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USCIS Assists in Case Where Federal Grand Jury Indicts Lawyer and Accountant in Visa Fraud Scheme to Obtain LPR Status for South Korean Nationals

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Submitted by Chief Editor on Nov 8th 2019

LOS ANGELES ? A federal grand jury has indicted two men in a scheme to obtain lawful permanent resident status for South Korean nationals by submitting fraudulent visa applications that falsely claimed American businesses wanted to hire skilled foreign workers.

The indictment, returned on Nov. 1, alleges that the defendants exploited the EB-2(a) visa program by submitting bogus Alien Worker Petitions on behalf of companies ? some legitimate, some created specifically for the scheme ? that purportedly wanted to hire foreign nationals after exhausting attempts to find suitable workers in the United States. According to court documents, those South Korean visa applicants simply wanted to immigrate to the United States, and they paid between \$30,000 and \$70,000 to the defendants in the hopes of obtaining a visa.

The indictment charges the two defendants with conspiracy to commit visa fraud. The defendants are:

- Weon Keuk Lee, 49, a South Korean national, a licensed California attorney who previously operated an immigration law firm in Los Angeles; and
- Young Shin Kim, 59, a naturalized United States citizen, who previously operated an accounting firm in Diamond Bar and is now a farmer in Hesperia.

Kim was arrested in this case on October 3 pursuant to a criminal complaint. During a court hearing the next day, Kim was ordered released on a \$50,000 bond and was ordered to appear for an arraignment on November 8. Lee, 50, is believed to be currently residing in Vietnam.

?This indictment sends a loud and clear message that the American people have zero tolerance for those who attempt to cheat our immigration system,? said USCIS Acting Director Ken Cuccinelli. ?I?m extremely proud of our Fraud Detection & National Security unit who assisted in bringing these perpetrators to justice.?

According to the indictment, between 2007 and 2015, Lee and Kim filed approximately 117 fraudulent Alien Worker Petitions with U.S. Citizenship and Immigration Services, which resulted in the agency issuing more

than 125 visas for alien workers, their spouses and their children.

The indictment alleges that Lee accepted payment from South Korean nationals who wanted to obtain EB-2(a) visas that would allow them to live and work in the United States. Kim allegedly identified United States businesses to act as the purported petitioner for the beneficiary, either by misappropriating information from his accounting firm's clients or by forming shell corporations solely for the purpose of petitioning authorities for visas. The indictment also alleges that Kim fabricated documents ? including bogus tax returns ? for the domestic companies and that Lee used those documents to submit the fraudulent Alien Worker Petitions. Lee allegedly paid Kim nearly \$300,000 for preparing the fraudulent documents used with the visa applications.

An indictment contains allegations that a defendant has committed a crime. Every defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

The charge of conspiracy to commit visa fraud carries a statutory maximum sentence of five years in federal prison.

This matter is being investigated by the Document Benefit Fraud Task Force, which includes representatives of the U.S. Department of State's Diplomatic Security Service; U.S. Citizenship and Immigration Services, Fraud Detection National Security Unit; and U.S. Immigration and Customs Enforcement's Homeland Security Investigations.

This case is being prosecuted by Assistant United States Attorney Scott D. Tenley of the Santa Ana Branch Office.

Team Notes:

Immigration Law :

Fraud/Misrepresentation [2]

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