

UNITED STATES DISTRICT COURT

for the

_____ District of _____

United States of America

v.

Case No. _____

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Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ in the county of _____ in the

_____ District of _____, the defendant(s) violated:

Code Section

Description of Offenses

This criminal complaint is based on these facts:

☐ Continued on the attached sheet.

Complainant's signature

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

_____ telephone _____ (specify reliable electronic means).

Date: _____



Judge's signature

City and state: _____

Printed name and title

Attachment A

Count 1

(Voting by an Alien in a Federal Election)

On or about October 31, 2024, in Middlesex County, in the District of New Jersey, the defendant,

DANUBIS BERNAT,

an alien, knowing that she was not a United States citizen, voted in an election held solely or in part for the purpose of electing a candidate for the office of the President, Vice President, Presidential elector, Member of the Senate or Member of the House of Representatives.

In violation of Title 18, United States Code, Section 611.

Count 2

(False Statements in Relation to Naturalization)

On or about September 6, 2025, in Middlesex County, in the District of New Jersey, the defendant,

DANUBIS BERNAT,

knowingly procured and attempted to procure, contrary to law, the naturalization of a person, namely, herself, by way of false statements, in that she knowingly made materially false statements in an Application for Naturalization (Form N-400) signed under penalty of perjury on or about September 6, 2025, wherein defendant falsely represented that she had never voted in any Federal, state or local election in the United States.

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

Attachment B

I, Thomas Coyle, a Special Agent with the Department of Homeland Security, Homeland Security Investigations (“HSI”), having personally participated in an investigation of the conduct of defendant DANUBIS BERNAT (“BERNAT”), and having spoken with other law enforcement officers and individuals, have knowledge of the following facts. Because this Complaint is submitted for the limited purpose of establishing probable cause, I have not included all facts known to me concerning this investigation. The contents of documents and the actions, statements, and conversations of individuals referenced below are provided in substance and in part, unless otherwise indicated. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background

1. At all times relevant to this Complaint:
 - a. A United States citizen was a native of the United States; a person naturalized in the United States; or a person who derived U.S. citizenship (from one or both parents); and who owed allegiance to the United States and was entitled to its full rights, privileges, and protection.
 - b. An alien was any person not a citizen or national of the United States. This included immigrants (e.g. lawful permanent residents) and non-immigrants (e.g., individuals who were admitted to the United States for a temporary duration, such as a student, a visitor or a temporary worker).
 - c. A lawful permanent resident (“LPR”) was an alien who had been conferred permanent resident status in the United States (colloquially known as a “Green Card” holder). An Alien Registration Receipt Card (also known as a “Green Card”) was issued to lawful permanent residents as evidence of their status. Upon meeting the statutory prerequisites for naturalization, an LPR could apply to become a naturalized United States citizen.
 - d. In order to register to vote in the State of New Jersey, an applicant was required to certify and attest that they met certain eligibility requirements, including the requirement that he/she was a United States citizen.

- e. Upon successfully registering to vote in New Jersey, an applicant was authorized to vote in New Jersey State and local elections, as well as in federal elections.
- f. BERNAT was a citizen of Venezuela. BERNAT has never been a citizen of the United States. BERNAT was a Lawful Permanent Resident living in Middlesex County, New Jersey, having initially entered the United States in May 2006, from her country of birth, Venezuela, on a B-2 tourist visa.

2. On or about August 9, 2024, BERNAT registered to vote in New Jersey by submitting an application via the New Jersey Division of Elections online voter registration portal. In doing so, BERNAT certified and attested that she was a United States citizen.

3. Based on the information that BERNAT provided in her application, including her false statement that she was a United States citizen, BERNAT's application to register to vote was accepted, and she was successfully registered to vote in the State of New Jersey.

4. After she was successfully registered to vote, BERNAT voted in the 2024 general election by voting in person on or about October 31, 2024. The 2024 general election included the election for the offices of President and Vice President of the United States.

5. On or about September 6, 2025, BERNAT submitted an Application for Naturalization ("N-400") to the U.S. Citizenship and Immigration Services ("USCIS"). An N-400 is a United States government form that is submitted by LPRs to apply to become U.S. citizens through the naturalization process. The N-400 consists of a detailed questionnaire that requires the applicant to provide personal information, including but not limited to, biographical information, marital history, criminal records, and information concerning whether the applicant has ever registered to vote and/or voted in any federal, state, or local election. The questions on the N-400 are designed to allow USCIS to determine whether applicants meet requirements like good moral character, English proficiency, and knowledge of U.S. history/government, before they are approved for United States citizenship. If it is determined that an applicant has voted in a federal election his/her application for citizenship will be denied.

6. As part of that application, the N-400 requires applicants to swear/affirm and certify under penalty of perjury under the laws of the United States that the information they report in the N-400 is complete, true, and correct.

7. After the N-400 is submitted by the applicant, he/she is scheduled for an interview with an official ("Immigration Services Officer") from USCIS. At the time that an applicant is interviewed by an Immigration Services Officer, the Applicant is placed under oath. Thereafter, the Immigration Services Officer goes over with the applicant the answers that the applicant provided in the N-400 that the applicant filled out and submitted to USCIS. At the end of the interview, the Immigration Services Officer determines whether to: (i) approve the applicant's request to become a citizen; (ii) deny the request for citizenship; or (iii) request that the applicant provide additional information and come in for a subsequent interview. If the Immigration Services Officer approves an applicant's Form N-400, the applicant is scheduled to take the Oath of Allegiance at a naturalization ceremony. The naturalization ceremony is the culmination of the naturalization process.

8. In the N-400 application that BERNAT submitted on about September 6, 2025, BERNAT checked the "No" box in response to the question "[h]ave you EVER voted in any Federal, state, or local election in the United States?"

/s/ Thomas Coyle

Thomas Coyle
Special Agent, HSI

Pursuant to Fed. R. Crim. P. 4.1, Special Agent Coyle was sworn and attested to the contents of this affidavit in support of the complaint and arrest warrant for Defendant Danubis Bernat.


HON. TONIANNE J. RONGIOVANNI
United States Magistrate Judge

Date: September 23, 2026