

location of the marital residence, and to certify that the marriage was not entered into for purposes of evading immigration laws;

(d) A foreign-born national who was not involved in deportation proceedings and was seeking to become a legal permanent resident of the United States on the basis of marriage to a United States citizen was required to complete and submit to USCIS a “Form I-485 Application to Register Permanent Resident or Adjust Status” (“Form I-485”). The foreign national was required to sign the completed application, certifying under penalty of perjury that the information provided by the foreign national, including information about the foreign national's spouse, was true and correct and that the foreign national was admissible to the United States pursuant to § 212(a) of the Immigration and Nationality Act;

(e) The Form I-130 formed the basis for the adjustment of status pursuant to Form I-485. Upon receipt of a Form I-485 from a foreign-born national seeking to become a legal permanent resident on the basis of marriage to a United States citizen and/or a Form I-130 from a foreign-born national's American spouse, USCIS would begin an official proceeding (the “Official Proceeding”) to determine whether to grant the petition;

(f) As part of the Official Proceeding, USCIS mailed a notice to the foreign-born national who submitted a Form I-485 or whose spouse submitted a Form I-130 directing him or her to appear at USCIS for an interview, the purpose of which was to determine the validity of the claimed marriage (the “Marriage Interview”);

(g) Defendants TERESITA ZARRABIAN (“ZARRABIAN”) and MICHAEL SMITH (“SMITH”) were United States citizens;

(h) Beginning in approximately 2005 and continuing through 2012,

ZARRABIAN was an immigration counselor who owned and operated Zarrabian and Associates, a business located in Arlington Heights, Illinois. Through Zarrabian and Associates, ZARRABIAN personally assisted her clients, who were foreign-born nationals, to complete the necessary forms to become legal permanent residents of the United States on the basis of marriage to a United States citizen, namely Forms I-485s and I-130s. After completing the forms ZARRABIAN submitted and caused these documents to be submitted, on behalf of her clients, to USCIS to begin the official proceeding to determine whether to grant the applications and petitions of the foreign-born nationals and United States citizens;

(i) Individual JM, Individual RP, Individual LR, were United States citizens;
and

(j) Individual CP, Individual JC, Individual MA, Individual MT, Individual NA, were foreign-born nationals;

2. From no later than September 2005 and continuing through in or about October 2012,

at Arlington Heights, in the Northern District of Illinois, Eastern division and elsewhere,

TERESITA ZARRABIAN and
MICHAEL SMITH,

defendants herein, did knowingly conspire with each other and with others known and unknown to the Grand Jury to commit offenses against the United States, namely, to knowingly enter into marriages for the purpose of evading provisions of the immigration laws, namely Title 8, United States Code, Sections 1154 and 1186a, which provisions restrict the availability of legal permanent resident status, applied for on the basis of marriage to a United States citizen, to those foreign-born nationals who have entered into the marriage in good faith, not in exchange for something of value

and not for the purpose of procuring the foreign national's admission as an immigrant, and to aid and abet the commission of said offense, in violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 2.

3. It was part of the conspiracy that ZARRABIAN and SMITH, together with others known and unknown to the Grand Jury, recruited United States citizens to enter into sham marriages for the purposes of evading the United States immigration laws (“fraudulent marriages”).

4. It was further part of the conspiracy that foreign-born nationals who were clients of Zarrabian and Associates (the “clients”) made payments to ZARRABIAN ranging from \$8,000 to \$15,000 in exchange for arranging fraudulent marriages between the clients and United States citizens.

5. It was further part of the conspiracy that ZARRABIAN delivered to SMITH a portion of the money which she received from the clients as payment for SMITH’S services in recruiting United States citizens who were willing to enter into fraudulent marriages.

6. It was further part of the conspiracy that ZARRABIAN promised United States citizens that they would receive a payment of approximately \$5,000 in exchange for marrying a foreign-born national.

7. It was further part of the conspiracy that ZARRABIAN and SMITH arranged to have individuals travel to Las Vegas, Nevada, for the purpose of entering a fraudulent wedding and also took photographs of the wedding “couple” and other steps to create the false appearance that the fraudulent marriages were legitimate.

8. It was further part of the conspiracy that ZARRABIAN arranged to have couples in

fraudulent marriages use her residence, as well as other locations, as a backdrop for staged photographs in order to make it appear as the client and the United States citizen were a legitimate couple.

8. It was further part of the conspiracy that ZARRABIAN arranged fraudulent marriages

between the following individuals: (a) SMITH and Individual MT; (b) Individuals CP and JM; (c) Individuals JC and RP; and (d) Individuals MA and LR.

9. It was further part of the conspiracy that ZARRABIAN attempted to arrange a fraudulent marriage between Individual NA and an undercover law enforcement agent who was posing as a United States citizen willing to enter into a fraudulent marriage (“Undercover Agent A”).

10. It was further part of the conspiracy that ZARRABIAN met with: (a) SMITH and Individual MT; (b) Individuals CP and JM; (c) Individuals JC and RP; (d) Individuals MA and LR, and other participants in fraudulent marriages, and told them what actions they needed to do to make their marriages appear legitimate during the Marriage Interviews.

11. It was further part of the conspiracy that ZARRABIAN prepared and submitted, and caused to be prepared and submitted, immigration paperwork, including Forms I-130 and I-485, to USCIS for participants in fraudulent marriages, well knowing at the time that the marriages were fraudulent.

12. It was further part of the conspiracy that ZARRABIAN instructed employees of Zarrabian and Associates to complete and submit immigration paperwork, including Forms I-130 and I-485, to USCIS for participants in fraudulent marriages, well knowing at the time that the

marriages were fraudulent.

OVERT ACTS

13. In furtherance of the conspiracy, and for the purpose of accomplishing its unlawful objects, defendants committed or caused the following overt acts, among others, to be committed in the Northern District of Illinois and elsewhere:

Fraudulent Marriage Between MICHAEL SMITH and Individual MT

a. In or around April of 2005, Individual MT, a foreign-born national, came to Zarrabian and Associates for assistance in becoming a legal permanent resident. Shortly thereafter, ZARRABIAN introduced Individual MT to SMITH a United States citizen, for the purposes of arranging a fraudulent marriage. Individual MT paid ZARRABIAN approximately \$17,000, in exchange for ZARRABIAN arranging a fraudulent marriage with SMITH. In return, ZARRABIAN paid SMITH a portion of this sum for entering into a fraudulent marriage with Individual MT.

b. On or about, May 19, 2005, SMITH and Individual MT participated in a civil marriage ceremony that took place in Chicago, Illinois, each well knowing at the time that the marriage was not entered into in good faith, was in exchange for something of value and that the purpose of the marriage ceremony was to enable Individual MT to obtain legal permanent resident status;

c. On or about September 29, 2005, ZARRABIAN prepared and submitted, and caused to be prepared and submitted, immigration Forms I-485 and I-130 to USCIS, on behalf of Individual MT and SMITH, making it appear that the marriage between SMITH and Individual MT was legitimate, well knowing at the time that the marriage was fraudulent;

d. On or about May 30, 2006, SMITH and Individual MT participated in a

Marriage Interview in Chicago, Illinois in which they each falsely held out their marriage as one that was entered into in good faith, well knowing that the true purpose at the time of the marriage was to obtain legal permanent resident status for Individual MT. Before the Marriage Interview, ZARRABIAN instructed SMITH and Individual MT to provide false information at the interview, namely that SMITH and Individual MT had a relationship prior to the marriage, and that they had lived together, shared finances, and were in a legitimate marriage; and

e. On or about August 27, 2009, SMITH signed an affidavit that was submitted to USCIS on behalf of Individual MT stating that SMITH and Individual MT resided together at a common address, and that the marriage between SMITH and Individual MT was legitimate, when in fact, SMITH well knew at the time that he and Individual MT maintained separate residences, and that the marriage was fraudulent and entered into to evade the immigration laws of the United States.

Fraudulent Marriage Between Individuals CP and JM

f. In or around July 2008, defendant ZARRABIAN arranged a fraudulent marriage between Individual JM, a United States citizen, and her client, Individual CP, a foreign-born national. Individual CP paid defendant ZARRABIAN a sum of money in exchange for arranging the fraudulent marriage;

g. On or about August 1, 2008, ZARRABIAN and SMITH, and others, drove Individual JM from Illinois to Las Vegas, Nevada so that Individual JM could enter a fraudulent marriage with Individual CP;

h. On or about, August 2, 2008, Individual CP and Individual JM participated in a civil marriage ceremony that took place in Las Vegas, Nevada, well knowing at the time that the marriage was not entered into in good faith, was in exchange for something of value, and that

the purpose of the marriage ceremony was to enable Individual CP to obtain legal permanent resident status. After the marriage ceremony, ZARRABIAN paid Individual JM approximately \$6,000 in exchange for participating in the fraudulent marriage with CP;

i. On or about November 14, 2008, ZARRABIAN prepared and submitted, and caused to be prepared and submitted Forms I-130 and I-485 to USCIS on behalf of Individuals CP and JM making it appear that the marriage between Individuals CP and JM was legitimate, well knowing at the time that the marriage was fraudulent; and

j. On or about April 6, 2009, Individuals CP and JM participated in a Marriage Interview in Chicago, Illinois in which they each falsely held out their marriage as one that was entered into in good faith, well knowing at the time that the true purpose of the marriage was to obtain legal permanent resident status for Individual CP. Before the marriage interview, ZARRABIAN instructed Individuals CP and JM to provide false information at the interview, namely that Individuals CP and JM had a relationship prior to the marriage, and that they had lived together, shared finances, and were in a legitimate marriage.

Fraudulent Marriage Between Individuals JC and RP

k. In or around March 2009, Individual JC, a foreign-born national, came to Zarrabian and Associates for assistance in becoming a legal permanent resident. Shortly thereafter, ZARRABIAN introduced Individual JC to Individual RP, a United States citizen, for the purposes of arranging a fraudulent marriage. Individual JC paid ZARRABIAN approximately \$11,000 for arranging the fraudulent marriage. ZARRABIAN paid Individual RP a portion of this sum for entering into the fraudulent marriage;

l. On or about, March 18, 2009, Individuals JC and RP participated in a civil

marriage ceremony that took place in Illinois, well knowing at the time that the marriage was not entered into in good faith, was in exchange for something of value, and that the purpose of the marriage ceremony was to enable Individual JC to obtain legal permanent resident status;

m. On or about May 17, 2009, ZARRABIAN prepared and submitted, and caused to be prepared and submitted, Forms I-130 and I-485 Forms I-130 and I-485 to USCIS on behalf of Individuals JC and RP making it appear that the marriage between Individuals JC and RP was legitimate, well knowing at the time that the marriage was fraudulent; and

n. On or about September 22, 2009, Individuals JC and RP participated in a Marriage Interview in Chicago, Illinois in which they each falsely held out their marriage as one that was entered into in good faith, well knowing at the time that the true purpose of the marriage was to obtain legal permanent resident status for Individual JC. Before the marriage interview, ZARRABIAN instructed Individuals JC and RP to provide false information at the interview, namely that Individuals JC and RP had a relationship prior to the marriage, lived together, shared finances, and were in a legitimate marriage.

Fraudulent Marriage Between Individuals MA and LR

o. On or about May 2011, Individual MA, a foreign-born national, came to Zarrabian and Associates for assistance in becoming a legal permanent resident. Shortly thereafter, ZARRABIAN introduced Individual MA to Individual LR, a United States citizen, for the purposes of arranging a fraudulent marriage. SMITH recruited Individual LR to participate in this fraudulent marriage. In exchange for arranging the fraudulent marriage, Individual MA paid ZARRABIAN and SMITH a sum of money;

p. On or about May 12, 2011, Individuals MA and LR participated in a civil

marriage ceremony that took place in Chicago, Illinois, knowing that the marriage was not entered into in good faith, was in exchange for something of value and that the purpose of the marriage ceremony was to enable Individual MA to obtain legal permanent resident status; and

q. On or about October 15, 2012, ZARRABIAN prepared and submitted, and caused to be prepared and submitted Forms I-485 and I-130 to USCIS on behalf of Individuals MA and LR making it appear that the marriage between Individuals MA and LR was legitimate, well knowing at the time that the marriage was fraudulent.

Attempted Fraudulent Marriage Between Individual NA and Undercover Agent A

r. On or about April 9, 2010, ZARRABIAN met with Individual NA, a foreign-born national, and Undercover Agent A. During the meeting ZARRABIAN agreed to arrange a fraudulent marriage between Individual NA and Undercover Agent A.

s. On or about February 9, 2011, ZARRABIAN prepared and submitted, and caused to be prepared and submitted, Forms I-485 and I-130 to USCIS on behalf of Individual NA and Undercover Agent making it appear that the marriage between Individual NA and Undercover Agent A was legitimate, well knowing at the time that the marriage was fraudulent.

14. It was further part of the conspiracy that the conspirators would and did conceal and hide, and cause to be concealed and hidden, the purposes of the acts done in furtherance of the conspiracy.

In violation of Title 18, United States Code, Sections 371 and 2.

COUNT TWO
(Marriage Fraud)

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about August 1, 2008, at Des Plaines, in the Northern District of Illinois, Eastern Division, and elsewhere,

TERESITA ZARRABIAN and
MICHAEL SMITH,

defendants herein, aided and abetted the entering into of a marriage between Individual CP and Individual JM for the purpose of evading provisions of the immigration laws, namely, Title 8, United States Code, Sections 1154 and 1186a, which provisions restrict the availability of legal permanent resident status, applied for on the basis of marriage to a United States citizen, to those foreign-born nationals who have entered into the marriage in good faith, not in exchange for something of value and not for the purpose of procuring the foreign national's admission as an immigrant;

In violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 2.

COUNT THREE
(Marriage Fraud)

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about March 18, 2009, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

TERESITA ZARRABIAN,

defendant herein, aided and abetted the entering into of a marriage between Individual JC and Individual RP for the purpose of evading provisions of the immigration laws, namely, Title 8, United States Code, Sections 1154 and 1186a, which provisions restrict the availability of legal permanent resident status, applied for on the basis of marriage to a United States citizen, to those foreign-born nationals who have entered into the marriage in good faith, not in exchange for something of value and not for the purpose of procuring the foreign national's admission as an immigrant;

In violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 2.

COUNT FOUR
(Marriage Fraud)

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about May 12, 2011, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

TERESITA ZARRABIAN and
MICHAEL SMITH,

defendants herein, aided and abetted the entering into of a marriage between Individual MA and Individual LR for the purpose of evading provisions of the immigration laws, namely, Title 8, United States Code, Sections 1154 and 1186a, which provisions restrict the availability of legal permanent resident status, applied for on the basis of marriage to a United States citizen, to those foreign-born nationals who have entered into the marriage in good faith, not in exchange for something of value and not for the purpose of procuring the foreign national's admission as an immigrant;

In violation of Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 2.

COUNT FIVE
(Fraud or Misuse of Visa, Permits and Other Documents)

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about August 27, 2009, at Chicago, in the Northern District of Illinois, Eastern Division,

MICHAEL SMITH,

defendant herein, did knowingly present a response to an application required by the immigration laws which contained false statements with respect to material facts, namely, defendant falsely claimed in an affidavit in response to a Notice of Intent to Deny Form I-130 (Petition for Alien Relative) that defendant MICHAEL SMITH and Individual MT were lawfully married and resided and intended to reside together at a shared marital address, when defendant knew at the time that his marriage to Individual MT was fraudulent and that defendant MICHAEL SMITH and Individual MT did not reside together and did not intend to reside together at the shared marital address listed in the Form I-130;

In violation of Title 18, United States Code, Sections 1546(a).

COUNT SIX
(Fraud or Misuse of Visa, Permits and Other Documents)

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations in paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about February 9, 2011, at Chicago, in the Northern District of Illinois, Eastern Division,

TERESITA ZARRABIAN,

defendant herein, did knowingly present an application required by the immigration laws which contained false statements with respect to material facts, namely, defendant falsely claimed in a Form I-130 (Petition for Alien Relative) that Individual NA was lawfully married and resided and intended to reside at the address listed in the Form I-130, when defendant knew at the time that the marriage was fraudulent and that Individual NA did not reside and did not intend to reside at the address listed in the Form I-130;

In violation of Title 18, United States Code, Sections 1546(a).

COUNT SEVEN
(Obstruction of Justice)

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about August 9, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

TERESITA ZARRABIAN,

defendant herein, did attempt to corruptly persuade Individual JM, with intent to hinder, delay and prevent the communication to a law enforcement officer of information relating to the commission or possible commission of a federal offense, namely the offenses of this indictment;

In violation of Title 18, United States Code, Section 1512(b)(3).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY