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## News Releases

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JULY 26, 2011 SACRAMENTO, CA

### **Former immigration consultant, 13 others indicted in elaborate marriage fraud scheme Foreign nationals seeking visas allegedly paid up to \$20,000 to 'wed' U.S. citizens**

SACRAMENTO, Calif. — A federal grand jury has indicted a former Sacramento immigration consultant and 13 other individuals alleging they participated in an elaborate immigration fraud scheme in which foreign nationals from Eastern Europe and Russia paid to enter into sham marriages with locally recruited U.S. citizens.

U.S. Attorney Benjamin B. Wagner announced the unsealing of the multi-count indictment charging former immigration consultant Sergey Potepalov, 55, of Citrus Heights, Calif., and the other defendants with conspiring to commit marriage fraud, defrauding the United States, making false statements, and inducing aliens to enter and remain in the United States.

Potepalov, a naturalized U.S. citizen of Russian descent, was taken into custody at his residence in Sacramento Monday morning by federal agents with U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI). Agents also arrested five of the other individuals charged in the indictment.

The other defendants charged in the case are:

- Keith O'Neil, 44, of Sacramento;
- Marla Brennan, 30, of Sacramento;
- Dumitru Sisianu, 25, of Jacksonville, Fla.;
- Richard Vargas, 36, of Sacramento;
- Alina Turcan, 26, of Jacksonville, Fla.;
- Pavel Berezenko, 54, of Sacramento;
- Olga Nekrasova, 26, of San Francisco;
- Brian Barnes, 32, of Sacramento;
- Anthony Rivera, 35, Sacramento;
- Yuriy Korzhov, 47, of Roseville;
- Veranika Koushal, 32, of West Palm Beach, Fla.;
- Marlina Colvin, 27, of Sacramento; and
- Aleksandr Krivokhizhin, 38, of Southampton, Mass.

According to court documents, the scheme involved foreign nationals from Eastern Europe and Russia who paid fees of up to five figures to enter into sham marriages with U.S. citizens. For foreign nationals, marriage to an American citizen is one means of obtaining lawful permanent residency in the United States. To initiate that process, aliens who are outside the country must apply for a fiancé visa, which enables them to travel to the United States to marry the citizen spouse. Alternatively, foreign nationals who are already in the United States and entered the country legally, may wed here and apply for lawful permanent residence based upon the marriage.

"The indictment in this case alleges that Mr. Potepalov essentially built a business out of phony marriages between U.S. citizens and persons who sought citizenship," said U.S. Attorney Ben Wagner. "As this 14-defendant federal fraud indictment attests, our office is committed to prosecuting those – aliens and U.S. citizens alike – who try to profit from circumventing our immigration laws through fraud and deceit."

According to affidavits filed in the case, Potepalov met defendant O'Neil in a Sacramento bar. In 2002, O'Neil entered into a sham marriage in South Lake Tahoe with A.G., an alien from Russia. Between 2003 and 2005, O'Neil accompanied Potepalov on three trips to Moscow and filed petitions for fiancé visas for four other aliens. The women were from Russia, Uzbekistan, and Armenia. All of the petitions were ultimately denied. In 2007, O'Neil entered into a second sham marriage with J.S., an alien from Romania. In 2009, A.G. applied for naturalized U.S. citizenship, but that application has not been granted.

The other defendants charged in the indictment include six foreign nationals who attempted to obtain fiancé visas and "green cards" through the scheme and six local U.S. citizens who agreed to "marry" the aliens in return for promised payments of up to \$5,000.

In June 2009, ICE HSI agents executed federal search warrants at Potepalov's home and business, seizing numerous boxes of documents relating to immigration applications as well as computer files. Documents filed in the case reveal that participants in the scheme went to significant lengths to make the sham marriages appear legitimate: posing for wedding pictures together, establishing apartments in both spouses' names, and rehearsing false answers for interviews with immigration officials.

"America's legal immigration system is not for sale and we will move aggressively against those who compromise the integrity of that system simply to enrich themselves," said Daniel Lane, assistant special agent in charge for ICE HSI in Sacramento. "Immigration benefit fraud is a serious crime. Not only does it potentially rob deserving immigrants of benefits they rightfully deserve, it also creates a security vulnerability that could be exploited by criminals and others who pose a danger to our community. People who use ruses like this in an attempt to obtain a green card should be forewarned, if you commit marriage fraud, there isn't going to be a honeymoon."

According to documents filed in the case, ICE HSI first began investigating Potepalov's activities in 2006 after receiving information from the U.S. Department of State's Diplomatic Security Service indicating the immigration consultant was filing fraudulent visa petitions on behalf of Russian and Ukrainian nationals. As the investigation progressed, HSI agents worked closely with personnel from U.S. Citizenship and Immigration Service's (USCIS) Fraud Detection and National Security Unit (FDNS) in Sacramento to identify aliens who may have sought to benefit from the scheme.

"Our Fraud Detection and National Security program participated in site visits, interviews and data mining to support ICE Homeland Security Investigations in making this case," said Susan Curda, district director of USCIS District 22. "We are proud that our ongoing cooperative efforts with our partner agency at the Department of Homeland Security are helping to curtail this kind of criminal activity in our communities."

This case is the product of an ongoing long-term investigation spearheaded by U.S. Immigration and Customs Enforcement (ICE) Office of Homeland Security Investigations (HSI), with substantial assistance from U.S. Citizenship and Immigration Services and the Department of State's Diplomatic Security Service. Assistant U.S. Attorney Daniel S. McConkie is prosecuting the case.

The maximum penalty for the first three conspiracies alleged in the indictment is up to five years in prison. The latter conspiracy carries a maximum penalty of up to 10 years in prison.

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