

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

David Neewilly

Case No. 26-mj-17026

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 15, 2025; November 5, 2024 in the county of Atlantic in the
 District of New Jersey, the defendant(s) violated:

*Code Section**Description of Offenses*

18 USC § 611

See Attachment A.

18 USC § 1425(a)

This criminal complaint is based on these facts:

See Attachment B.

☒ Continued on the attached sheet.*Scott McCutcheon**Complainant's signature*

FBI SA Scott McCutcheon

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

 telephone (specify reliable electronic means).Date: 04/15/2026*Sharon A. King**Judge's signature*City and state: Camden, New Jersey

Hon. Sharon A. King, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

Joseph McFarlane

By: _____
JOSEPH MCFARLANE
Assistant U.S. Attorney

Date: April 15, 2026

Attachment A

Count 1

(Voting by an Alien in a Federal Election)

On or about November 5, 2024, in Atlantic County, in the District of New Jersey, the defendant,

DAVID NEEWILLY,

an alien, knowing that he was not a United States citizen, voted in an election held solely or in part for the purpose of electing a candidate for the office of the President, Vice President, Presidential elector, Member of the Senate or Member of the House of Representatives.

In violation of Title 18, United States Code, Section 611.

Count 2

(False Statements in Relation to Naturalization)

On or about May 15, 2025, in Atlantic County, in the District of New Jersey,
the defendant,

DAVID NEEWILLY,

knowingly procured and attempted to procure, contrary to law, the naturalization of a person, namely, himself, by way of false statements, in that he knowingly made materially false statements in an Application for Naturalization (Form N-400) signed under penalty of perjury on or about May 15, 2025, wherein defendant falsely represented that he had never voted in any Federal, state or local election in the United States.

In violation of Title 18, United States Code, Section 1425(a).

Attachment B

I, Scott McCutcheon, a Special Agent with the Federal Bureau of Investigation ("FBI"), having conducted an investigation and having spoken with other individuals, have knowledge of the following facts:

Background

1. At all times relevant to this Complaint:
 - a. A United States citizen was a native of the United States; a person naturalized in the United States; or a person who derived U.S. citizenship (from one or both parents); and who owed allegiance to the United States and was entitled to its full rights, privileges, and protection.
 - b. An alien was any person not a citizen or national of the United States. This included immigrants (e.g. lawful permanent residents) and non-immigrants (e.g., individuals who were admitted to the United States for a temporary duration, such as a student, a visitor or a temporary worker).
 - c. A lawful permanent resident ("LPR") was an alien who had been conferred permanent resident status in the United States (colloquially known as a "Green Card" holder). An Alien Registration Receipt Card (also known as a "Green Card") was issued to lawful permanent residents as evidence of their status. Upon meeting the statutory prerequisites for naturalization, an LPR could apply to become a naturalized United States citizen.
 - d. In order to register to vote in the State of New Jersey, an applicant was required to certify and attest that they met certain eligibility requirements, including the requirement that he/she was a United States citizen.
 - e. Upon successfully registering to vote in New Jersey, an applicant was authorized to vote in New Jersey State and local elections, as well as in federal elections.
 - f. Defendant DAVID NEEWILLY ("NEEWILLY") was a citizen of Liberia. NEEWILLY has never been a citizen of the United

States. NEEWILLY was a Lawful Permanent Resident living in Atlantic County, New Jersey having entered the United States as a refugee in approximately July of 1998 after emigrating from his country of birth, Liberia.

2. On or about May 5, 2003, NEEWILLY registered to vote in New Jersey. In doing so, NEEWILLY certified and attested that he was a United States citizen.

3. Based on the information that NEEWILLY provided in his application, including his false statement that he was a United States citizen, NEEWILLY's application to register to vote was accepted, and he was successfully registered to vote in the State of New Jersey.

4. After he was successfully registered to vote, NEEWILLY voted in elections held in 2003, 2004, and 2005. NEEWILLY also voted in the general election held on November 3, 2020 via a mail-in ballot. The 2020 general election included the election for the offices of President and Vice President of the United States.

5. NEEWILLY also voted in the general election held on November 5, 2024 by submitting a provisional ballot at a polling location in Pleasantville, New Jersey. On the provisional ballot, item 2 stated "I am a United States citizen" and NEEWILLY checked the box "Yes." NEEWILLY also signed the "Voter Declaration Section," under penalty of perjury, attesting that he is a U.S. citizen. The 2024 general election included the election for the offices of President and Vice President of the United States.

6. On or about May 15, 2025, NEEWILLY submitted an Application for Naturalization ("N-400") to the U.S. Citizenship and Immigration Services ("USCIS"). An N-400 is a United States government form that is submitted by LPRs to apply to become U.S. citizens through the naturalization process. The N-400 consists of a detailed questionnaire that requires the applicant to provide personal information, including but not limited to, biographical information, marital history, criminal records, and information concerning whether the applicant has ever registered to vote and/or voted in any federal, state, or local election. The questions on the N-400 are designed to allow USCIS to determine whether applicants meet requirements like good moral character, English proficiency, and knowledge of U.S. history/government, before they are approved for United States citizenship. If it is determined that an applicant has voted in a federal election his/her application for citizenship will be denied.

7. As part of that application, the N-400 requires applicants to swear/affirm and certify under penalty of perjury under the laws of the United States that the information they report in the N-400 is complete, true, and correct.

8. After the N-400 is submitted by the applicant, he/she is scheduled for an interview with an official ("Immigration Services Officer") from USCIS. At the time that an applicant is interviewed by an Immigration Services Officer, the Applicant is placed under oath. Thereafter, the Immigration Services Officer goes over with the applicant the answers that the applicant provided in the N-400 that the applicant filled out and submitted to USCIS. At the end of the interview, the Immigration Services Officer determines whether to: (i) approve the applicant's request to become a citizen; (ii) deny the request for citizenship; or (iii) request that the applicant provide additional information and come in for a subsequent interview. If the Immigration Services Officer approves an applicant's Form N-400, the applicant is scheduled to take the Oath of Allegiance at a naturalization ceremony. The naturalization ceremony is the culmination of the naturalization process.

9. In the N-400 application that NEEWILLY submitted on about May 15, 2025, NEEWILLY checked the "No" box in response to the question "[h]ave you EVER voted in any Federal, state, or local election in the United States?"

10. On or about August 20, 2025, NEEWILLY was interviewed by an Immigration Services Officer regarding his application for naturalization and the answers which he had provided on the N-400 form that he had previously submitted to USCIS. At the start of the interview NEEWILLY was placed under oath. When he was thereafter questioned, he admitted that he had voted twice in the past.

11. On or about October 24, 2025, USCIS denied NEEWILLY's N-400 application due to his unlawful acts of voting in the 2020 and 2024 elections and falsely stating on his N-400 form that he had not voted.

Scott McCutcheon

Scott McCutcheon
Special Agent, FBI

Pursuant to Fed. R. Crim. P. 4.1, Special Agent McCutcheon was sworn and attested to the contents of this affidavit in support of the complaint and arrest warrant for Defendant David Neewilly.

Sharon A. King
HON. SHARON A. KING
United States Magistrate Judge

Date: April 15, 2026