

San Jose Immigration Lawyer Extradited From The Kyrgyz Republic To Face Charges Of Large-Scale Visa Fraud

SAN JOSE Danhong “Jean” Chen, also known as Maria Sofia Taylor, was extradited from the Kyrgyz Republic to the United States and will appear before U.S. Magistrate Judge Susan van Keulen in federal district court in San Jose this afternoon. This is the first extradition from the Kyrgyz Republic to the United States on federal criminal charges.

Chen, 60, who previously resided in Atherton, Calif., and her business partner and ex-spouse, Jianyun “Tony” Ye, were indicted by a federal grand jury in March 2019. The 14-count indictment alleges the defendants committed visa fraud and related crimes to obtain immigration benefits for more than 100 foreign investors through the government’s employment-based immigration fifth preference, or “EB-5,” visa program. In 2021, Ye pleaded guilty to visa fraud and obstruction and was sentenced to 12 months in federal prison. He has since served that sentence and been released from custody.

The U.S. Securities and Exchange Commission (SEC) filed a civil complaint in October 2018 against Chen and others alleging that Chen improperly solicited investments and committed other violations of law. According to court documents, immediately after the SEC filed its civil enforcement complaint, Chen left the United States and was at large until she was arrested in the Kyrgyz Republic at the request of the United States.

Acting United States Attorney Patrick D. Robbins, FBI Special Agent in Charge Sanjay Virmani, and SEC Office of the Inspector General (SEC OIG) Inspector General Deborah Jeffrey made the announcement.

According to the indictment, Chen was the sole partner at the Law Offices of Jean D. Chen in San Jose, which held itself out as specializing in immigration law. Chen prepared and submitted to the United States Citizenship and Immigration Services (USCIS) fraudulent documents that contained false signatures and falsely described how applicants would qualify for the EB-5 program.

Under the EB-5 program, foreign nationals could obtain permanent United States residency, commonly known as “green card” status, by investing in qualifying businesses in the United States. Alien investors who comply with program requirements initially receive a grant of conditional permanent residency status for a two-year period. After two years, the alien investor can petition for permanent residency. To obtain permanent residency status, the applicant’s investment must amount to \$500,000 if made in certain geographical areas with low employment rates; if the investment is not in a designated low-employment area, the investment must amount to a minimum of \$1,000,000. In addition, under the EB-5 program, individuals seeking investments for businesses may establish “regional centers” to promote investment opportunities to EB-5 applicants within designated geographic areas. The Law Offices of Jean D. Chen, operated by Chen, represented clients who invested a total of approximately \$52,000,000 into projects under the EB-5 program.

The indictment alleges Chen fraudulently obtained immigration benefits through the EB-5 program on behalf of her clients by, among other actions, falsifying documents to hide the true ownership and nature of a regional center. Specifically, in 2014, Chen purchased the Golden State Regional Center and other entities and, almost immediately after the purchase, transferred ownership to a straw owner without that individual’s knowledge. Chen filed papers with USCIS requesting that the government

continue to recognize Golden State Regional Center as a regional center qualified to promote EB-5 investment within the South Bay.

The indictment also charges Chen with obstruction of justice related to investigations being conducted by the SEC and the FBI, including by demanding that an individual provide false answers to SEC investigators and directing an individual to delete emails relevant to the SEC's and FBI's investigations into the visa fraud.

Chen is charged with 10 counts of visa fraud in violation of 18 U.S.C. § 1546(a), one count of obstruction of justice in violation of 18 U.S.C. § 1505, one count of obstruction of justice in violation of 18 U.S.C. § 1512(b)(3), and one count of aggravated identity theft in violation of 18 U.S.C. § 1028A. An indictment merely alleges that crimes have been committed, and all defendants are presumed innocent until proven guilty beyond a reasonable doubt. If convicted, Chen faces a maximum sentence of 10 years and a fine of \$250,000 on each count of visa fraud under 18 U.S.C. § 1546(a); five years and a maximum fine of \$250,000 on the count of obstruction of justice under 18 U.S.C. § 1505; 20 years and a maximum fine of \$250,000 on the count of obstruction of justice under 18 U.S.C. § 1512(b)(3); and a minimum sentence of two years to run consecutively to other felony convictions and a maximum fine of \$250,000 on the count of aggravated identity theft under 18 U.S.C. § 1028A. Any sentence following a conviction would be imposed by the Court only after consideration of the U.S. Sentencing Guidelines and the federal statute governing the imposition of a sentence, 18 U.S.C. § 3553.

Assistant U.S. Attorney Lloyd Farnham is prosecuting the case with the assistance of Susan Kreider. The prosecution is the result of an investigation by the FBI and the SEC OIG. The Justice Department's Office of International Affairs worked with law enforcement partners in the Kyrgyz Republic to secure the arrest and extradition of Chen to the United States, and the U.S. Department of Justice appreciates the cooperation and assistance provided by the Kyrgyz Republic's General Prosecutor's Office.