

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

2019 APR -3 A 11:07  
CRIMINAL NO. 18-237  
WILLIAM W. BLEVINS  
SECTION: ERK

UNITED STATES OF AMERICA

\*

v.

\*

FRANCISCO JAVIER NUNEZ-ALEMAN

\*

a/k/a Jose Fernandez

a/k/a Jose Rosario Fernandez

a/k/a Jose Maria Fernandez Rosario

\*

\* \* \*

VIOLATIONS: 18 U.S.C. § 1542  
42 U.S.C. § 408(a)(7)(B)

FACTUAL BASIS

Were this matter brought to trial, the United States would prove, through competent evidence, the following beyond a reasonable doubt.

COUNT 1

On August 27, 2016, FRANCISCO JAVIER NUNEZ-ALEMAN, a/k/a Jose Fernandez, a/k/a Jose Rosario Fernandez, a/k/a Jose Maria Fernandez Rosario (“NUNEZ-ALEMAN”) submitted an application for a United States Passport at the United States Post Office in Bourg, Louisiana. In his application as evidence of his citizenship, NUNEZ-ALEMAN claimed to have been born in the Puerto Rico. Along with his passport application, NUNEZ-ALEMAN presented a birth certificate purportedly issued by Puerto Rico reflecting this information. The Puerto Rican birth certificate was in the name of Jose Maria Fernandez. NUNEZ-ALEMAN’S application was referred to Diplomatic Security based on several fraud indicators, including that NUNEZ-ALEMAN’S birth certificate appeared to be suspect.

Subsequent investigation confirmed that NUNEZ-ALEMAN is not a United States Citizen and that the birth certificate NUNEZ-ALEMAN supplied in connection with his United States Passport application was in fact a legitimate Puerto Rican document purchased by NUNEZ-ALEMAN. NUNEZ-ALEMAN is a citizen of Mexico, and not entitled to a United States

Fee \_\_\_\_\_  
United States \_\_\_\_\_  
Process \_\_\_\_\_  
X Dktd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
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passport, and knowingly and willfully submitted a purchased birth certificate in a name he knew not to be his own.

**COUNT 2**

On or about July 19, 2016, in the Eastern District of Louisiana, **NUNEZ-ALEMAN**, in a matter within the jurisdiction of the Social Security Administration, for the purpose of obtaining something of value and for other purposes, to wit: the use of the fraudulently obtained Social Security Number in an employment application to a shipyard in Houma, Louisiana, knowingly and with intent to deceive, did falsely represent that Social Security Number XXX-XX-8172 was assigned to him by the Commissioner of Social Security when, in fact, as defendant well knew, said Social Security Number had not been assigned to him by the Commissioner of Social Security. **NUNEZ-ALEMAN** had purchased the social security number from another individual born in Puerto Rico.

Carter K. Guice, Jr.  
CARTER K.D. GUICE, JR.  
Assistant United States Attorney

April 3, 2019  
Date

Maxwell Smitko  
MAXWELL SMITKO  
Attorney for Defendant

4-3-2019  
Date

Francisco Nunez  
FRANCISCO JAVIER NUNEZ-ALEMAN  
Defendant

4-3-2019  
Date