

# **EXHIBIT**

# **B**



## Freedom of Information/Privacy Act Request

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form G-639  
OMB No. 1615-0102  
Expires 07/31/2025

### What Is the Purpose of Form G-639?

Use Form G-639 to request access to U.S. Citizenship and Immigration Services (USCIS) records under the Freedom of Information Act (FOIA) at 5 U.S.C. 552 and the Privacy Act of 1974 (PA) at 5 U.S.C. 552a, if applicable. You may also use this form to request amendment or correction of records pertaining to you under the PA, if applicable.

### Your Options to Make a FOIA or PA Request with USCIS

You can make a FOIA or PA request:

- Online at [www.uscis.gov/foia](http://www.uscis.gov/foia).
- Using this Form G-639; or
- In writing and in accordance with the requirements of the FOIA and PA.

### Request and Receive Records Faster Online

Our online FOIA and PA services are a more efficient way to request and receive records than by using Form G-639 to make a request.

When you make your request online, USCIS receives it immediately and we can deliver the response to you immediately after the records are processed.

You will also be able to:

- Receive instant updates when we act on your request;
- Respond faster if we ask you to give us more information; and

Making your request online helps ensure your request contains the required information and reaches us immediately, rather than through a mailed postal delivery. Once you provide the information necessary to process your request, we will add it to the same first-in, first-out processing queue ordinarily used for all requests.

Once we release records you request online, you can use your online account to:

- View them on any internet connected device, such as a smartphone, tablet, or computer;
- Access the records as soon as they are available, rather than waiting for them by mail; and
- Continue to access your records through your online account and print them whenever you need.

### If You Make Your Request Using This Form

If you complete and submit this form, we will send all correspondence and any records we release through U.S. mail, requiring time for transit and receiving. Unless you specify another format, any records responsive to your request will be sent to you on a CD-ROM, so you will need to use a computer with an optical drive to view them. Alternately, if you request records online ([www.uscis.gov/foia](http://www.uscis.gov/foia)) using FIRST, you can download them without the need for equipment other than a computer, smartphone, or tablet that is connected to the internet.

Do not use Form G-639 for:

- **Status Inquires.** Contact the USCIS office where the application or petition was filed or visit <https://egov.uscis.gov> to check your case status online. You may also reach out to the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter). The USCIS Contact Center provides information in English and Spanish. For those who are deaf or hard of hearing and use a TTY relay service, call 1-800-767-1833.
- **Consular Notification of a Visa Petition Approval.** Use Form I-824, Application for Action on an Approved Application or Petition, to request consular notification of visa petition approval.

- **Return of Original Documents.** Use Form G-884, Request for the Return of Original Documents, to request the return of original documents.
- **Requesting a Certificate of Non-Existence**
- **Naturalization Records Before September 27, 1906.** Contact the clerk of court where the naturalization occurred to request naturalization records before September 27, 1906.
- **USCIS Manifest Arrivals Before December 1982.** Contact the National Archives at <https://www.archives.gov/contact> to request information on USCIS manifest arrivals before December 1982.
- **Proof of Status for Non-Immigration Benefits.** Contact the Federal agency responsible for the benefit (for example, Social Security benefit, Selective Service requirement) to obtain proof of status.

## General Instructions

USCIS provides forms free of charge through the USCIS website. To view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at <https://get.adobe.com/reader/>. If you do not have internet access, you may call the USCIS Contact Center at 1-800-375-5283 (TTY 1-800-767-1833) and ask that we mail a form to you. The USCIS Contact Center provides information in English and Spanish.

### How To Fill Out Form G-639

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this request, use the space provided in **Part 5, Additional Information** or attach a separate sheet of paper. Type or print the Subject of Record's name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None" unless otherwise directed.

## Read the Entire Form and Complete as Much as Possible

The information USCIS requests in this form helps us locate the records and information you request.

You are not required to respond to every item, but if you do not provide enough information we may:

- Require more time to fulfill your request;
- Need to request more information from you, delaying our response; or
- Not be able to locate the records or information you request.

▶ **START HERE** - Type or print in black ink.

**Part 1. Specify the Nature of your Request**

NOTE: On this form, the individual to whom a record pertains is described as the subject of record.

**1. Select Type of Request**

Select the box that indicates the nature of your request, and the type of records you are requesting. If you need extra space to complete this section, use the space provided in **Part 5. Additional Information**.

- A. Information from your own immigration record;
- B. Information from another person's immigration record;
- C. USCIS business, operational, or policy records;
- D. An amendment or correction of your record under the Privacy Act;
- E. An amendment or correction of another person's immigration record on their behalf under the Privacy Act;  
 or
- F. Other records in USCIS custody.

If you selected **Item B.** or **E.** in **Item Number 1.**, complete **Part 4. Third-Party Requestor**, along with other pertinent sections of this form.

If you selected **Item A., C., D.,** or **F.** in **Item Number 1.**, do not complete **Part 4. Third-Party Requestor** section of this form.

**2. Request Specific Documents**

If you request specific documents, USCIS will usually be able to process your request faster than if you request a large set of records, such as an entire A-File.

Select the types of records you are requesting, if applicable, from this list of commonly requested records:

- Apprehensions, and Date of Apprehension (mm/dd/yyyy)
- Birth certificate
- Form I-94, with Date of Entry (mm/dd/yyyy)
- Passport
- Other Arrival/Departure documents into the U.S., with Date of Entry (mm/dd/yyyy)
- I-129, Petition for a Nonimmigrant Worker
- I-90, Application to Replace Permanent Resident Card (Green Card)
- I-130, Petition for Alien Relative
- I-140, Immigrant Petition for Alien Workers
- I-485, Application to Register Permanent Residence or Adjust Status
- I-751, Petition to Remove Conditions on Residence
- N-400, Application for Naturalization
- Labor certification issued by the U.S. Department of Labor
- Naturalization certificate
- Proof of Lawful Permanent Resident (I PR) status
- Record of removal from the U.S., with Date of Removal (mm/dd/yyyy)
- Other (Explain): **All supporting documents and notes accompanying the Forms checked above**

If you need extra space to complete this section, use the space provided in **Part 5. Additional Information**.

**Part 1. Specify the Nature of your Request (continued)**

**3. Qualifications for Expedited Processing**

Select any of the following circumstances if applicable to your request:

- Circumstances in which the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.
- An urgency to inform the public about an actual or alleged Federal government activity, if made by a person primarily engaged in disseminating information.
- The loss of substantial due process rights.
- A matter of widespread and exceptional media interest in which there are possible questions about the government's integrity which affect public confidence. Requests for expedited processing based upon this category must be submitted to the Senior Director of FOIA Operations, the Privacy Office, U.S. Department of Homeland Security, 245 Murray Lane SW STOP - 0655, Washington, DC 20598-0655.

**4. Statement Requesting Expedited Processing**

To receive expedited processing, you must further explain why you are requesting it. In **Part 5. Additional Information**, type or print a detailed statement explaining your selection in **Item Number 3**.

**5. Information Pertaining to an Upcoming Immigration Court Proceeding**

If the subject of record has an upcoming immigration court proceeding, USCIS may be able to process the request on an accelerated track. Select the box if the following circumstance applies to your request.

- The subject of record has a date scheduled for an immigration court proceeding.

If selected, include a copy of one of the following forms, as issued by the U.S. Department of Homeland Security or U.S. Department of Justice, with your request:

- Form I-862, Notice to Appear, documenting the upcoming date of the Subject's hearing before the Immigration Judge;
- Form I-122, Order to Show Cause, documenting the upcoming date of the Subject's hearing before the Immigration Judge;
- Form I-863, Notice of Referral to Immigration Judge; or
- A written notice of continuation of a future scheduled hearing before the Immigration Judge.

**Part 2. Provide Information to Identify the Subject of Record**

The individual to whom a record pertains is described as the subject of record. The more information you provide about the subject of record, the better USCIS can identify the records you are requesting.

**Subject of Record's Identifying Information**

**1. Alien Registration Number (A-Number):**

USCIS issues Alien Registration Numbers, otherwise known as an "A-Number," to persons who apply for, or are granted, certain immigration benefits. U.S. Customs and Border Protection (CBP) or U.S. Immigration and Customs Enforcement (ICE) may also issue A-Numbers. If the subject of record was issued an A-Number(s), type or print it in the spaces provided. If they do not have an A-Number, or do not remember it, leave this space blank.

▶ A-  ▶ A-  ▶ A-

**2. Date of Birth (mm/dd/yyyy)**

**3. Country of Birth**

Provide the name of the country where the subject of record was born. If the country's name has changed or the country no longer exists, list the country as it was named when the subject of record was born.

**Part 2. Provide Information to Identify the Subject of Record (continued)**

4. Receipt Number

Provide the USCIS receipt number that corresponds to any request the subject of record filed with USCIS.

A. ▶  B. ▶

C. ▶

**Subject of Record**

5. Subject of Record's Name

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
TODOROV	Hrabar	Hrabarov

6. Additional Names Used

If applicable, list any additional names the subject of record has used, including any nicknames, aliases, and maiden name. If the subject's name has changed since they entered the United States, indicate the name used at the time of entry in **Item Number 7**. If you need extra space to complete this section, use the space provided in **Part 5. Additional Information**.

A. Additional Name 1

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>

B. Additional Name 2

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>

C. Additional Name 3

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>

7. Name Used Upon Entry to the United States

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Subject of Record's Mailing Address and Contact Information**

8. List the subject's contact information. You may list a valid residence, Army Post Office (APO), Fleet Post Office (FPO), or commercial address in the United States. You may list a post office address (PO Box) if that is how the subject receives their mail.

Street Number and Name	Apt.	Ste.	Flr.	Number
1817 Selby Avenue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	303
City or Town	State	ZIP Code		
Los Angeles	CA	90025		
Province	Postal Code	Country		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
Telephone Number	Email Address			
<input type="text" value="3993"/>	<input type="text"/>			

**Part 2. Provide Information to Identify the Subject of Record (continued)**

**9. Subject of Record's Father**

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
Todorov	Hrabar	

Father's Name is unknown.

**10. Subject of Record's Mother**

Family Name (Last Name)	Maiden Name, or previous last names
Mitova	
Given Name (First Name)	Middle Name (if applicable)
Snejanka	

Mother's Name is unknown.

**11. Additional Family Members that May Appear on Requested Records**

Provide the family member's full name and their relationship to the subject of record for any individual that may appear on the requested records, for example, a spouse or children.

**A. Name 1**

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
PESHEVA	Hristina	
Relationship: ex-spouse		

**B. Name 2**

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
HRABAR	Petya	
Relationship: spouse		

**C. Name 3**

Family Name (Last Name)	Given Name (First Name)	Middle Name (if applicable)
Relationship:		

If you need extra space to complete this section, use the space provided in **Part 5. Additional Information**.

**12. Avoiding Redaction of Records Mentioning Additional Persons**

To protect the privacy of each person mentioned in records we release, we redact their information unless you provide:

- Their consent for us to release their information, either in a notarized document, or a document signed under penalty of perjury, or;
- Proof they are deceased, with a death certificate, obituary, photograph of a funeral memorial or monument; or screen print from the Social Security Death Index; or probate documents filed in court. This is not required if they were born more than 100 years before you submit this form.

Include these documents with this Form G-639 and complete pertinent sections of **Part 5. Additional Information**.

**Part 3. Certification of Request and Consent to Release, Amend, or Correct Records**

**Requestor Consent to Pay Potential Fees**

USCIS will contact you with instructions if any fees are required. **Please do not send any payment at the time of your request.**

In accordance with Department of Homeland Security Regulations, your request constitutes an agreement to pay any fees that may be chargeable up to \$25.00. We may charge fees for searching for records at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. We do not charge for the first 100 copies and two hours of search time, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Search and processing fees are not applicable for Privacy Act requests.

If the total anticipated fees are more than \$250, or you have failed to pay fees in the past, USCIS may request an advance deposit. USCIS will not process any Form G-639 until you pay all fees from prior requests.

I, the requestor, consent to pay all costs incurred for search, duplication, and review of documents up to \$25.

**Declaration that the Request is True and Complete**


If you are the subject of record and requesting records about yourself or requesting a correction or amendment of your records, you must verify your identity by providing the information requested in **Part 2**. You **MUST** also sign your request below and have your signature notarized **OR** submitted under penalty of perjury.

Sign and date the request. A stamped or typewritten name in place of a signature is not acceptable.

I certify, swear, or affirm, under penalty of perjury under the laws of the United States of America, that the information in this request is complete, true, and correct.

1. Signature of Requestor

Date of Signature (mm/dd/yyyy)

 6/14/2023

**Part 4. Third-Party Requestor**

1. Third-Party Requestor Identifying Information

Family Name (Last Name)

Given Name (First Name)

Middle Name (if applicable)

POPOV

Peter

2. Third-Party Requestor Mailing Address and Contact Information

In Care Of Name (if any)

Street Number and Name



Apt. Ste. Flr. Number

City or Town

Beverly Hills

State

CA

ZIP Code

90210

Province

Postal Code

Country

USA

Telephone Number

 -3360

Email Address

popov90210@yahoo.com





Part 5. Additional Information

If you need extra space to provide any additional information within this request, use the space below. You may also make copies of this page to complete this request or attach a separate sheet of paper.

If you attach additional paper:

- Type or print the subject of record's name and their A-number (if known) at the top of each sheet;
- Indicate the Page Number, Part Number, and Item Number to which your answer refers; and
- Sign and date each sheet.

1. Subject of Record's Family Name (Last Name)  Subject of Record's Given Name (First Name)  Subject of Record's Middle Name

2. Subject of Record's A-Number (if any)

3. A. Page Number  B. Part Number  C. Item Number

D. I am investigating the gross and criminal negligence committed by DHS in granting legal status and later US Citizenship of the subject of record who has committed numerous frauds and felonies on the face of his applications. - SEE ATTACHMENT

4. A. Page Number  B. Part Number  C. Item Number

D. SEE ATTACHMENT

5. A. Page Number  B. Part Number  C. Item Number

D.

6. A. Page Number  B. Part Number  C. Item Number

D.

7. A. Page Number  B. Part Number  C. Item Number

D.

**ATTACHMENT TO Form G-639**  
Subject of Record: Hrabar TODOROV  
[REDACTED] 1697

**STATEMENT OF THE CASE**

I'm a California Licensed Attorney (State Bar# 178040). During a credibility determination in unrelated case, it came to my attention that Hrabar Todorov have committed numerous frauds and felonies which remained undetected by DHS during his applications for conditional permanent resident, permanent resident and US Citizenship.

This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 et seq., seeking to compel the US Citizenship and Immigration Services ("USCIS"), a component of the U.S Department of Homeland Security ("DHS"), to immediately release the immigration records of Hrabar TODOROV.

"Transparency in government operations is a priority of th[e Biden] . . . Administration." Attorney General, Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines, at 4 (Mar. 15, 2022). The press and Congressional hearing rooms are replete with detailed accusations that DHS is deliberately refusing to enforce the Country's immigration laws and is responsible for the current crisis at the border. Indeed, the broader controversy is so grave that Articles of Impeachment have been filed against DHS Secretary Alejandro N. Mayorkas (H. Res. 8 & 89, 117th Cong. (2023)) and Secretary Mayorkas has taken the extraordinary step of retaining private counsel to represent him in impeachment proceedings. See Retaining Private Counsel to Represent the DHS Secretary in Impeachment Processes, 47 Op. O.L.C. \_\_\_, 2023 WL 2468411 (OLC Jan. 4, 2023); PIID 70RDAD23C00000002.

The record of Hrabar TODOROV will expose the gross misconduct and criminal negligence of DHS in performing its duties to administer and enforce the immigration law. Here are the facts so far discovered and mandating the release of Hrabar TODOROV's immigration record.

1. On July 15, 2014 Hrabar TODOROV (Hrabar) married in Las Vegas, Nevada his first cousin Hristina PESHEVA (Hristina). **(Exhibit A)**
2. Hrabar TODOROV and Hristina PESHEVA are first cousins. Their mothers, Snezhanka MITOVA and Siyka PESHEVA are sisters from the same mother, Marika MITOVA and the same father Hristo MITOV. **(Exhibit B)** Exhibit B is a

translated abstract of the Bulgarian National Data Base showing the children and the parents of the two sisters and proving unequivocally that Hrabar and Hristina are first cousins.

3. Under Nevada Revised Statutes NRS §125.290 all marriages, between first cousins are void automatically without any decree, annulment or other legal proceedings. **(Exhibit C)**

4. In addition, Nevada Revised Statutes NRS §201.180 classifies marriages between first cousins Class A felony punishable by imprisonment not less than 2 years and maximum term of life with the possibility of parole. **(Exhibit C)**

5. Finally, the crime of incest is a felony committed in a secret manner and according to NRS § 171.095 the statute of limitation starts to run from the time of discovery the felony which in the present case coincides with the filing of this FOIA record release request. **(Exhibit D)**

6. The first cousins and now newlyweds showed on the marriage certificate an address where they never lived and never intended to live. **(Exhibit A)** They use the address 1817 Selby Ave. Apt. 303, Los Angeles, CA 90025 only to receive mail in preparation to file a fraudulent immigration case.

7. Soon after the void marriage, Hristina, who is a US citizen, filed with DHS a petition for immigrant visa for Hrabar and he filed an application to Adjust Status to receive a Conditional Green Card.

8. Less than a year later, in March 2015, Hrabar received a Conditional (2 Years) Green Card after he and Hristina defrauded the US officer that they are a real couple and of course omitting that they are first cousin - a Class A felony under Nevada law which made the marriage automatically void. Retrospectively, without a valid marriage, the just received green card was void too.

9. A year later, in the summer of 2016, Petya Aleksandrova, (Petya) then married in Bulgaria with a 2-year-old son, visited Los Angeles as a tourist to attend a wedding of her girlfriend. There she met Hrabar and they started dating.

10. While dating Petya, in February 2017, Hrabar and his first cousin/wife Hristina filed with DHS an application for permanent green card because the conditional one was about to expire. (Form I-751) The purpose behind this filing is that married couple proves that their marriage is vital and to submit evidence that for the last 2 years they lived as husband and wife and present numerous pictures and joint bank accounts and other bills.

11. Later the same year, in September 2017, Petya left her Bulgarian husband and moved to Los Angeles to leave with Hrabar. The couple rented an apartment on her name at: 10480 National Blvd. Apt. 312, Los Angeles, CA 90034. **(Exhibit I)** – This information was found on Truth Finder App.

12. Instead of been rival with Hrabar's first cousin/wife, Petya became a friend with Hristina as her future in-law. **(Exhibit G)** is a copy of Petya's Facebook profile

where she uses as her last name her boyfriend's first name – PETYA HRABAR. There are 8 comments as to her new cover photo and one of these comments is from Hristina. The comment stated: “**Beauty** ” “Nice relations” between wife and girlfriend.

13. On July 9, 2018 Hrabar obtained his permanent green card while leaving with his girlfriend Petya for almost a year and moved to a new address: 6030 Seabluff drive, Play Vista just across Loyola University where Petya was studying law. At the same time Hrabar and Hristina were claiming fraudulently on Immigration Form I-751 that they are living together as husband and wife. Immediately after getting his permanent green card Hrabar and Hristina filed for divorce.

14. On January 14, 2019, Hrabar and his first cousin Hristina divorce became final even his marriage to Hristina was void from the beginning. **(Exhibit C)** The divorce opened the way of Petya to marry him and apply for green card once Hrabar becomes a US citizen.

15. On [REDACTED] 2020, Petya ALEKSANDROVA gave birth to a baby boy – C [REDACTED] H [REDACTED] at Providence Saint John's Health Center, Santa Monica, Los Angeles County. On the birth certificate as father was named Hrabar TODOROV. The last name of their child was different from the last names of the parents in order to avoid detection that Hrabar has an out of wedlock child while applying for US citizenship based on the green card obtained through the fraudulent and void marriage to his first cousin Hristina.

16. On October 27, 2021, while already divorced, Hrabar and his first cousin, Hristina, bought a house for \$1,585,000 located at [REDACTED] Sherman Oaks, CA 91423 as shown on MLS Printout. **(Exhibit F)** This is the house where Hrabar moved with Petya ALEKSANDROVA, the mother of his son, C [REDACTED] H [REDACTED]. This is the address which Petya later used in her California State Bar Profile. **(Exhibit H)**

17. The Grand Deed however, reveals that the house on [REDACTED] is owned jointly by Hrabar TODOROV, Hristina PESHEVA and Petya ALEKSANDROVA as joint tenant and all unmarried. **(Exhibit E)** In two words the fraudulent conspiracy continued and Hrabar actually bought a house jointly with his ex-wife and first cousin, Hristina and his girlfriend Petya, the mother of his son C [REDACTED] H [REDACTED] and pregnant with their second child Z [REDACTED] H [REDACTED] who was born later on [REDACTED], 2022.

18. On February 4, 2022 Hrabar applied for US citizenship. Just less than two months later, on March 31, 2022 Hrabar became a US citizen and obtained Certificate of Naturalization. **(Exhibit J)** On the Naturalization Application Hrabar used the same fake address on 1817 Selby Avenue even he was already leaving for 6 months in the just bought house on [REDACTED] with Petya and his out of wedlock

son, C [REDACTED] – another successful move to defraud DHS and concealed the fact that he never lived together with his first cousin/wife Hristina whose void marriage was just to obtain green card through marriage fraud.

19. To obtain a US Citizenship in just 55 days is probably a national and DHS record. Ordinary immigrants are waiting more than a year just to have an interview for US naturalization when Hrabar with void marriage got it in a record short time.

20. Just six days later, on April 6, 2022 Hrabar married Petya ALEKSANDROVA who changed her last name to Petya HRABAR. Unusual decision to adopt the first name of her husband as her last name when in fact Hrabar kept his last name as TODOROV with only explanation to avoid detection and defrauding DHS.

21. On the marriage certificate Hrabar, who already owned the house on [REDACTED] [REDACTED] still put the old fake address on Selby Street after already leaving for more than four months on [REDACTED] with Petya and their born out of wedlock son C [REDACTED] H [REDACTED].

22. The newlywed couple immediately applied for Petya's green card based on Hrabar's just acquired US citizenship reaching the final goal of the fraudulent conspiracy – both Hrabar and Petya to get Green cards and US citizenship even the original marriage of Hrabar to his first cousin Hristina was void based on Nevada law. **(Exhibit C)** Petya's green card case is still pending making her involvement in this fraudulent activity ongoing at the present time.

23. Hrabar TODOROV obtained permanent green card on July 9, 2018 and later on March 31, 2022 a US citizenship, when in fact **for those 4 consecutive years he owned a California Cultivation Cannabis License and a Humboldt County Permit for Cannabis Cultivation. (Exhibit K)** Both licenses are public information, easily accessible and required FBI fingerprint clearance which makes DHS job to discover them extremely simple.

24. Growing cannabis and later selling it is a federal crime and felony because cannabis is a Schedule 1 under Controlled Substance Act (CSA) and under 21 USC §841(a)(1) it is illegal to manufacture, distribute or possess a controlled substance. According to the Humboldt County Permit for Cannabis Cultivation **(Exhibit K)** the growing area was 10,500 sq.f. Simple calculation shows that with an of average two crops per year and for 4 years, Hrabar TODOROV has cultivated and sold at least 3,200 pounds of pure marijuana. (If we assumed 400 pounds marijuana cultivated per crop which is a very conservative estimate according to google search). Based on 21 USC § 841(b)(1)(A)(vii) the penalty for involving more than 1,000kg (2,202 pounds) marihuana is at least 10 years imprisonment.

25. On the other hand, under INA 212(a)(2)(C), 8 USC § 1182(a)(2)(C) “Any alien who the consular or immigration officer knows or has reason to believe is or has been an illicit trafficker in any such controlled substance or is or has been a

knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking in any such controlled substance, is excludable.”

26. The omission of the DHS immigration officers on numerous occasions during the I-751 interview and later during the Naturalization interview to find out Hrabar TODOROV’s drug related activities and render him excludable is more than disturbing and amounts to a matter of national security - if a drug dealer and trafficker can so easily cheat the immigration system, so a sophisticated terrorist can do it also with no problem to get US citizenship completely undetected.

27. I understand that DHS gross negligence and misconduct in failing to discover Hrabar TODOROV’s license to grow and distribute marijuana on numerous occasions is just a part of his success to cheat the immigration system and become a US citizen. In order to conceal his criminal activities under the Federal law he definitely did provide in his numerous immigration forms during the years a false and untrue information as well as omitting material facts related to his Cannabis growing and selling activities. This shall include the concealment of his employment as well as cheating on his Federal Tax returns where he probably did not report the millions of dollars gross income of growing and selling more than 3200 pound of pure cannabis for four years from 2018 until 2021. Had he done so, DHS would have had a much better chance to detect his federal criminal activities.

28. Based on 18 USC §1001(a) concealing a material fact in any matter within the jurisdiction of the executive, (such as DHS) legislative or judicial branch of the Federal government is a felony punishable by imprisonment not more than 5 years. Hrabar TODOROV’s immigration files which I’m requesting through FOIA will reveal all his omissions and falsifications of material facts facilitating his fraudulent grant of permanent legal resident and later US citizenship in just 55 days – definitely a national record. How sophisticated are those omissions and falsifications of material facts is a matter to be determined through this FOIA request and shall help the public to become aware how an immigrant with little or no education can manipulate the immigration system with such sophistication.

29. The marriage fraud, which remained undetected by the DHS, made Hrabar TODOROV a repeat offender of the immigration laws and even bigger danger to the society and the public in his sophisticated ability to defraud repeatedly the Federal government. This fraudulent and void marriage warrants future investigation which can be achieved by obtaining his immigration file and exposing one more time DHS incompetence.

30. The immigration file of Hrabar TODOROV is necessary also to obtain all reported addresses the couple lived at while Hrabar was married to his first cousin and to confirm the fact that the first cousins never lived physically together and that their marriage was fraudulent.

31. The life of Hrabar TODOROV is full of drug dealings, false tax returns, fraudulent and void marriage through which he obtained a green card and later US Citizenship with deception, sophisticated schemes of an unreported child born out of wedlock and finally a house bought jointly by him, his ex-wife and new wife. And all these criminal acts were not only completely undetected by the DHS for a period of more than seven years but the Agency, instead of arresting and prosecuting him, rewarded him with all benefits available under its authority. This shows that our immigration system is broken and the only way to be fixed is by exposing it to the public which is the main purpose of this FOIA request.

### ARGUMENTS

- **Privacy Exemption 6 of FOIA, 5 U.S.C. § 552(b)(6) does not apply for the fraudulent entries on the requested record, which constitute numerous felonies under the Federal law.**

- **Privacy Exemption 6 of FOIA, 5 U.S.C. § 552(b)(6) does not apply because public interest outweighs the private interest of Hrabar TODOROV in revealing his immigration file through this FOIA request.**

When a third-party requests records about another person that are subject to FOIA and Privacy Acts, the answer to the interface question is straightforward if the records are not exempt under FOIA. The Privacy Act has no limitations on release of such records. Specific language in the Privacy Act [5 U.S.C. § 552a(b)(2)] authorizes release of records where FOIA would require release. An agency must release all requested records which are not exempt under FOIA.

On the other hand, FOIA 5 U.S.C. § 552(b)(6) exempts the release of information to a third party which is: “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy” (**Exemption 6**).

In 1989, the Supreme Court issued a landmark FOIA decision *in United States Department of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989) which for the past 24 years has governed all privacy-protection decision making under the Act.

If a privacy interest is found to exist, the public interest in disclosure, if any, must be weighed against the privacy interest in nondisclosure: *Ripskis v. HUD*, 746 F.2d 1, 3 (D.C. Cir. 1984); *NARA v. Favish*, 124 S Ct. 1570, 1580 (2004) ("The term 'unwarranted invasion' requires us to balance the family's privacy interest against the public interest in disclosure.")



### ***Privacy Consideration***

The first step in the Exemption 6 balancing process requires an assessment of the privacy interests at issue. The relevant inquiry is whether public access to the information at issue would violate a viable privacy interest of the subject of such information. *Schell v. HHS*, 843 F.2d 933, 938 (6th Cir. 1988); *Ripskis v. HUD*, 746 F.2d 1, 3 (D.C. Cir. 1984) In its *Reporters Committee* decision, the Supreme Court stressed that "both the common law and the literal understandings of privacy encompass the individual's control of information concerning his or her person. 489 U.S. 749, 763 (1989)

The case law overwhelmingly supports the Exemption 6 private interest of Hrabar TODOROV subject to this FOIA request such as his name, addresses, SSN, etc., which his immigration file consists of. However, there is no case law on point as to the release of the fraudulent addresses of Hrabar, Hristina, his first cousin/wife and Petya. In the statement of facts, I expressly pointed that I'm interested only in the fraudulent portions of the numerous immigration applications as well as to the entries showing his jobs, concealment of his cannabis growing operations, the concealment of his child born out of wedlock, the answers of the numerous questions related whether he was engaged in growing, trafficking and sale of illegal drugs, as well as whether he reported or concealed his cannabis growing business operations on his federal tax return and etc. None of these facts has ever been checked by the DHS and now is time for the public to learn how easy and for so long (7 years) Hrabar TODOROV can manipulate the Federal Agency. This is more than embarrassing fact for DHS who cannot hide its incompetence under the privacy interest of Exemption 6 refusing to reveal the fraudulent information contained in the requested record.

Based on the aforementioned I contend that the Privacy Exemption 6 of FOIA, 5 U.S.C. § 552(b)(6) shall not apply for the fraudulent entries on the requested record, which constitute numerous felonies under the Federal law. The existence of those numerous fraudulent entries, proven beyond a reasonable doubt in the Statement of Facts above, shall not be covered by Exemption 6 because the individual whose file is requested does not have privacy interest in such information proven to be fraudulent and triggering felony charges.

Alternatively, if DHS finds that the overwhelming fraudulent information in Hrabar TODOROV's immigration file still constitutes his privacy interest within the meaning of Exemption 6, then I will move to the second issue - the balancing test.

### ***Factoring The Public Interest***

Once it has been determined that a personal privacy interest is threatened by a requested disclosure, the second step in the balancing process comes into play. This stage of the analysis requires an assessment of the public interest in disclosure. The burden of establishing that disclosure would serve the public interest is on the requester. *NARA v. Favish*, 124 S. Ct. 1570, 1582 (2004) The Court in *Favish* also adopted a higher standard for evaluation of "agency wrongdoing" claims and held that "the requester must establish more than a bare suspicion in order to obtain disclosure. Rather, the requester must produce evidence that would warrant a belief by a reasonable person that the alleged Government impropriety might have occurred.

It is my contention that the Statement of Facts as well as the attached 11 Exhibits constitute concrete evidence of the occurrence of Government (DHS) impropriety in the present case. Actually "impropriety" triggers a much lighter standard to prove than the gross criminal negligence committed by DHS by letting Hrabar TODOROV for seven years to flaunt the immigration system. Hrabar TODOROV became a permanent resident through a void and fake marriage with his first cousin, had a son, C [REDACTED] H [REDACTED], born out of wedlock and living with Petya ALEKSANDROVA, while married to his first cousin. Finally, he became a US citizen just for the national record of 55 days after running for four years a marijuana farm with licenses issued on his name – a felony under the Federal Law. **(Exhibits A through K).**

In its *Reporters Committee* decision, the Supreme Court limited the concept of public interest under the FOIA to the "core purpose" for which Congress enacted it: To "shed light on an agency's performance of its statutory duties." 489 U.S. 749, 773 (1989)

The revealing of the immigration record of Hrabar TODOROV will shed a direct light on DHS' failure to perform its statutory duties. The mere fact that the Agency has allowed an immigrant who after committing numerous federal felonies in the course of seven years and provable per se on the face of his immigration record, to become a US citizen in just 55 days, constitutes much more than Agency failure to perform its statutory duties - it constitutes a potential threat to the national security.

DHS main purpose is to screen and admit in a lawful manner persons willing to legally enter the country. The background check of each candidate is one of the mandatory requirements in the application process. Hrabar TODOROV was fingerprinted and his background checked on more than one occasion during last 4 years as a part of his applications to remove the condition of his green card and recently during his US naturalization process. Hrabar also has submitted fingerprints in 2018 to the State of California as a mandatory requirement in the process of

obtaining a license to grow cannabis which is a public process, and everybody can see online who has a cannabis license and how much cannabis can be grown.

However, DHS has failed to check and match this information which is a federal felony and on March 31, 2022 had made Hrabar a US citizen. What if a terrorist does the same and fools the immigration system in such a similar manner? Releasing Hrabar TODOROV's immigration files to the public will shed light on the threat to the National Security by showing how easy it is to cheat the immigration system and will force the Federal Government to fix it.

If an asserted public interest is found to qualify under this standard, it then must be accorded some measure of value so that it can be weighed against the threat to privacy. *Dep't of the Air Force v. Rose*, 425 U.S. 352, 372 (1976); *Ripskis v. HUD*, 746 F.2d 1, 3 (D.C. Cir. 1981); *Fund for Constitutional Gov't v. Nat'l Archives & Records Serv.*, 656 F.2d 856, 862 (D.C. Cir. 1981) As the Supreme Court in *Favish* pointedly emphasized, "the public interest sought to be advanced [must be] a significant one." 124 S. Ct. at 1580

The release of Hrabar TODOROV's immigration file can prove that DHS has breached the national security by failing to perform its statutory duty. Instead of prosecuting Mr. TODOROV for the numerous federal felonies he has committed, DHS has granted him US citizenship in just 55 days. If Hrabar TODOROV can manipulate the immigration system, any other felon or terrorist can manipulate it too. This real breach of the National Security constitutes more than a "significant public interest" according to the standard established in *Favish*. – it's a compelling and convincing powerful public interest.

As stated by the Second Circuit in *Hopkins v. HUD*, 929 F.2d 81, 88 (2d Cir. 1991) "[t]he simple in vocation of a legitimate public interest . . . cannot itself justify the release of personal information. Rather, a court must first ascertain whether that interest would be served by disclosure.

A release of Hrabar TODOROV's immigration files will disclose straight from the face of the record his cheatings regarding his employment as a cannabis grower, his void marriage fraud with his first cousin and also DHS direct culpability in not detecting and omitting all these material facts which would have rendered Hrabar TODOROV an excludable alien.

### ***The Balancing Process***

Once both the privacy interest at stake and the public interest in disclosure have been ascertained, the two competing interests must be weighed against one another. *Dep't of the Air Force v. Rose* (1976, 425 U.S. 352, 372). In other words, it must be determined which is the greater result of disclosure: the harm to personal privacy or the benefit to the public. *Ripskis v. HUD*, 746 F.2d 1, 3 (D.C. Cir. 1984) In balancing

these interests, "the 'clearly unwarranted' language of Exemption 6 weights the scales in favor of disclosure," (*Ripkis*, 746 F.2d at 3) but if the public benefit is weaker than the threat to privacy, the latter will prevail, and the information should be withheld.

The threat to privacy need not be immediate or direct - it need only outweigh the public interest. *Citizen Health Research Group v. United States Dep't of Labor*, 591 F.2d 808, 809 (D.C. Cir. 1978) (finding that "[s]ince this is a balancing test, any invasion of privacy can prevail, so long as the public interest balanced against it is sufficiently weaker," and noting that the threat to privacy does not have to be "obvious").

On one hand is Hrabar TODOROV's private interest not to reveal his immigration record which contains primarily fraudulent information which under the Federal law is punishable as various felonies. On the other hand, is the public interest which amounts to a breach of the National security interest by revealing to the public the likely gross criminal negligence committed by the DHS by allowing Hrabar TODOROV to deceive the system numerous times during the last seven years by becoming a lawful permanent resident via a void and fraudulent marriage to his first cousin and later becoming a US citizen in just 55 days while being a licensed cannabis grower and dealer – both felonies under the Federal Law.

I contends that Hrabar TODOROV's cheating of the immigration system is a national security breach because if he can do it, any terrorist can also gain access and cheat the system and become US citizen.

The private interest of Hrabar TODOROV to conceal his fraudulent entries in his immigration record and the public interest to reveal an obvious breach of the national security are not competing interests and do not need to be weight against each other because the latter prevails overwhelmingly.

### CONCLUSION

For the aforementioned reasons and legal arguments, I'm requesting DHS to release immediately Hrabar TODOROV's immigration record.

Best

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