

Paul M. Krieger

Approved:

PAUL M. KRIEGER
Assistant United States Attorney

Before:

HONORABLE MICHAEL H. DOLINGER
United States Magistrate Judge
Southern District of New York

----- x

UNITED STATES OF AMERICA

: SEALED
COMPLAINT

-v.-

: Violations of

DAVENG WEE,

: 18 U.S.C. §§ 1001 and 1028A

a/k/a "K.C. Huang,"

a/k/a "Daveng K.C. Huang,"

: COUNTY OF OFFENSE:
NEW YORK

a/k/a "KC Huang Daveng,"

a/k/a "Daveng Huang,"

a/k/a "Kuo-Chang Huang,"

a/k/a "Daveng Pui Kui Wee,"

a/k/a "Pui Kui Wee,"

Defendant.

----- x

SOUTHERN DISTRICT OF NEW YORK, ss.:

ROBERT A. KATZMAN, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, and charges as follows:

COUNT ONE

On or about October 2, 2006, in the Southern District of New York and elsewhere, DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, unlawfully, willfully, and knowingly did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted a notice of entry of appearance as an attorney to the Department of Justice Executive Office for Immigration Review Board of Immigration Appeals in which the

defendant falsely represented that he was an attorney and a member in good standing of the bar of New York State.

(Title 18, United States Code, Sections 1001 and 2.)

COUNT TWO

On or about October 3, 2006, in the Southern District of New York and elsewhere, DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, unlawfully, willfully, and knowingly did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted a notice of entry of appearance as an attorney to the Department of Justice Executive Office for Immigration Review Board of Immigration Appeals in which the defendant falsely represented that he was an attorney and a member in good standing of the bar of New York State.

(Title 18, United States Code, Sections 1001 and 2.)

COUNT THREE

On or about May 14, 2008, in the Southern District of New York and elsewhere, DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, unlawfully, willfully, and knowingly did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted a notice of entry of appearance as an attorney to the United States Department of Homeland Security, United States Citizenship and Immigration Services in which the defendant falsely represented that he was an attorney and a member in good standing of the bar of New York State.

(Title 18, United States Code, Sections 1001 and 2.)

COUNT FOUR

On or about March 18, 2009, in the Southern District of New York and elsewhere, DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, unlawfully, willfully, and knowingly did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted a notice of entry of appearance as an attorney to the United States Department of Homeland Security, United States Citizenship and Immigration Services in which the defendant falsely represented that he was an attorney and a member in good standing of the bar of New York State.

(Title 18, United States Code, Sections 1001 and 2.)

COUNT FIVE

From at least on or about October 2, 2006 up to and including on or about March 18, 2009, in the Southern District of New York and elsewhere, DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, WEE possessed and used means of identification of another person, including the other person's name and attorney registration number, in making materially false, fictitious and fraudulent statements and representations, as charged in Counts One through Four of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1), (c)(4).)

COUNT SIX

On or about May 8, 2007, in the Southern District of New York and elsewhere, DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui

Wee," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, unlawfully, willfully, and knowingly did falsify, conceal, and cover up by trick, scheme, and device a material fact, and did make materially false, fictitious, and fraudulent statements and representations, and did make and use false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, the defendant submitted documents to the United State Citizenship and Immigration Services in support of his application for temporary resident status that falsely represented where he attended primary and secondary school.

(Title 18, United States Code, Sections 1001 and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and I have been personally involved in the investigation of this matter. This affidavit is based upon my own observations, conversations with law enforcement agents and others, and my examination of reports and records prepared by others. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

2. I have reviewed records from the New York State Unified Court System, Office of Court Administration, Attorney Registration Unit ("Attorney Registration Unit"), and have learned, among other things, the following:

a. In or about February 2000, an individual ("Victim-1") applied to be admitted to practice law in New York State by filing a Form for Attorney Registration with the State of New York, Office of Court Administration in which Victim-1 provided his name, a home address in Ithaca, New York (the "Ithaca Address"), his social security number, date of birth, and the name of the law school he attended in the United States.

b. In 2000, Victim-1 was admitted to practice law in the Third Judicial Department in New York State and was assigned a unique attorney registration number (the "Attorney Registration Number").

c. In or about February 2006 and July 2006, an individual contacted the Attorney Registration Unit and requested that correspondence concerning Victim-1's attorney registration be mailed to a post office box in Manhattan ("P.O. Box-1").

d. In or about February 2006 and July 2006, renewal notices from the Attorney Registration Unit concerning the fact that Victim-1 owed attorney registration fees for 2002 through 2007 in the total amount of \$1,000.00, were sent to P.O. Box-1. The renewal notice from July 2006 contained, among other information, Victim-1's name, Victim-1's Attorney Registration Number, Victim-1's date of birth, the last four digits of Victim-1's social security number, the Ithaca Address, the name of Victim-1's law school, and the year of Victim-1's admission to the New York bar.

e. In or about September 2006, the Attorney Registration Unit received the renewal notice that had been sent out in July 2006, along with a Moneygram for \$1,000.00 in the name of "Daveng Huang," which Moneygram also provided Victim-1's Attorney Registration Number. In the section of the renewal notice where changes to the personal information of Victim-1 could be made, there were two changes noted: (1) the name "Daveng Huang" was written in an attempt to change Victim-1's name to "Daveng Huang;" and (2) a post office box in Manhattan, New York ("P.O. Box-2") was written in an attempt to change Victim-1's address from the Ithaca Address to P.O. Box-2.

f. The Attorney Registration Unit has no record indicating that "Daveng Huang" or DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, is or has ever been a member of the New York State bar.

3. I have reviewed documents maintained by the United States Postal Service concerning P.O. Box-1 and have learned, among other things, the following:

a. P.O. Box-1 was registered from September 2003 to approximately March 2007 in the name of "Daveng Wee."

b. The application for P.O. Box-1 lists a Singapore passport number (the "Passport Number").

4. I have spoken with a representative of the Attorney Registration Unit and learned, among other things, that the Attorney Registration Unit does not change the name of registered attorneys without legal documentation of a legal name

change. Accordingly, Victim-1's name was not changed on his attorney registration, despite the effort to change that name described in paragraph 2(e) above.

5. I have reviewed documents maintained by the United States Department of Homeland Security, Immigration and Customs Enforcement division ("ICE"), which was formerly known as the Immigration and Naturalization Service ("INS"), including the alien file for DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant. Based on my review of those documents, I have learned, among other things, the following:

- a. WEE is a citizen of Singapore.
- b. WEE's address in the United States at all times relevant to this complaint was a specific address in Queens, New York (the "Queens Address").
- c. WEE's Singapore passport number is the Passport Number listed in the application to open P.O. Box-1.
- d. WEE was born in February 1977.
- e. The last four digits of WEE's social security number are 8721.

6. I have records from the New York State Department of Motor Vehicles concerning a driver's license issued to "Daveng Pui Kui Wee," and learned, among other things, that "Daveng Pui Kui Wee's" address, date of birth, and social security number match the information in the immigration file of DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant.

7. I have reviewed a copy of an INS Form EOIR-27, which was completed on October 2, 2006 ("October 2 EOIR-27"). The October 2 Form EOIR-27 is a "Notice of Entry of Appearance As An Attorney or Representative Before the Board of Immigration Appeals Executive Office for Immigration Review." The October 2 EOIR-27 was filed in connection with an application to reopen/reconsider an alien's removal. Victim-1 is identified as the attorney making the appearance in the matter. The October 2 EOIR-27 also reflects, among other things, the following:

- a. Victim-1's Attorney Registration Number is listed as the "State Bar No" of the attorney signing the Notice

of Appearance.

b. A statement that the attorney signing the Notice of Appearance is a member of the bar in good standing in New York.

c. The purported signature of Victim-1, dated on or about October 2, 2006, in the two places on the October 2 EOIR-27 for the "Signature of Attorney or Representative."

d. A representation purportedly by Victim-1 that the information provided on the October 2 EOIR-27 is true and correct under penalty of perjury under the laws of the United States of America.

e. Victim-1's purported telephone number in Manhattan, New York ("Manhattan Telephone Number-1").

f. Victim-1's purported address in Manhattan, New York ("Manhattan Address-1").

g. A certificate of service filled out by "Daveng Huang," which certifies that the Notice of Appearance was mailed or delivered on October 2, 2006 to the INS in Falls Church, Virginia.

h. A date and time stamp indicating that the Department of Justice Executive Office for Immigration Review Board of Immigration Appeals ("BIA") received the form on October 4, 2006.

8. I reviewed the envelope in which the October 2 EOIR-27 was received by the BIA in Falls Church, Virginia, and have learned, among other things, the following:

a. The October 2 EOIR-27 was mailed by certified mail from New York, New York on or about October 2, 2006.

b. The return address on the envelope is Manhattan Address-1.

9. I have reviewed a copy of an INS Form EOIR-27, which was completed on October 3, 2006 ("October 3 EOIR-27"). The October 3 Form EOIR-27 is a "Notice of Entry of Appearance As An Attorney or Representative Before the Board of Immigration Appeals Executive Office for Immigration Review." The October 3 EOIR-27 was filed in connection with an application to reopen/reconsider an alien's removal. Victim-1 is identified as the attorney making the appearance in the matter. The October 3

EOIR-27 also reflects, among other things, the following:

a. Victim-1's Attorney Registration Number is listed as the "State Bar No" of the attorney signing the Notice of Appearance.

b. A statement that the attorney signing the Notice of Appearance is a member of the bar in good standing in New York.

c. The purported signature of Victim-1, dated on or about October 3, 2006, in the two places on the October 3 EOIR-27 for the "Signature of Attorney or Representative."

d. A representation purportedly by Victim-1 that the information provided on the October 3 EOIR-27 is true and correct under penalty of perjury under the laws of the United States of America.

e. Manhattan Telephone Number-1 is listed as Victim-1's purported telephone number.

f. Manhattan Address-1 is listed as Victim 1's purported address.

g. A certificate of service filled out by "KC Huang Daveng," which certifies that the Notice of Appearance was mailed or delivered on October 3, 2006 to the INS in Falls Church, Virginia.

h. A date and time stamp indicating that the BIA received the form on October 5, 2006.

10. I reviewed the envelope in which the October 3 EOIR-27 was received by the BIA in Falls Church, Virginia, and have learned, among other things, the following:

a. The October 3 EOIR-27 was mailed by certified mail from New York, New York on or about October 3, 2006.

b. The return address on the envelope is "Huang Partners LLP" at Manhattan Address-1.

11. I have reviewed a copy of an INS Form G-28, dated May 14, 2008 ("2008 G-28"). The 2008 G-28 is a "Notice of Entry of Appearance as Attorney or Representative." The 2008 G-28 was filed in connection with an application, Form I-90, by an alien to replace a permanent resident card. Victim-1 is identified as the attorney making the appearance in the matter. The 2008 G-28

also reflects, among other things, the following:

a. The date of May 14, 2008 in two places on the form;

b. A statement that the attorney signing the Notice of Appearance is a member of the bar in good standing in the Third Judicial Department in New York;

c. The purported signature of Victim-1.

e. Victim-1's purported telephone number in Manhattan ("Manhattan Telephone Number-2").

f. Victim-1's purported address as "Huang Partners LLP" at a location in Manhattan ("Manhattan Address-2").

g. A statement that Victim-1's "office has been retained to represent the [alien] to review and assist on his I-90 application with the USCIS and EOIR."

12. I reviewed the envelope in which the 2008 G-28 was sent, and have learned, among other things, the following:

a. The 2008 G-28 was mailed by certified mail from New York, New York to the United States Citizenship and Immigration Services ("USCIS") on or about June 6, 2008.

b. The return address on the envelope is "Huang Partners LLP" at Manhattan Address-2.

13. I have reviewed the Form I-90, which was included with 2008 G-28 in the above-reference envelope and have learned that the Form I-90 was stamped as received by the USCIS in Los Angeles on or about June 9, 2008.

14. I have reviewed a copy of an INS Form G-28, dated March 18, 2009 ("2009 G-28"). The 2009 G-28 is a "Notice of Entry of Appearance as Attorney or Representative." The 2009 G-28 was filed in connection with a petition for an alien relative, Form I-130 and related immigration matters. Victim-1 is identified as the attorney making the appearance in the matter. The 2009 G-28 also reflects, among other things, the following:

a. The date of March 18, 2009, in two places on the form.

b. A statement that the attorney signing the Notice of Appearance is a member of the bar in good standing in

the Third Judicial Department in New York.

c. The purported signature of Victim-1.

e. Victim-1's purported telephone number in Manhattan ("Manhattan Telephone Number-3").

f. Victim-1's purported address as "Huang Partners LLP" at Manhattan Address-2.

g. A statement that Victim-1's "firm and its counsel" have been "appointed" to "handle and for all correspondence with USCIS on the matter I-130 petition and all related immigration matters."

h. A date and time stamp indicating that the USCIS received the form on or about April 21, 2009.

15. I reviewed the envelope in which the 2009 G-28 was sent, and have learned, among other things, the following:

a. The 2009 G-28 was mailed by United States Postal Service Express mail from New York, New York to the USCIS on or about April 20, 2009.

b. The return address on the envelope is "Huang Partners LLP" at the Manhattan Address-2.

16. I have reviewed documents concerning the registration of Huang Partners LLP from the New York State Department of State Division of Corporations, and have learned, among other things, the following:

a. Huang Partners LLP was registered as a domestic limited liability partnership on or about September 13, 2006.

b. The address for the Principal Executive Office and for process by the Department of State is Huang Partners LLP at the Queens Address.

c. An individual identified as "Daveng Huang" with a mailing address at the Queens Address signed and filed the "Certificate of Registration" of Huang Partners LLP.

d. In or about August 25, 2008, "Daveng Wee" signed and filed a change of address for service of process on Huang Partners LLP to Manhattan Address-2.

17. I have reviewed records from the New York State Department of State Division of Licensing Services concerning Huang Partners LLP, and have learned, among other things, the following:

a. In or about October 2006, an individual named "Daveng Wee" applied for a real estate broker's license.

b. On the application for the license, the Queens Address is listed as the home and business address of "Daveng Wee."

c. On the application, Huang Partners LLP is identified as the business name of the applicant; an email address, daveng_h@hpllp.us, (the "Email Address") is provided; and the birth date and social security number on the application match the birth date and social security number from the immigration file of DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant.

d. The application states that "Daveng Wee" is "currently a member of the New York State Bar."

18. I have reviewed public records concerning Manhattan Telephone Number-3, and have learned that this telephone number is registered to "Daveng Wee" at the Queens Address.

19. On or about February 26, 2008, a fraud investigator from the Department of Justice Executive Office for Immigration Review ("Agent-1") called Manhattan Telephone Number-3. Agent-1 spoke with an unknown, male individual who identified himself as Victim-1, and stated, among other things and in sum and substance, the following:

a. His address was Manhattan Address-2.

b. He was no longer working at Manhattan Address-1.

c. Manhattan Telephone Number-3 was a new telephone number.

d. He was admitted to practice law in New York State.

e. His New York State bar registration number

was the Attorney Registration Number.

20. In or about April 2008, May 2008, and November 2008, another law enforcement officer acting in an undercover capacity ("Agent-2") met with an individual purporting to be Victim-1 at the offices of Huang Partners LLP, located at Manhattan Address-2. During one of the meetings, the individual purporting to be Victim-1 provided Agent-2 with the individual's business card, which stated, among other things, the following:

a. The name on the business card is "K.C Huang, Daveng Esq. / Attorney At Law."

b. The address is "Huang Partners LLP / Advocates and Solicitors Office" at Manhattan Address-2.

c. The email address listed is the Email Address.

d. The telephone number listed is Manhattan Telephone Number-2.

21. After meeting with the individual purporting to be Victim-1, Agent-2 was shown photographs of Victim-1 and of DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, and Agent-2 stated that WEE appeared to be the individual who was claiming to be Victim-1.

22. I have corresponded with Victim-1 by e-mail and spoken with Victim-1 by telephone, as well as reviewed e-mail correspondence between Victim-1 and Agent-1. During these communications, Victim-1 stated among other things and in sum and substance the following:

a. Victim-1 attended Cornell Law School from 1998 to 2002, where he obtained a Masters of Law (LL.M) and Doctor of Juridical Science (J.S.D).

b. Victim-1 passed the New York State bar examination in 1999 and became a member of the New York State bar in 2000.

c. In 2002, Victim-1 returned to Taiwan, where he was born and is a citizen, and became a law professor at the Academia Sinica in Taiwan.

d. Since 2002, Victim-1 has traveled to the

United States to attend academic conferences, but has never practiced law in the United States and has no affiliation with any law practice in the United States.

e. Victim-1 has not authorized anyone to use his name or bar registration number to practice law in the United States or make court or other filings on his behalf in the United States.

23. I have reviewed documents from the USCIS concerning an application by DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, for temporary resident status, and have learned, among other things, the following:

a. On or about March 9, 2007, the USCIS denied WEE's application for status as a temporary resident.

b. On or about March 25, 2007, WEE filed a notice of appeal of this denial.

c. On or about May 8, 2007, WEE submitted additional documents to the USCIS in support of his application for temporary residence. These documents were sent by United States Postal Service Express mail from New York, New York to the USCIS in Chicago. The documents included, among others, the following:

i. Four "report cards" for "Daveng Wee" purportedly from "The United Nations International School" for the years 1981 through 1984.

ii. An "academic transcript" for "Daveng Wee" purportedly from "Hunting High School" on "Long Island, NY."


iii. A high school "diploma" for "Daveng Wee" purportedly from "Huntington High School," in "Huntington, N.Y." dated March 18, 1993.

24. I have spoken with and received correspondence from the United Nations International School in New York, New York and have been informed, among other things, that the school has no record of any student under the name "Daveng Wee."

25. I have spoken with and received correspondence from the Huntington Union Free School District, in Huntington, New York, which includes Huntington High School, and have been informed, among other things, that the district has no record of

any student under the name "Daveng Wee" or "Pui Kui Wee."

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of DAVENG WEE, a/k/a "K.C. Huang," a/k/a "Daveng K.C. Huang," a/k/a "KC Huang Daveng," a/k/a "Daveng Huang," a/k/a "Kuo-Chang Huang," a/k/a "Daveng Pui Kui Wee," a/k/a "Pui Kui Wee," the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.



ROBERT A. KATZMAN
Special Agent
Federal Bureau of Investigation

Sworn to before me this
__ day of February, 2010



HONORABLE MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

02 FEB 2010