

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

UNITED STATES OF AMERICA

v.

CASE No: 5:18cr32-RH

RAVI BABU KOLLA
_____ /

STATEMENT OF FACTS

The Defendant admits that, if this case were to proceed to trial, the Government could prove the following facts beyond a reasonable doubt.

Defendant, Ravi Babu Kolla, is a Foreign National (FN) from India who entered the United States in 2003, overstayed his non-immigrant Visa, and then entered into a fraudulent marriage in 2016. Subsequently, Kolla applied for a change of immigration status through a Petition for an Alien Relative (“Form I-130”) and Application to Register Permanent Residence or Adjust Status (“Form I-485”) on January 18, 2016, which was denied on June 20, 2017. Kolla’s immigration status is currently illegal based upon his Visa overstay.

Marriage Immigration Procedures

The Immigration and Nationality Act provides that a noncitizen of the United States can become a naturalized United States Citizen through marriage to a United States Citizen (“USC”). The process of gaining citizenship through marriage is, in part, as follows. An FN enters into a valid and legitimate marriage with a USC. The

FILED IN OPEN COURT ON

3/13/19

United States District Court
Northern District of Florida

FN then completes, signs, and submits to the United States Citizenship and Immigration Services (“USCIS”), among other documents, a Form I-485. If a Form I-485 is prepared by someone other than the FN, the preparer is required to complete and sign Part 6 of Form I-485, declaring that the preparer prepared the Form I-485 at the FN’s request and based upon all information known to the preparer.

The USC spouse is required to complete, sign, and submit to USCIS, among other documents, a Form I-130. If the Form I-130 was prepared by someone other than the USC spouse, the preparer is required to complete and sign Part F of Form I-130, declaring that the preparer prepared the Form I-130 at the USC spouse’s request and based upon all the information known to the preparer.

Both the Petition for an Alien Relative (“Form I-130”) and Application to Register Permanent Residence or Adjust Status (“Form I-485”) are submitted under oath.

The FN and USC spouse are also required to complete, sign, and submit to USCIS, a Form G-325A, entitled “Biographic Information (for Deferred Action)” (“Form G-325A”), which is included with the Form I-130 when submitted to USCIS.

Above the signature line of the Form G-325A, there is a notification, which clearly states that there are severe penalties for knowingly and willfully falsifying or concealing a material fact.

In certain circumstances, a USC spouse can complete, sign, and submit to USCIS a Form I-864, entitled “Affidavit of Support Under Section 213A of the INA” (“Form I-864”). A Form I-864 is used by most family-based immigrants and some employment-based immigrants to show they have adequate means of financial support and are not likely to rely on the U.S. government for financial support. If the USC spouse filed Federal income tax returns, the USC spouse is required to submit a photocopy or transcript of the spouse’s Federal income tax return for the most recent tax year; and, in addition, can include Federal income tax returns for the second and third most recent tax years. If the Form I-864 is prepared by someone other than the USC spouse, the preparer is required to sign Part 10 and anyone who helped complete the Form I-864 is required to sign it.

After these forms are submitted to USCIS, the couple is required to attend a USCIS interview to verify that the marriage is valid and legitimate and not the result of fraud. During the interview, the couple has the opportunity to submit additional documents to show the validity of the marriage. If USCIS determines that the marriage is valid and legitimate and not the result of fraud, the FN is granted conditional legal status for a two-year period. After two years, the FN can file with USCIS, among other documents, a Form I-751, entitled “Removal of Conditions.” After the Form I-751 is submitted, the couple is required to attend a second USCIS interview for USCIS to again determine whether the marriage is valid and legitimate

and not the result of fraud. If USCIS determines that the marriage is still valid and legitimate and not the result of fraud, the FN is granted Lawful Permanent Resident (“LPR”) status and is given a Permanent Resident card, also known as a “green card.”

If the FN remains married for three years after being granted LPR status, the FN is eligible to seek citizenship through naturalization. If the FN divorces after being granted LPR status, the FN is eligible to seek citizenship through naturalization after five years with LPR status.

Facts and Evidence

From at least between on or about February 3, 2017, and on or about August 21, 2018, Kolla operated an immigration marriage fraud business in Bay County, Florida. Kolla recruited female United States Citizens (“USCs”) and at least one male USC in the Panama City area to marry Indian FNs to gain immigration benefits from the Department of Homeland Security (“DHS”). The majority of the Indian FNs overstayed their Visas’ or SEVIS (Student Exchange Visitor Program) requirements and were unlawfully in the United States but for their fraudulent marriage. The investigation identified over 80 suspected fraudulent marriages arranged by Kolla; all performed in Coffee, Dale, and Houston Counties, Alabama. Kolla paid for marriage licenses and prepared and submitted fraudulent I-485 and I-130 Forms after the marriage ceremonies he arranged for the Indian FNs.

Immigration forms are available for download in Adobe PDF versions from the USCIS website on the internet. If a form is downloaded and filed utilizing the Adobe PDF version, the numbers and letters are auto formatted onto the application. Immigration Alien Files of Indian FN grooms involved in this scheme contained applications consistent with the USCIS downloadable PDF applications.

Special Agent Calam compared the signatures of the USC Petitioner on the Form I-130 in five Indian FN files to the latest signature available on the Florida Department of Motor Vehicles database, DAVID. He noted discernable discrepancies obvious to the layman while at the same time indicating that some of the applications may have been signed by the same person. In addition, where supplied, the IRS 1040 tax returns indicated that the USC Petitioners were self-employed cleaners with very similar annual incomes and some applications shared a common home address.

Kolla directed co-defendant, Krystal Cloud, and other USC females (who also married Indian FNs themselves) to recruit other USCs to marry Indian FNs so that the Indian FNs could illegally gain immigration benefits. Kolla agreed to pay Cloud approximately \$300 for each USC bride and groom she recruited. KOLLA and the other female USCs recruited USCs to marry Indian FNs in exchange for payment of \$12,000. Kolla negotiated for the payment to the USCs of \$500 upon acquisition of the marriage license, another \$500 upon submission of the I-130 (Change of

Status/LPR), and \$500 per month thereafter for two years. Kolla targeted and typically recruited substance abusing or impoverished USCs.

On June 7, 2018, a federal search warrant was executed at Kolla's apartment in Panama City, Florida. Inside the residence, agents seized FedEx, USPS, and UPD shipping envelopes that contained copies of immigration packages, wedding ceremony schedules, biographical questionnaires (some completed and some blank), wedding rings, tax returns for USC Brides, Alabama Marriage Licenses, and a ledger for payments from Indian FNs. Forensic review of two seized cell phones resulted in multiple contact information for Indian FNs and wedding pictures.

Forensics review of Kolla's seized laptop discovered the following:

- A document titled "Taxes" with a list of USC brides that match tax returns found in the immigration packages.
- Biographical information of Indian FNs that appear to come from emails.
- The USCIS I-130 form was downloaded 210 times
- The USCIS I-485 form was downloaded 116 times.
- Utilizing the tag "USCIS" the examination resulted in 1,602 "hits" ...this includes the I-130, I-485, and other downloads or the laptop accessing CIS for case status.
- Pictures of weddings.

Kolla was present during the execution of the search warrant and answered questions post-Miranda, and was interviewed again on June 8, 2018. Kolla admitted that he arranged marriages for the purpose of obtaining immigration benefits and had arranged approximately 20 marriages of USCs to Indian FNs. He admitted he helped prepare I-130 and I-485 Forms after the ceremony at his apartment. Kolla

was sent money from the grooms via mobile applications, such as “Venmo” and “Zelle,” and typically paid the USCs on the 5th or 6th of every month. Kolla stated that all the Indian FNs paid the agreed fee of \$500 or \$1,000 per month unless the USCs were incarcerated. Kolla paid approximately 40 USCs per month for the Indian FNs. Kolla took pictures of the weddings and took the grooms to Wal-Mart to buy wedding rings and had also made hotel reservations for the FN grooms.

Kolla has had no lawful employment since February 2015, when his immigration status expired. In addition, Kolla remains unable to lawfully work in the United States due to his lack of immigration status, which expired in February 2015. Records for Kolla’s Bank of America checking account ending in 6869 were obtained from February 2017 through May 2018. Cash deposits and electronic peer-to-peer deposits totaled approximately \$620,602.00. Between February 3, 2017, and January 19, approximately \$255,000.00 was deposited into the account from Indian FNs throughout the United States.

Kolla admitted that he has girls make deposits into his checking account in exchange for cigarettes and food. Kolla also stated that he sent approximately \$100,000 to R.G., which included funds he received from Indian FN grooms.

Kolla closed account 6869 on May 10, 2018, with a balance of \$10,558.58 and opened Bank of America Account 7637 with an initial deposit of \$10,558.58. Review of Account 7637 showed that from May 12, 2018, through June 12, 2018,

Kolla received \$101,056.00 from peer-to-peer electronic transfers and cash/counter deposits. The names of depositors identified during the transfer process were consistent with Indian FNs identified during this investigation and Indian FNs identified pursuant to evidence collection from the search warrant of Kolla's residence.

ELEMENTS

Conspiracy

- First: That two or more persons, in some way or manner, came to a mutual understanding to try to accomplish a common and unlawful plan, as charged in the indictment;
- Second: That the defendant, knowing the unlawful purpose of the plan, willfully joined it;
- Third: That one of the conspirators during the existence of the conspiracy knowing committed at least one of the methods or "overt acts" described in the indictment; and
- Fourth: That such "overt act" was knowing committed at or about the time alleged in an effort to carry out or accomplish some object the conspiracy.

Marriage Fraud 18 U.S.C. § 1325(c)

- First: That the defendant knowingly married a United States citizen; and
- Second: That she knowingly entered into the marriage for the purpose of evading a provision of the United States immigration laws.

Fraud and Misuse of Visas, Permits, and Other Documents 18 U.S.C. § 1546(a)

- First: The Defendant made the statement in an application or an affidavit or other document required by the immigration laws or regulations prescribed thereunder, as charged;
- Second: The statement or document was false;
- Third: The falsity concerned a material matter;
- Fourth: The statement was made under oath or as permitted under penalty of perjury under section 1746 of title 28, United States Code], as charged; and
- Fifth: Defendant acted knowing that the statement or document was false.

Money Laundering Conspiracy 18 U.S.C. § 1956(h)

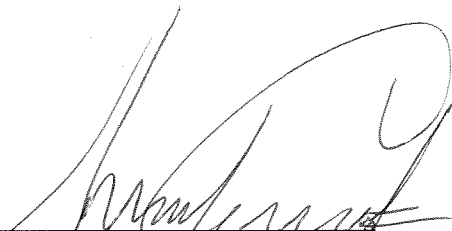
- First: two or more people agreed to try to accomplish a common and unlawful plan to violate 18 U.S.C. 1956; and
- Second: the Defendant knew about the plan's unlawful purpose and voluntarily joined in it.

Money Laundering: Promoting Unlawful Activity 18 U.S.C. § 1956(a)(1)(A)(i)

- First: the Defendant knowingly conducted or tried to conduct a financial transaction;
- Second: the Defendant knew that the money involved in the transaction were the proceeds of some kind of unlawful activity;
- Third: the money did come from an unlawful activity, specifically fraud and misuse of visas, permits, and other documents; and
- Fourth: the Defendant was involved in the financial transaction with the intent to promote the carrying on of that specified unlawful activity.

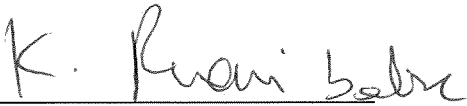
Money Laundering: Concealing Proceeds of Specified Unlawful Activity 18 U.S.C. § 1956(a)(1)(B)(i)

- First: the Defendant knowingly conducted or tried to conduct a financial transaction;
- Second: the Defendant knew that the money involved in the transaction were the proceeds of some kind of unlawful activity;
- Third: the money did come from an unlawful activity, specifically fraud and misuse of visas, permits, and other documents; and
- Fourth: the Defendant knew that the financial transaction was designed, in whole or in part, to conceal or disguise the nature, location, source, ownership, or the control of the proceeds.



Thomas J. Cassidy, III
Attorney for Defendant

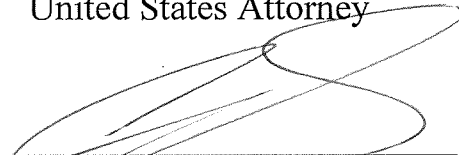
3/13/19
Date



Ravi Babu Kolla
Defendant

3/13/19
Date

LAWRENCE KEEFE
United States Attorney



Corey J. Smith

Florida Bar No. 0120420
Assistant United States Attorney
Northern District of Florida
111 North Adams Street, 4th Floor
Tallahassee, FL 32301
850-942-8430
c.j.smith@usdoj.gov

3/13/19
Date