

ORIGINAL

FILED IN OPEN COURT  
U.S.D.C. Atlanta

MAY 26 2021

JAMES N. HATTEN, Clerk

By:

Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

MEZEMR ABEBE BELAYNEH  
a/k/a "Mezmur Amare  
Belayneh"

Criminal Indictment No.

Under Seal **1:21 CR213**

THE GRAND JURY CHARGES THAT:

**General Allegations**

At times relevant to this Indictment:

1. The defendant, MEZEMR ABEBE BELAYNEH, a/k/a "Mezmur Amare Belayneh" ("ABEBE"), unlawfully procured U.S. citizenship by lying about and concealing that he committed acts of violence and ordered others under his control to commit acts of violence against political opponents when he lived in Ethiopia.

2. In 1974, Ethiopia's government was overthrown by a council of military officers commonly known as the "Derg," which remained in power until 1991. In 1977, Mengistu Haile Mariam became the Derg's chairman. Under Mengistu's rule, the Derg launched a violent campaign against political opponents, including members and perceived members of the Ethiopian People's Revolutionary Party (the "EPRP"), as well as former high-ranking officials of the prior government and their family members. This period of violence, which

spanned approximately two years, from 1976 to 1978, came to be known as Qey Shibir or the "Red Terror."

3. During the Red Terror, the Derg sought to identify EPRP members and disarm them both of weapons and propaganda materials. EPRP leaders, members, and associates were arrested, detained, and, at times, executed. Large homes and other buildings were converted to makeshift neighborhood prisons where EPRP members, as well as individuals associated with the prior government, were detained, interrogated, and tortured. The Derg armed local civilian supporters to engage in and supervise interrogations and physical abuse within the makeshift prisons.

4. In the town of Dilla, Ethiopia, a hotel called Menafesha was converted into a makeshift prison where, from in or around 1977 to in or around 1978, ABEBE interrogated, severely beat, and ordered others under his control to severely beat members and perceived members of the EPRP who were detained.

5. On or about May 9, 2001, ABEBE applied for an Immigrant Visa and Alien Registration by submitting Optional Form 230. On or about September 7, 2001, ABEBE was issued a visa through the Diversity Immigrant Visa Program to immigrate to the United States. On or about October 3, 2001, ABEBE entered the United States as a Lawful Permanent Resident.

6. On or about July 26, 2007, ABEBE applied for naturalization by completing and submitting an N-400 application. In conjunction with his application, ABEBE was interviewed, under oath, on March 19, 2008. ABEBE's application

was approved on the same date. On July 18, 2008, ABEBE became a naturalized United States citizen in a proceeding held at the United States District Court located in Atlanta, Georgia, within the Northern District of Georgia.

7. During his immigration and naturalization process, ABEBE affirmed, swore, and certified that all of the information provided on his immigration forms and in his statements to immigration and naturalization officials was true and correct.

**Count One**  
**(18 U.S.C. § 1425(a), Procuring naturalization and**  
**citizenship contrary to law)**

1. The Grand Jury re-alleges and incorporates by reference the General Allegations contained paragraphs 1 through 7 of this Indictment as if fully set forth herein.

2. On or about July 18, 2008, in the Northern District of Georgia, and elsewhere, the defendant, MEZEMR ABEBE BELAYNEH, a/k/a "Mezmur Amare Belayneh," did knowingly procure, and attempt to procure, contrary to law, naturalization and documentary and other evidence of naturalization and citizenship, having knowingly made materially false representations on his Form N-400, Application for Naturalization, and in sworn statements to immigration and naturalization officials, including:

- a. that he had never persecuted (either directly or indirectly) any person because of race, religion, national origin, membership in a

particular social group, or political opinion, when in fact ABEBE knew he had persecuted persons because of their political opinions;

- b. that he had never committed a crime or offense for which he was not arrested, when in fact ABEBE knew he had committed, but was not arrested for, violations of the 1957 Penal Code of the Empire of Ethiopia;
- c. that he had never given false or misleading information to any United States government official while applying for any immigration benefit, when in fact ABEBE knew he had made false representations on his Form 230, Application for Immigrant Visa and Alien Registration;
- d. that he had never lied to any United States government official to gain entry or admission to the United States when in fact ABEBE knew he had made false representations on his Form 230, Application for Immigrant Visa and Alien Registration.

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


**Count Two**  
**(18 U.S.C. § 1425(b), Procuring naturalization and**  
**citizenship to which one is not entitled)**

1. The Grand Jury re-alleges and incorporates by reference the General Allegations contained in paragraphs 1 through 7 of this Indictment as if fully set forth herein.

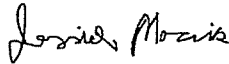
2. On or about July 18, 2008, in the Northern District of Georgia, and elsewhere, the defendant, MEZEMR ABEBE BELAYNEH, a/k/a “Mezmur Amare Belayneh,” did knowingly procure, obtain, and apply for naturalization, citizenship, and any certificate and evidence of naturalization and citizenship for himself, to which he was not entitled, because at the time of his application for naturalization, the defendant could not satisfy the requirements for naturalization, pursuant to Title 8, United States Code, Section 1427, in that he was not a person of “good moral character,” as defined in Title 8, United States Code, Section 1101(f)(6), given that he gave false testimony for the purpose of obtaining any benefits under Chapter 12 of Title 8 of the United States Code, when he stated under oath that he had never committed a crime or offense for which he was not arrested, that he never gave false or misleading information to any U.S. government official when applying for an immigration benefit, and that

he never lied to any U.S. government official to gain entry or admission to the United States, as set forth in Count One of this Indictment.

All in violation of Title 18, United States Code, Section 1425(b).

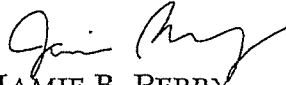
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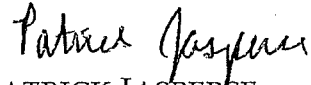
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