## DOJ Announces Charges Against Pennsylvania Man for Immigration Document Fraud and Aggravated Identity Theft

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The <u>Department of Justice ("DOJ"</u>) recently announced federal charges against a Pennsylvania man for his involvement in a scheme to defraud the U.S. government by submitting materially false U Visa applications for noncitizens. The charges underscore the severity of the penalties associated with immigration fraud.

## **Allegations of Criminal Activity**

According to a <u>press release</u> from the DOJ, the fraudulent activity occurred in 2017 and 2018, when the Philadelphia man falsely represented that he was an immigration attorney. While operating the African Hispanic Immigration Organization in Pennsauken, New Jersey, the man held himself out to be a "<u>licensed and qualified</u>" immigration attorney. In reality, he was not licensed to practice law in either Pennsylvania or New Jersey.

After acquiring clients, the man prepared and submitted false and fraudulent U Visa application documents to the <u>U.S. Citizenship and Immigration Service ("USCIS"</u>) on behalf of noncitizen clients, from whom he collected legal fees.

The <u>U Visa program</u>, created with the passage of the Victims of Trafficking and Violence Protection Act in October of 2000, provides that noncitizen victims of certain qualifying crimes that occur in the United States may be eligible to obtain a visa to permit their residence in the United States. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of noncitizens, and other crimes, while also protecting victims of crimes who have suffered substantial mental or physical abuse due to the crime and are willing to help law enforcement authorities in the investigation or prosecution of the criminal activity.

The Philadelphia man focused his fraudulent activity on filing materially false application documents under the U Visa program. Specifically, the documents he prepared included fraudulent claims, including false allegations the noncitizens were victims of qualifying crimes, false names, false signatures, and other false means of identification. None of the individuals he represented ever received a U Visa.

## **Announcement of Criminal Charges**

Following an investigation into the scheme, the U.S. Attorney filed charged the man with six counts of submitting false and fraudulent immigration documents and six counts of aggravated identify theft.

Immigration documents fraud is a serious offense, codified at Section 1546, Title 18 of the United States Code, and carries up to 10 years in prison and a maximum fine of \$250,000.00. Aggravated identity theft, codified at Section 1028A of title 18 of the United States Code, carries up to two years of imprisonment, which must be served consecutively to any other term of imprisonment imposed, as well as a maximum fine of \$250,000.

The defendant appeared in federal court in late February. As with any criminal case, the charges are only allegations, and have not yet been proven in court. The investigation was headed by special agents of the Department of Homeland Security, Homeland Security Investigations, under the direction of Special-Agent-in-Charge Jason J. Molina in Newark, New Jersey.

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