the spouse of Mr. Alvarado, by then and there touching part of the genitals of the victim and touching the breast of the victim, with intent to arouse and gratify the sexual desire of Mr. Alvarado, occurring on or about December 31, 1996.

- d. On March 19, 2007, Mr. Alvarado pleaded guilty in the 93rd Judicial District Court of Hidalgo County, Texas, to the offense of indecency with a child, a second degree felony, in violation of Texas Penal Code § 21.11(a)(1). The court found the offense to have been committed on December 31, 1996. The court ordered Mr. Alvarado to be placed on community supervision for five years and fined \$1,000.00.
- e. Mr. Alvarado's guilty plea indicates that the offense of indecency with a child that occurred on December 31, 1996, occurred during the statutory period.
- f. Committing indecency with a child, by engaging in sexual contact with [REDACTED] the victim, a child younger than 17 years, and not the spouse of Mr. Alvarado, with intent to arouse and gratify the sexual desire of Mr. Alvarado, is an unlawful act that adversely reflects upon an individual's moral character as measured against the standards of the average citizen in the community of residence.
- g. The crime of indecency with a child is an unlawful act that adversely reflects upon Mr. Alvarado's good moral character as contemplated under 8 C.F.R. § 316.10(b)(3).

- h. As evidenced by his post-naturalization conviction, there were no extenuating circumstances that could have mitigated the effect of Mr. Alvarado's actions on his ability to establish good moral character.
  - i. Because Mr. Alvarado committed unlawful acts affecting his moral character within the period of time in which he was required to establish good moral character, he was precluded from establishing good moral character.  
  
Consequently, he illegally procured his naturalization.
- 9. Mr. Alvarado procured his naturalization by willful misrepresentation and concealment of material facts.
  - a. Mr. Alvarado willfully misrepresented and concealed his criminal history.
  - b. In response to Question 15 under Part 7 of the Application for Naturalization, Form N-400, Mr. Alvarado asserted that he had never knowingly committed any crime for which he had not been arrested.
  - c. At his naturalization interview on October 15, 1998, during the statutory period, Mr. Alvarado testified under oath that he had never committed a crime or offense for which he was not arrested. At the end of his interview, Mr. Alvarado signed his N-400, indicating that the contents of his naturalization application, including his representation that he had never committed a crime or offense for which he was not arrested, were true and correct to the best of his knowledge or belief.
  - d. In fact, Mr. Alvarado's representation was false because at the time of his interview, and prior to his naturalization interview, during the statutory period, he had committed the crime of indecency with a child.


- e. The facts misrepresented by Mr. Alvarado were material to determining his eligibility for naturalization because they would have had the natural tendency to affect the INS decision whether to approve his application. In fact, Mr. Alvarado's criminal activity precluded him from establishing good moral character.
  - f. Mr. Alvarado procured his naturalization by misrepresenting and concealing his criminal conduct.
10. Mr. Alvarado could not have established that he was a person of good moral character because he provided false testimony during his naturalization for the purpose of obtaining his naturalization.
- a. On October 15, 1998, Mr. Alvarado appeared before an INS officer for an interview regarding his application for naturalization.
  - b. At the beginning of the naturalization interview Mr. Alvarado took an oath or affirmed that he would answer all questions truthfully.
  - c. During the course of the naturalization interview, and in order to adjudicate his eligibility for naturalization, the INS officer asked Mr. Alvarado about whether he had ever committed a criminal offense for which he had not been arrested.
  - d. In response to this question, Mr. Alvarado testified, under oath, that he had not.
  - e. This testimony was false. Mr. Alvarado had committed the offense of indecency with a child on December 31, 1996.

- f. Mr. Alvarado's false testimony concealed the fact that he had committed a crime.
  - g. Because Mr. Alvarado provided false testimony, he could not establish that he was a person of good moral character.
11. Based on the facts outlined in the foregoing paragraphs, good cause exists to institute proceedings pursuant to section 340(a) of the Immigration and Nationality Act, 8 U.S.C. §1451(a), to revoke Mr. Alvarado's citizenship and to cancel his certificate of naturalization.
12. Mr. Alvarado's last known place of residence is [REDACTED] Edinburg, Texas, 78542. Therefore, venue is proper in this district.

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 this 9th day of November, 2017.

  
\_\_\_\_\_  
Juan R. Cienega  
CBP Enforcement Officer—Prosecutions Office  
Hidalgo/Pharr/Anzalduas Port Of Entry  
9901 S. Cage Blvd., Ste. B  
Pharr, TX 78577

## **Exhibit B**

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

*Count 1*

THE GRAND JURY, for the County of Hidalgo, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the January Term A.D. 2006 of the 33<sup>rd</sup> Judicial District Court for said County, upon their oaths present in and to said court at said term that JORGE LUIS ALVARADO hereinafter styled Defendant, on or about the 31st day of December A.D., 1997, and before the presentment of this indictment, in Hidalgo County, Texas, did then and there, intentionally and knowingly cause his finger to penetrate the sexual organ of [REDACTED] the victim, a child younger than 17 years of age; 71

COUNT TWO

THE GRAND JURY, for the County of Hidalgo, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the January Term A.D. 2006 of the 33<sup>rd</sup> Judicial District Court for said County, upon their oaths present in and to said court at said term that JORGE LUIS ALVARADO hereinafter styled Defendant, on or about the 31st day of December A.D., 1996, and before the presentment of this indictment, in Hidalgo County, Texas, did then and there engage in sexual contact with [REDACTED] the victim, a child younger than 17 years, and not the spouse of defendant by then and there touching part of the genitals of the victim, with intent to arouse and gratify the sexual desire of the defendant; 72

SCANNED



AND THE GRAND JURORS AFORESAID, upon their said oaths, in said court, at said term do further present that JORGE LUIS ALVARADO, on or about the 31st day of December A.D., 1996, and before the presentment of this indictment, in Hidalgo County, Texas, did then and there engage in sexual contact with [REDACTED] the victim, a child younger than 17 years, and not the spouse of defendant by then and there touching the breast of the victim, with intent to arouse and gratify the sexual desire of the defendant;

AGAINST THE PEACE AND DIGNITY OF THE STATE.

*Rep Tunney*  
FOREPERSON OF THE GRAND JURY

No. CR- 062306-B Arrest Date: 11/10/05 Agency: MCALLEN POLICE  
DEPARTMENT  
By: IDA Case No. 05-19036 Bond: \$  
\$20000.00  
\$20000.00  
State of Texas vs. JORGE LUIS ALVARADO  
Charge SEXUAL ASSAULT-CHILD-CT.1  
INDECENCY WITH A CHILD (BY CONTACT)-CT.2  
715325

**FILED**  
AT 336 CLOCK 12 M  
MAR 07 2006  
OMAR GUERRERO, CLERK  
District Courts, Hidalgo County  
By [Signature] Deputy

DATE 10/16/17  
A true copy I certify  
LAURA HINOJOSA  
District Clerk, Hidalgo County, Texas  
By [Signature] Deputy #34

SCANNED

## **Exhibit C**

CAS. NUMBER CR-0623-06-B (COUNT 1)

(PARAGRAPH TWO)

TRN 010 510 7465 A002

THE STATE OF TEXAS  
VS  
JORGE LUIS ALVARADO  
SID TX 03511320

\*

\*

\*

IN THE 93RD DISTRICT COURT  
OF  
HIDALGO COUNTY, TEXAS

**WAIVER OF RIGHTS & CONSENT TO STIPULATION OF EVIDENCE  
AND/OR TESTIMONY & PLEA OF GUILTY OR NO CONTEST**

I, JORGE LUIS ALVARADO, voluntarily state as follows:

**RIGHTS OF ACCUSED:** I have the right of trial by jury; the right to demand the nature and cause of the accusation and have a copy thereof; the right to remain silent; the right to be represented by counsel; the right of being confronted with witnesses and to have compulsory process for obtaining witnesses; and the right to be accused by indictment. (Article 1.05 Code of Criminal Procedure)

**WAIVER OF RIGHTS:** I hereby waive my right of trial by jury; I waive my right to the appearance, confrontation, and cross-examination of witnesses; I waive service of indictment and the two day waiting period for arraignment, or I waive my right to be accused by indictment; I waive my right to consult in private with counsel sufficiently in advance of trial to allow adequate preparation for trial; If I plead guilty, I waive my right to remain silent, and it is my desire to take the witness stand knowing that anything I say can be used against me. (Article 1.13, 1.14, 1.141 & 1.05(a) Code of Criminal Procedure)

**CONSENT TO STIPULATION OF EVIDENCE/TESTIMONY:** I consent to the oral and written stipulations of the evidence and/or testimony in this case.

**REPRESENTATION BY COUNSEL:** I have received and I am totally satisfied with the effective assistance and competent representation in this case.

**COMPETENCY:** I am mentally competent, fully aware of the nature of this proceeding, and I am able to assist my attorney in my defense.

**PLEA OF GUILTY:**

☒ I freely and voluntarily plea GUILTY, and I admit I committed each and every element of every offense alleged in the indictment or information, namely, INDECENCY WITH A CHILD, A SECOND DEGREE FELONY, committed on DECEMBER 31, 1996. (PARAGRAPH TWO OF COUNT TWO)

☐ I freely and voluntarily plea GUILTY, and I admit I committed each and every element of the lesser included or related offense, namely, \_\_\_\_\_, Degree: \_\_\_\_\_; committed on DECEMBER 31, 1996.

**PLEA OF NO CONTEST**

☐ I freely and voluntarily plea NO CONTEST, and I admit I committed each and every element of every offense alleged in the indictment or information, namely, INDECENCY WITH A CHILD, A SECOND DEGREE FELONY, committed on DECEMBER 31, 1996.

☐ I freely and voluntarily plea NO CONTEST, and I admit I committed each and every element of the lesser included or related offense, namely, \_\_\_\_\_, Degree: \_\_\_\_\_; committed on DECEMBER 31, 1996.

**PLEA TO PRIOR CONVICTION(S):**

☐ I freely and voluntarily plea TRUE to the allegation(s) of prior conviction(s) in paragraph(s) \_\_\_\_\_ of the indictment or information.

**APPLICATION FOR COMMUNITY SUPERVISION:**

☒ I ask the Court to consider suspending the imposition of the sentence and place me on community supervision if the term of imprisonment in this case does not exceed ten (10) years or the term of confinement in this case does not exceed five (5) years.

**MOTION TO CONSIDER UNADJUDICATED OFFENSE(S):**

☐ I admit, with the consent of the Attorney for the State, my guilty of the following offense(s), and request the Court to take each into account in determining sentence for the offense of which I stand adjudged guilty: \_\_\_\_\_.

**MOTION FOR DEFERRED ADJUDICATION:**

☒ I ask the Court to consider deferring further proceedings without entering an adjudication of guilty, and place me on community supervision for a period not to exceed ten (10) years, and that if my motion is granted, I will not be found guilty at this time.

**CREDIT FOR TIME SPENT IN JAIL BETWEEN ARREST & SENTENCING (not for deferred adjudication)**

☒ I freely and voluntarily agree with the trial judge that I shall receive 1 days credit on my sentence for the time I have spent in jail in this case, other than confinement served as a condition of community supervision, from the time of my arrest and confinement until my sentence.

Signed on this the 19th day of MARCH, 2007.

  
\_\_\_\_\_  
JORGE LUIS ALVARADO  
Defendant

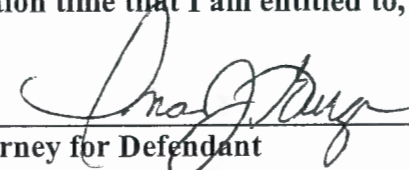
Sworn to and subscribed before me, the Clerk of Hidalgo County, Texas, on this the 19 day of March, 2007.

  
\_\_\_\_\_  
Deputy District Clerk

**ACCEPTANCE AND APPROVAL BY THE DEFENSE ATTORNEY**

After consulting and advising Defendant of Defendant's constitutional and procedural rights, I believe that Defendant understands these rights; that Defendant is mentally competent; that Defendant is aware of the consequences of the plea; that Defendant understands the admonitions of the Court; and that Defendant is not relying on any advice, information, or agreement not made known to the Court at this time. I approve the signing of the plea, waiver of rights, judicial confession, and agreement to stipulate evidence/testimony.

I waive, with the consent of the Defendant, the ten day preparation time that I am entitled to, if any, in order to prepare for trial.

  
\_\_\_\_\_  
Attorney for Defendant

**ACCEPTANCE AND APPROVAL BY THE ATTORNEY FOR THE STATE**

Before the entry of the Defendant's plea herein, I hereby consent to, and approve, the above waivers and stipulations.

I, the Attorney for the State, respectfully request permission from the Court to proceed on the lesser included or related offense, namely, NA.

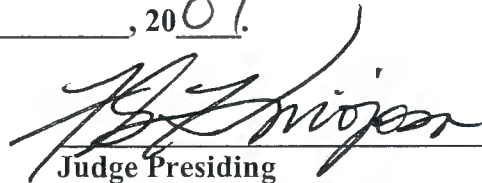
  
Assistant District Attorney

**ACCEPTANCE AND APPROVAL BY THE COURT**

It clearly appearing to the Court that the Defendant is mentally competent, and is represented by competent counsel; that Defendant understands the nature of the charge against Defendant; that Defendant has been admonished by the Court, including the minimum and maximum punishment provided by law; that Defendant fully understands the admonitions of the Court, and is fully aware of the consequences of the plea; that the Attorney for Defendant and for the State consent and approve the waivers and stipulations made by the Defendant;

The Court, therefore, finds such plea, waivers, and consent to be voluntarily made, and the Court accepts the plea and approves the waivers and stipulations made by the Defendant.

Signed on the 19 day of March, 2007.

  
Judge Presiding

## **Exhibit D**



Case No. CR-0623-06-B (COUNT TWO)  
TRN 010 510 7468 A002

THE STATE OF TEXAS § IN THE 93RD JUDICIAL  
v. JORGE LUIS MATEO § DISTRICT COURT OF  
ALVARADO, § HIDALGO COUNTY, TEXAS  
DEFENDANT  
SID: TX 3511320

**ORDER OF DEFERRED ADJUDICATION  
& COMMUNITY SUPERVISION**

DATE OF ORDER: March 19, 2007  
VISITING JUDGE PRESIDING: **FRED HINOJOSA**  
ATTORNEY FOR THE STATE: **KIMBERLY LEO**  
ATTORNEY FOR THE DEFENDANT: **OMAR GARZA**  
OFFENSE CODE: **36010001**  
OFFENSE: **INDECENCY WITH A CHILD**  
DATE OF OFFENSE: **DECEMBER 31, 1996**  
DEGREE OF OFFENSE: **SECOND DEGREE FELONY**  
STATUTE FOR OFFENSE: **21.11 (a) (1) PENAL CODE**  
PUNISHMENT RANGE: **2-20 YEARS IN PRISON/MAX \$10,000**  
(Including enhancements if any): **FINE**  
CHARGING INSTRUMENT: **INDICTMENT or INFORMATION**  
PLEA TO OFFENSE: **GUILTY**  
TERMS OF PLEA AGREEMENT OR  
FINDINGS OF THE COURT, TO WIT,  
COMMUNITY SUPERVISION PERIOD: **FIVE (5) YEARS**  
FINE: **\$1,000.00**  
RESTITUTION: **NONE**  
TIME SPENT IN JAIL: **ONE (1) DAY**  
DISMISS: **COUNT ONE**  
CONCURRENT WITH: **NONE**  
PLEA TO ENHANCEMENT **NONE**  
PARAGRAPH(S):  
FINDING TO ENHANCEMENT: **NONE**  
FINDING ON DEADLY WEAPON: **NONE**  
COURT COSTS: **\$ 266.25**

On **MARCH 19, 2007**, the above numbered and entitled cause was regularly reached and called for trial, and the State appeared by **KIMBERLY LEO**, and the Defendant and the Defendant's attorney, **OMAR GARZA**, were also present. Thereupon both sides announced ready for trial, and the Defendant, Defendant's attorney, and the State's attorney agreed in open court and in writing to waive a jury in the trial of this cause and to submit it to the Court. The Court consented to the waiver of a jury. The Defendant further waived the reading of the indictment or information, and, upon being asked by the Court as to how the Defendant pleaded, entered a plea of **GUILTY** to the offense of **INDECENCY WITH A CHILD**,

**SECOND DEGREE FELONY.** Furthermore, as to the enhancement paragraphs, if any, the Defendant entered a plea of **NONE**.

Thereupon, the Court admonished the Defendant of the range of punishment attached to the offense, that any recommendation of the State is not binding on the Court, that the existence of a plea bargain limits the right of an appeal to only pre-trial matters raised and preserved, and that if the Defendant is not a citizen of the United States of America, a plea of guilty or no contest may result in deportation under federal law; it appeared to the Court that the Defendant was competent to stand trial and was not influenced in making said plea(s) by any consideration of fear or by any persuasion prompting a confession of guilt; and that the Defendant understood the admonitions of the Court and was aware of the consequences of the plea(s); and the Court received the free and voluntary plea(s), which are now entered of record in the minutes of the Court.

The Court then proceeded to hear evidence from the State and the Defendant and, having heard argument of counsel, found there was sufficient evidence to support the Defendant's plea and found the offense was committed on **DECEMBER 31, 1996**, and made a finding of **NONE** on the enhancement paragraph(s), if any.

A pre-sentence investigation report **WAS NOT DONE** according to Article 42.12, Section 9, CCP.

However, the Court, after due consideration, is of the opinion and so finds that the best interests of society and the Defendant are served in this cause by deferring further proceedings without an adjudication of guilty.

It is, therefore, **ORDERED**, by the Court that further proceedings in this cause shall be and are hereby deferred. The Defendant is placed on community supervision for a period of **FIVE (5) YEARS** with a fine of **\$1,000.00** subject to the conditions of supervision imposed by the Court in an Order that is hereby incorporated into this Order.

### Order Imposing Conditions of Community Supervision

In accordance with the authority conferred by Article 42.12 of the Code of Criminal Procedure, the Court has placed the Defendant on community supervision in the above styled and numbered cause for the offense of **INDECENCY WITH A CHILD** for a period of **FIVE (5) YEARS**. The Court hereby **ORDERS** the Defendant to comply with the following conditions of community supervision:

1. Commit no offense against the laws of this State, or of any other State, or the United States.
2. Avoid injurious or vicious habits.
3. Avoid persons or places of disreputable or harmful character.
4. Obey all rules and regulations of the Hidalgo County Community Supervision and Corrections Department.
5. Permit the Supervision Officer to visit Defendant at Defendant's home or elsewhere.
6. Work faithfully at suitable employment as far as possible.
7. Remain within the limits of Hidalgo County, Texas, unless given permission to leave there from.
8. Support any dependents.



9. Attain an educational skill level that is equal to or greater than the average skill level of students who have completed the sixth grade in public schools in this State by participating fully in the Hidalgo County Community Corrections & Supervision Education and Employment Program beginning immediately, comply with the developmental training, and obey all rules and regulations of the program.
10. Submit to testing for alcohol or controlled substances by authorized personnel of the Hidalgo County Community Supervision and Corrections Department.
11. Report monthly in person to the Supervision Officer beginning immediately and continue as directed by the Supervision Officer.
12. **ATTEND TREATMENT or COUNSELING SESSION, including but not limited to psychological counseling, for SEX OFFENDERS** with the Hidalgo County Community Supervision & Corrections Department **SEX OFFENDER PROGRAM**, comply with the treatment, obey all rules and regulations of the program, and report immediately to the Sex Offender Program Supervision Officer, at 100 E. Cano, 4<sup>th</sup> Floor, Edinburg, Texas.
13. **NOT GO IN, ON, or WITHIN 1000 FEET** of premises where **CHILDREN** commonly **GATHER**, including a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility.
14. **NOT PURCHASE, POSSESS, or ACCESS or VIEW**, sexually explicit visual or audio material on any medium; **INSTALL and ACTIVATE**, at Defendant's own cost, software capable of blocking access to explicit material on any personal computer in Defendant's residence or any electronic device available; **PERMIT** the Supervision Officer or his Designee access at any time to any personal computer or electronic device in Defendant's residence or any electronic device available in order to monitor compliance.
15. **NOT SUPERVISE or PARTICIPATE** in any **PROGRAM** that includes as **PARTICIPANTS or RECIPIENTS**, persons who are **17 YEARS OF AGE OR YOUNGER** and that regularly provides athletic, civic, or cultural activities.
16. **PAY**, in addition to court costs or any other fee imposed, to the Hidalgo County Community Supervision & Corrections Department Supervision Officer a **COMMUNITY SUPERVISION FEE** in the amount of **\$5.00**, due on or before 30 days from the date of this Order and every month thereafter during the period of community supervision, and payable at the Hidalgo County Community Supervision & Corrections Department, 918 E. Business Highway 83, McAllen, Texas.
17. **PERMIT**, during the term of community supervision and on the basis of a "reasonable suspicion of criminal activity", any community supervision officer, government agency or their designee, to search Defendant's person, property, vehicle(s), residence or any place where Defendant may be living, with or without a search warrant.
18. **PRODUCE**, commencing immediately, for inspection and copying of any matters contained therein, to the Hidalgo County Community Supervision & Corrections Department or any government agency or their designees, any computer or electronic device which Defendant owns, possesses, or uses, including providing security codes, passwords, log on codes, or other access codes required to access the electronic device of computer's data, records, files, folders, databases, electronic mail, or any other computer or electronic information contained in said computers or electronic device.
19. **REGISTER** under **CHAPTER 62**, Code of Criminal Procedure.
20. **REIMBURSE** to the **TEXAS DEPARTMENT OF PUBLIC SAFETY** the amount of **\$144.00** for the **ANALYSIS** of blood for the purpose of creating a **DNA** record of the Defendant said payment due **JUNE 19, 2007** from the date of this Order and payable at the Hidalgo County Community Supervision and Corrections Department, 918 E. Business Hwy 83, McAllen, Texas.

21. **SUBMIT a BLOOD SAMPLE OR OTHER SPECIMEN** to the Department of Public Safety under Subchapter G, Chapter 411, Government Code, for the purpose of creating a **DNA** record of the Defendant.
22. **PAY the FINE** in the amount of **\$1,000.00** in monthly installments of **\$20.00** beginning thirty (30) days from the date of this Order and continuing every month thereafter until paid in full, payable at the Hidalgo County Clerk Collections Department, 100 N. Closner, Edinburg, Texas.
23. **AVOID BARS, TAVERNS, "CANTINAS", LOUNGES, POOL HALLS**, and all establishments whose primary business or source of income is selling or distributing alcoholic beverages, and **AVOID the USE OR ABUSE OF ANY AND ALL ALCOHOLIC BEVERAGES OR MIND-ALTERING DRUGS** during the entire period of community supervision.
24. **MAKE ONE payment** on or before **90 days** from the date of this Order to the local **CRIME STOPPERS PROGRAM**, as defined by Section 414.001 of the Government Code and certified by the Crime Stoppers Advisory counsel, in the amount of **\$50.00**, payable at the Hidalgo County Community Supervision and Corrections Department, 918 E. Business Hwy 83, McAllen, Texas.
25. **PAY A MONTHLY FEE** to the Court in the amount of **\$40.00** on or before/within **thirty (30)** days from the date of this Order, and continuing every month thereafter during the community supervision period, payable at the Hidalgo County Community Supervision & Corrections Department, 918 E. Highway 83, McAllen, Texas.
26. **PAY COURT COSTS** to the County of Hidalgo **within 90** days from the date of this Order payable at the Hidalgo County Clerk Collections Department, 100 N. Closner, Edinburg, Texas.
27. **WORK 240 HOURS** at a **COMMUNITY SERVICE PROJECT(S)** for an organization(s) approved by the Judge and designated by the Hidalgo County Community Supervision & Corrections Department at the rate of not less than eight (8) hours per week beginning immediately and continuing every week thereafter until completed in full.
28. **SUBMIT IMMEDIATELY** to an **ADDICTION SEVERITY INDEX SCREENING** at the Hidalgo County Community Supervision & Corrections Department, 918 E. Business Highway 83, McAllen, Texas.
29. **SUBMIT**, upon the request of Dr. Gregorio Pina or Dr. Jerry Anaya, to a **POLYGRAPH EXAMINATION** by a state licensed/certified examiner as directed by the Hidalgo County Community Supervision & Corrections Department for treatment and counseling purposes only, and immediately pay all costs and fees incurred therein.
30. **NOT COMMUNICATE** directly or indirectly with the **VICTIM**, and **not go** within **500 feet** of the **VICTIM'S residence**, place of employment, or place of business.

**Furthermore, the following special findings or orders apply:**

The Court finds that placing the Defendant on community supervision is in the best interest of the victim.

The Court finds that the Sex Offender Registration Requirements under Chapter 62, CCP, apply to the Defendant and the age of the victim at the time of the offense was **SIXTEEN (16) YEARS OLD**.

The Court finds that all court-ordered payments, if any, are suspended during the Defendant's custodial supervision, if any, and such payments shall be reinstated thirty days from the date of discharge from such custodial supervision.

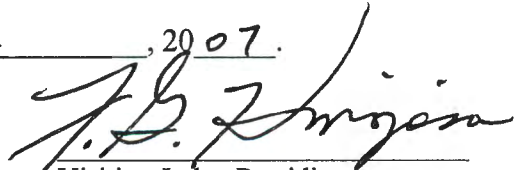
The Court finds that **THERE IS** plea bargain agreement between the State and the Defendant.

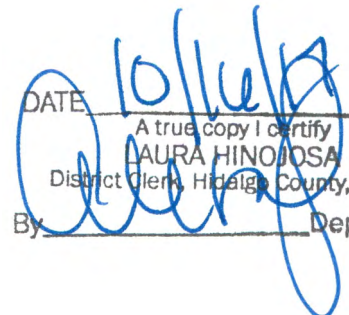
The Court, upon the State's motion, **DISMISSED** the following count(s), case(s), or complaint(s): **COUNT ONE**.

The Court finds that this deferred adjudication community supervision order shall run concurrent with: **NONE**.

The Court finds that the Defendant has spent **ONE (1) DAY** in county jail. The Defendant is hereby advised that, under the laws of the State of Texas, the Court shall determine the conditions of community supervision and may, at any time during the period of supervision, alter or modify the conditions of supervision. The Court also may extend the period of supervision and has the authority to revoke the community supervision at any time during the period of supervision for any violation of the conditions.

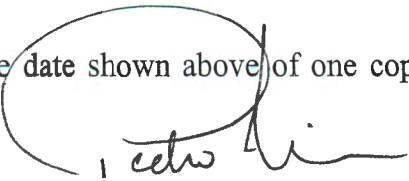
Signed on the 19<sup>th</sup> day of March, 2007.

  
Visiting Judge Presiding

DATE 10/16/17  
A true copy I certify  
LAURA HINOJOSA  
District Clerk, Hidalgo County, Texas  
By  Deputy #34

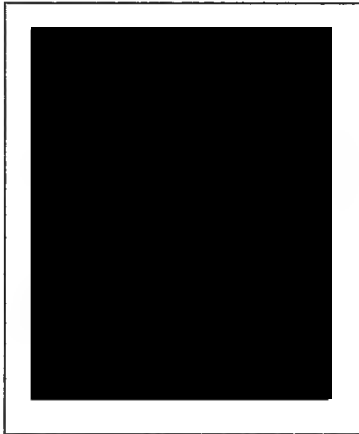
Receipt is hereby acknowledged on the date shown above of one copy of the above Order.

  
Defendant

  
Community Supervision Officer

BF

Defendant's right thumbprint



## **Exhibit E**



START HERE - Please Type or Print

Part 1. Information about you.

Family Name	ALVARADO	Given Name	JORGE	Middle Initial	L
U.S. Mailing Address - Care of					
[REDACTED]					
Street Number and Name				Apt. #	
100 ALLEN					
City		County			
TEXAS		HIDALGO			
State		ZIP Code			
TX (2)		78501			
Date of Birth (month/day/year)		Country of Birth			
[REDACTED] / [REDACTED] / 61		MEXICO			
Social Security #		A #			
[REDACTED] - [REDACTED] - [REDACTED]		90453008			

Part 2. Basis for Eligibility (check one).

- a. ☒ I have been a permanent resident for at least five (5) years.
- b. ☐ I have been a permanent resident for at least three (3) years and have been married to a United States Citizen for those three years.
- c. ☐ I am a permanent resident child of United States citizen parent(s).
- d. ☐ I am applying on the basis of qualifying military service in the Armed Forces of the U.S. and have attached completed Forms N-426 and G-325B.
- e. ☐ Other. (Please specify section of law)

Part 3. Additional information about you.

Date you became a permanent resident (month/day/year)	Port admitted with an immigrant visa or INS Office where granted adjustment of status.	
03/21/89	HLG	
Citizenship		
Mexican		
Name on alien registration card (if different than in Part 1)		
ALVARADO - MATEO, JORGE LUIS		
Other names used since you became a permanent resident (including maiden name)		
NONE		
Sex	Height	Marital Status
<input checked="" type="checkbox"/> Male	5'10"	<input checked="" type="checkbox"/> Single
<input type="checkbox"/> Female		<input type="checkbox"/> Divorced
Can you speak, read and write English? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

Absences from the U.S.:

Have you been absent from the U.S. since becoming a permanent resident? ☐ No ☒ Yes.

If you answered "Yes", complete the following. Begin with your most recent absence. If you need more room to explain the reason for an absence or to list more trips, continue on separate paper.

Date left U.S.	Date returned	Did absence last 6 months or more?	Destination	Reason for trip
Trip to Reynosa		<input type="checkbox"/> Yes <input type="checkbox"/> No		
Tampulipas		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Visit relatives		<input type="checkbox"/> Yes <input type="checkbox"/> No		
ONE ABOUT ONE		<input type="checkbox"/> Yes <input type="checkbox"/> No		
TIME A MONTH		<input type="checkbox"/> Yes <input type="checkbox"/> No		

FOR INS USE ONLY

Returned	Receipt
0880 001	06/05/97 9:26 N-400 95.00
Resubmitted	
Reloc Sent	
Reloc Rec'd	
<input checked="" type="checkbox"/> Applicant Interviewed 10/15/98	
At interview	
<input type="checkbox"/> request naturalization ceremony at court	
Remarks	
I-551 3/R 8 9 13 14 15 18 26 29 40 67 100%	
Action	
APPROVED INS DISTRICT DIRECTOR JAN 21 2000 Newell Claffer HLG   6788	
To Be Completed by Attorney or Representative, if any	
<input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant	
VOLAG#	
ATTY State License #	



**Part 4. Information about your residences and employment.**

- A. List your addresses during the last five (5) years or since you became a permanent resident, whichever is less. Begin with your current address. If you need more space, continue on separate paper:

Street Number and Name, City, State, Country, and Zip Code	Dates (month/day/year)	
	From	To
██████████ MC ALLEN, TEXAS 78501	12/20/95	PRESENT TIME
██████████ MC ALLEN, TEXAS 78501	2/95	12/20/95

- B. List your employers during the last five (5) years. List your present or most recent employer first. If none, write "None". If you need more space, continue on separate paper.

Employer's Name	Employer's Address Street Name and Number - City, State and ZIP Code	Dates Employed (month/day/year)		Occupation/position
		From	To	
Y & J'S AUTO SALES.	5900 S. 23 <sup>rd</sup> St. McAllen TX 78503	02/93	PRESENT TIME.	OWNER
LA HACIENDA RESTAURANT	DONNA, TEXAS	04/92	01/93	HEAD WAITER
ROUND UP RESTAURANT	708 W. Hwy 83 Pharr TX	11/80	03/92	BUSBOY & HEAD WAITER.

**Part 5. Information about your marital history.**

- A. Total number of times you have been married 1. If you are now married, complete the following regarding your husband or wife.

Family name	HERNANDEZ	Given name	YOLANDA	Middle initial
Address	██████████ MC ALLEN, TEXAS 78501			
Date of birth (month/day/year)	██/██/59	Country of birth	MEXICO	Citizenship MEXICAN
Social Security#	██-██-██	A# (if applicable)	90453009	Immigration status (If not a U.S. citizen) PERMANENT RESIDENT.
Naturalization (If applicable) (month/day/year)	Place (City, State)			

If you have ever previously been married or if your current spouse has been previously married, please provide the following on separate paper: Name of prior spouse, date of marriage, date marriage ended, how marriage ended and immigration status of prior spouse.

**Part 6. Information about your children.**

- B. Total Number of Children 2. Complete the following information for each of your children. If the child lives with you, state "with me" in the address column; otherwise give city/state/country of child's current residence. If deceased, write "deceased" in the address column. If you need more space, continue on separate paper.

Full name of child	Date of birth	Country of birth	Citizenship	A - Number	Address
JOANNA MOREDA ALVARADO	██/██/81	U.S.A.	U.S.A.		WITH ME.
JORGE ANTONIO ALVARADO	██/██/85	U.S.A.	U.S.A.		WITH ME.



Continued on back

**Part 7. Additional eligibility factors.**

Please answer each of the following questions. If your answer is "Yes", explain on a separate paper.

Have you ever registered for or voted in any election in the United States? ☐ Yes ☒ No (6)

1. Are you now, or have you ever been a member of, or in any way connected or associated with the Communist Party, or ever knowingly aided or supported the Communist Party directly, or indirectly through another organization, group or person, or ever advocated, taught, believed in, or knowingly supported or furthered the interests of communism? ☐ Yes ☒ No
  2. During the period March 23, 1933 to May 8, 1945, did you serve in, or were you in any way affiliated with, either directly or indirectly, any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, citizen unit of the Nazi party or SS, government agency or office, extermination camp, concentration camp, prisoner of war camp, prison, labor camp, detention camp or transit camp, under the control or affiliated with:
    - a. The Nazi Government of Germany? ☐ Yes ☒ No
    - b. Any government in any area occupied by, allied with, or established with the assistance or cooperation of, the Nazi Government of Germany? ☐ Yes ☒ No
  3. Have you at any time, anywhere, ever ordered, incited, assisted, or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion? ☐ Yes ☒ No
  4. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? ☐ Yes ☒ No
  5. Have you ever failed to comply with Selective Service laws? ☐ Yes ☒ No
- If you have registered under the Selective Service laws, complete the following information:  
 Selective Service Number: \_\_\_\_\_ Date Registered: \_\_\_\_\_
- If you registered before 1978, also provide the following:  
 Local Board Number: \_\_\_\_\_ Classification: \_\_\_\_\_
6. Did you ever apply for exemption from military service because of alienage, conscientious objections or other reasons? ☐ Yes ☒ No
  7. Have you ever deserted from the military, air or naval forces of the United States? ☐ Yes ☒ No
  8. Since becoming a permanent resident, have you ever failed to file a federal income tax return? ☐ Yes ☒ No
  9. Since becoming a permanent resident, have you filed a federal income tax return as a nonresident or failed to file a federal return because you considered yourself to be a nonresident? ☐ Yes ☒ No
  10. Are deportation proceedings pending against you, or have you ever been deported, or ordered deported, or have you ever applied for suspension of deportation? ☐ Yes ☒ No
  11. Have you ever claimed in writing, or in any way, to be a United States citizen? ☐ Yes ☒ No
  12. Have you ever:
    - a. been a habitual drunkard? ☐ Yes ☒ No
    - b. advocated or practiced polygamy? ☐ Yes ☒ No
    - c. been a prostitute or procured anyone for prostitution? ☐ Yes ☒ No
    - d. knowingly and for gain helped any alien to enter the U.S. illegally? ☐ Yes ☒ No
    - e. been an illicit trafficker in narcotic drugs or marijuana? ☐ Yes ☒ No
    - f. received income from illegal gambling? ☐ Yes ☒ No
    - g. given false testimony for the purpose of obtaining any immigration benefit? ☐ Yes ☒ No
  13. Have you ever been declared legally incompetent or have you ever been confined as a patient in a mental institution? ☐ Yes ☒ No
  14. Were you born with, or have you acquired in same way, any title or order of nobility in any foreign State? ☐ Yes ☒ No
  15. Have you ever:
    - a. knowingly committed any crime for which you have not been arrested? ☐ Yes ☒ No
    - b. been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking or violating any law or ordinance excluding traffic regulations? ☒ Yes ☒ No

DUI 1985. ONLY ARREST (7)

(If you answer yes to 15, in your explanation give the following information for each incident or occurrence the city, state, and country, where the offense took place, the date and nature of the offense, and the outcome or disposition of the case).

**Part 8. Allegiance to the U.S.**

If your answer to any of the following questions is "NO", attach a full explanation:

1. Do you believe in the Constitution and form of government of the U.S.? ☒ Yes ☐ No
2. Are you willing to take the full Oath of Allegiance to the U.S.? (see instructions) ☒ Yes ☐ No
3. If the law requires it, are you willing to bear arms on behalf of the U.S.? ☒ Yes ☐ No
4. If the law requires it, are you willing to perform noncombatant services in the Armed Forces of the U.S.? ☒ Yes ☐ No
5. If the law requires it, are you willing to perform work of national importance under civilian direction? ☒ Yes ☐ No



**Part 9. Memberships and organizations.**

A. List your present and past membership in or affiliation with every organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place. Include any military service in this part. If none, write "none". Include the name of organization, location, dates of membership and the nature of the organization. If additional space is needed, use separate paper.

St. Joseph the Worker Church.

MINISTRE EUCHARISTIC, SPONSOR OF ALTAR SERVER 5-91-Present

SCHOOL VOLUNTEER, 4-90-Present

**Part 10. Complete only if you checked block "C" in Part 2.**

How many of your parents are U.S. citizens? ☐ One ☐ Both (Give the following about one U.S. citizen parent:)

Family Name	Given Name	Middle Name
Address		

Basis for citizenship:

- ☐ Birth  
☐ Naturalization Cert. No.

Relationship to you (check one):

- ☐ natural parent ☐ adoptive parent  
☐ parent of child legitimated after birth

If adopted or legitimated after birth, give date of adoption or, legitimation: (month/day/year) \_\_\_\_\_

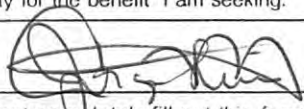
Does this parent have legal custody of you? ☐ Yes ☐ No

(Attach a copy of relating evidence to establish that you are the child of this U.S. citizen and evidence of this parent's citizenship.)

**Part 11. Signature.** (Read the information on penalties in the instructions before completing this section).

I certify or, if outside the United States, I swear or affirm, 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 Immigration and Naturalization Service needs to determine eligibility for the benefit I am seeking.

Signature



02/16/97  
Date

**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 naturalization and this application may be denied.

**Part 12. 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.

Signature

JORGE ALVARADO

Print Your Name

Valley Interfaith  
114A N. Texas  
Mercedes, TX 78570  
(210) 565-6316

02/16/97

Firm Name  
and Address

**DO NOT COMPLETE THE FOLLOWING UNTIL INSTRUCTED TO DO SO AT THE INTERVIEW**

I swear that I know the contents of this application, and supplemental pages 1 through 8, that the corrections, numbered 1 through 8, were made at my request, and that this amended application, is true to the best of my knowledge and belief.

Subscribed and sworn to before me by the applicant.

Nicole Claflin 10/15/98  
 (Examiner's Signature) Date

Jorge Luis Alvarado  
 (Complete and true signature of applicant)

I'm happy because you are a nice person.

## **Exhibit F**



No. 25350693



DEPARTMENT OF HOMELAND SECURITY

NATURALIZATION DIVISION

Personal description of holder  
as of date of naturalization:

Date of birth: [REDACTED] 1961

Sex: Male

Height: 5 feet 10 inches

Marital status: Married

Country of former nationality:  
Mexico



Jorge Luis Alvarado

INS Registration No. A90-453-008

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

(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Attorney General

at: HARLINGEN, TEXAS

The Attorney General having found that:

Jorge Luis Alvarado

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. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS

at:

MCALLEN, TEXAS

on: MAR 09 2000

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

Louis Weissman

Commissioner of Immigration and Naturalization

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