

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CASE NO. 3:17-cv-3182-G</b>
	)	
<b>v.</b>	)	
	)	
<b>EMMANUEL OLUGBENGA</b>	)	
<b>OMOPARIOLA,</b>	)	
	)	
<b>Defendant.</b>	)	

**CONSENT JUDGMENT**

This matter comes before the Court through a Joint Motion for Entry of Consent Judgment, agreed to by Plaintiff United States of America, through counsel, and *pro se* Defendant Emmanuel Olugbenga Omopariola (collectively, “the Parties”). Having considered the Complaint filed by the United States and the Joint Motion for Entry of Consent Judgment filed by the Parties, the Court concludes that Mr. Omopariola’s naturalization must be revoked under 8 U.S.C. § 1451(a).

The parties agree that Mr. Omopariola is subject to denaturalization under 8 U.S.C. § 1451(a) both because he illegally procured his naturalization and because he willfully misrepresented and concealed his unlawful activity during the naturalization process. Specifically, the Parties agree and stipulate that Mr. Omopariola applied for and was granted naturalization on July 1, 2004, and never revealed to the government in naturalization proceedings that in 2002 he unlawfully, intentionally, and knowingly engaged in sexual contact with a child younger than 17 years and not then his spouse with the intent to arouse and gratify his sexual desire. The Parties also agree that as an applicant for naturalization, Mr. Omopariola was required to prove that he was a person of good moral character from May 12, 1998, five

years before he filed his application for naturalization, until July 1, 2004, the date on which he was admitted as a citizen of the United States. 8 U.S.C. § 1427(a)(3).

The Court concludes that Mr. Omopariola illegally procured his naturalization for two reasons. First, Mr. Omopariola's unlawful activity in 2002 rendered him unable to demonstrate the requisite good moral character for naturalization and, thus, ineligible for naturalization when he took the oath of allegiance. *See* 8 U.S.C. §§ 1101(f), 1427(a)(3); 8 C.F.R. § 316.10(b)(3)(iii). He therefore illegally procured his naturalization. Second, throughout his naturalization proceedings Mr. Omopariola misrepresented and concealed his unlawful activity for which he had not been arrested. Had Mr. Omopariola disclosed that he had unlawful sexual contact with a seven-year-old child before he took the oath of allegiance, USCIS would have found him ineligible for naturalization. Thus, Mr. Omopariola's concealment of his unlawful activity was material to his naturalization, and he procured his naturalization by willful misrepresentation and concealment of material facts. *See Kungys v. United States*, 485 U.S. 759, 767 (1988).

For the foregoing reasons, Mr. Omopariola must be denaturalized under 8 U.S.C. § 1451(a) for illegally procuring his naturalization. Mr. Omopariola also must be denaturalized under 8 U.S.C. § 1451(a) for willful misrepresentation or concealment of material facts in the naturalization process.

Therefore, this Court having jurisdiction over this matter pursuant to 8 U.S.C. § 1451(a) and 28 U.S.C. §§ 1331 and 1345; the parties having filed a Joint Motion for Consent Judgment; and Defendant having admitted that he procured his naturalization illegally as described in Count I of the Complaint and procured his naturalization through willful misrepresentation or concealment of a material fact as described in Count II, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

(1) The Joint Motion for Consent Judgment is GRANTED;

(2) In accordance with the Joint Motion for Consent Judgment, judgment is ENTERED in favor of the United States of America and against Mr. Omopariola;

(3) The Court FINDS and DECLARES that Mr. Omopariola procured his U.S. citizenship illegally and procured his U.S. citizenship through willful misrepresentation or concealment of a material fact;

(4) The order admitting Mr. Omopariola to U.S. citizenship is REVOKED and SET ASIDE, effective as to the original date of the order, July 1, 2004;

(5) Certificate of Naturalization No. 28335856 is CANCELLED, effective as of the original date of the certificate, July 1, 2004;

(6) Mr. Omopariola is forever RESTRAINED AND ENJOINED from claiming any rights, privileges, benefits, or advantages under any document that evidenced United States citizenship obtained as a result of his July 1, 2004 naturalization; and

(7) Mr. Omopariola shall, within ten days of this order, surrender: (a) Certificate of Naturalization No. 28335856 and any copies in his possession; (b) United States Passport(s) issued in the name of Emmanuel Olugbenga Omopariola and any copies in his possession; and (c) any and all other indicia of his United States citizenship and any copies in his possession. Mr. Omopariola shall deliver all such materials to Assistant United States Attorney Amber Woodward at the United States Attorney's Office, 1100 Commerce St., Ste. 300, Dallas, TX 75242. Mr. Omopariola also shall immediately make good faith efforts to recover any materials described above, or copies thereof, that he knows are in the possession of others, and deliver those materials to the same address and in the same manner described above.

IT IS SO ORDERED.

DATED at Dallas, Texas, this 11 day of April, 2018.

BY THE COURT:

A. Joe Fish  
A. JOE FISH  
SENIOR UNITED STATES JUDGE