

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF SOUTH CAROLINA

United States of America )  
v. )  
Michael Anthony Rawson )  
Brenda Rawson )  
Fernando Villalta-Castro )  
\_\_\_\_\_ )

Case No. 6:17mj266

*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 June 1, 2013, August 13, 2013 and June 8, 2017, the Defendants, Michael Anthony Rawson, Brenda Rawson and Fernando Villalta-Castro, were found in the County of Beaufort, in the District of South Carolina, having violated:

*Code Section*

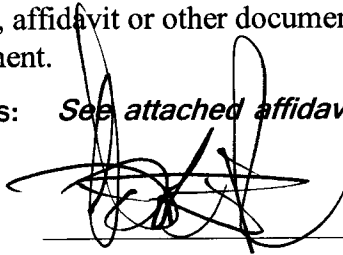
*Offense Description*

18 USC 1546

To knowingly make under oath, or as permitted under penalty of perjury under 28 U.S.C. § 1746, knowingly subscribe as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations of the United States or knowingly present any such application, affidavit or other document which contains any such false statement.

This criminal complaint is based on these facts: *See attached affidavit.*

■ Continued on the attached sheet.



*Complainant's signature*

Thomas Howie, Homeland Security Investigations  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: October 30, 2017

City and state: Greenville, South Carolina



*Judge's signature*

Jacquelyn D. Austin, U.S. Magistrate Judge  
*Printed name and title*

Attachment to Criminal Complaint and Affidavit for Arrest Warrant

I, Thomas Howie, Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI), being duly sworn, depose and state the following:

1. I am currently employed as a Special Agent with United States Department of Homeland Security Investigations (HSI), and have been so since January 2011. I earned a Bachelor's Degree in Business Management in 2010 from East Carolina University. As part of my official duties, I investigate criminal and administrative violations of the Immigration and Nationality Act, as well as the United States Code.
2. I am personally familiar with the facts and circumstances surrounding this investigation, both from my own investigative activities and from information obtained from law enforcement officers and others with personal knowledge of the facts. Those facts necessary to establish probable cause are included in this affidavit.
3. Since this affidavit is being submitted for the limited purpose of securing a complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation.
4. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Michael Rawson, Brenda Rawson, and Fernando Villalta-Castro, gave material false statements to secure U.S. visas in violation of the following statute: 18 U.S.C. § 1546: Fraud and misuse of visas, permits, and other documents.

Applicable Statutes

5. Under 18 U.S.C. § 1546, it is a crime to knowingly make under oath or as permitted under penalty of perjury under 28 U.S.C. § 1746, knowingly subscribe as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations of the United States or knowingly present any such application, affidavit or other document which contains any such false statement.

Summary of Probable Cause

6. Michael and Brenda Rawson, along with Fernando Villalta-Castro made false statements in their applications for United States nonimmigrant visas. The Rawsons made false statements about the operation of their overseas company, along with its continuing operating status to fulfill the requirements of the L-1/2 intra-company transferee visas. Villalta-Castro also made false statements on his application for a business/tourist visa to perform work in the United States for the Rawsons in violation of the terms of the visa. Michael Rawson, a citizen of the United Kingdom, entered the United States on an L-1A, intracompany transferee/executive manager visa, petitioned by Laurel "Lisa" Nason, purported CEO of 22FT Basketball Academy (USA) Greenville, South Carolina. The terms of an L-1A visa require that the company (for whom the L-1A visa holder is employed) have a qualifying relationship with an overseas company that is established (for a least three years) in a foreign country. The company, 22 FT Basketball Academy, must remain operational while the visa holder conducts his managerial duties at the U.S. branch.

7. By Michael Rawson's own admission, Rawson immigrated to the United States in January 2013 which rendered 22 FT (Dutch) inoperable prior to Nason submitting Rawson's Form I-129, petition for a nonimmigrant worker. Records checks confirm Rawson's travel in January 2013. Subsequently, Michael Rawson made further false statements in his visa application asserting that he was qualified for an L-1 visa while knowing the necessary parent company was no longer in existence.
8. Brenda Rawson, a citizen of the Netherlands, made false statements in her L-2, spouse of an L-1 visa, visa application asserting she qualified for the L-2 visa knowing that the necessary parent company was no longer extant. In the supporting documents submitted by Michael Rawson, Brenda Rawson is listed as a Senior Consultant for 22 FT Basketball Academy. Also in Michael Rawson's supporting documents, Brenda Rawson is listed as a Board Member for 22 FT Basketball Academy.
9. Fernando Villalta, a citizen of Spain, made false statements in his B-1/B-2, tourist visa purporting he would be in the United States solely to observe 22FT (U.S.) operations. In violation of the terms of his visa, he is engaging as an assistant coach under Rawson's new basketball company, Hilton Head Basketball Academy.

This Investigation


10. On March 27, 2017, Homeland Security Investigations (HSI) Greenville, SC received a collateral request from HSI Headquarters, National Security Investigations Division, Counterterrorism Criminal Exploitation Unit (CTCEU) which utilizes current intelligence information to identify, prioritize, and refer individuals who violated their immigration status. As a result of this process, Mumin TUNC was identified as a foreign national who entered the United States as a nonimmigrant.
11. On March 28, 2017, HSI Greenville Special Agents reported the arrest of Mumin TUNC. HSI Headquarters, National Security Investigations Division, CTCEU identified TUNC as a Turkish national who entered the United States as a F-1 nonimmigrant student on November 20, 2016. TUNC violated the terms of his admission by overstaying his period of admission. TUNC was served a Notice to Appear (NTA), Form I-862, charging him with 237(a)(1)(B) – Non Immigrant Overstay. During an interview conducted with TUNC, TUNC admitted he had not been going to school at Anderson Christian; he was only playing basketball for 22 Feet Basketball Academy. TUNC also stated he was being housed by 22 Feet Basketball Academy and Michael RAWSON. Through the investigation it was revealed multiple students failed to attend class, were utilizing online courses in violation of their visas, and transferred schools repeatedly without being properly sponsored on an updated Form I-20 (also known as the Certificate of Eligibility for Nonimmigrant (F-1) Student Status-For Academic and Language Students and commonly referred to as SEVIS). This led law enforcement to look into the operations of 22FT, and its owners, Michael and Brenda Rawson.
12. On August 30, 2013, Michael Rawson was issued an L-1A, intra-company transfer nonimmigrant visa, foil number F8200857, based on Form I-129, petition for a nonimmigrant worker, number EAC-13-199-51392 in which he falsely misrepresented himself as a qualified candidate for the L-1 visa. On the visa application filed June 1, 2013, Michael Rawson stated "NO" to the question "Have you ever sought to obtain or assist others to obtain a visa, entry into the United States, or any other United States

immigration benefit by fraud or willful misrepresentation or other unlawful means?" The address he listed in his DS-160, Online Non-Immigrant Visa Application, for his purported overseas employer was "Haersterveerweg 27, Zwolle, Netherlands 8034 PJ." This address was the only address listed for 22FT (Dutch) on the Form I-129, petition for nonimmigrant worker signed by Lisa Nason. U.S. Department of State, U.S. Consulate Amsterdam, Assistant Regional Security Officer- Investigator (ARSO-I) Kimberly Brown physically traveled to that address in the Netherlands and determined it is in the middle of Molecaten Park De Agnietenberg, a "camping" park complex and is rented to guests of the park.

13. ARSO-I Brown also physically traveled to all known addresses in Holland which 22 FT (Dutch) claimed as its business addresses. She could not find any operational businesses at any of the addresses.
14. Investigators discovered that Rawson first attempted to establish 22FT (USA) while on a tourist visa. On May 22, 2013, U.S. Department of Homeland Security, Customs and Border Protection (CBP) canceled Rawson's B-1/B-2 tourist visa because Rawson was working in the U.S., running the day-to-day operations of 22FT within the U.S. and in violation of his tourist visa. Rawson admitted to CBP officers that he was trying to move this company to the U.S. and that he and his family had been residing in Kentucky since January 2013. He willfully misrepresented himself on his tourist visa application proven by his admission to the CBP officers that he intended to move to the U.S. to start a business.
15. Investigators also uncovered that on June 6, 2013, Michael Rawson and on June 19, 2013, Brenda Rawson, were refused a B-1/B-2 visa from the U.S Consulate in Toronto, Canada because it was believed they intended to violate the terms of the B-1/B-2 visa and immigrate to the U.S. while operating a business.
16. On August 13, 2013, Brenda Rawson submitted her Form DS-160, Online Nonimmigrant visa application for her L-2, spouse of an L-1 nonimmigrant visa. On the visa application, Brenda Rawson stated "NO" to the question "Have you ever sought to obtain or assist others to obtain a visa, entry into the United States, or any other United States immigration benefit by fraud or willful misrepresentation or other unlawful means?" Brenda Rawson misrepresented herself as a qualified L-2 candidate based on her husband's (Michael Rawson) L-1 visa application knowing that 22FT (USA) did not have a qualifying relationship with 22FT (Dutch). All 22FT overseas operations ceased prior to the petition for Michael Rawson's L-1 visa petition and application being filed. Brenda Rawson was living in Kentucky and traveling back and forth to Canada to reset her tourist visa prior to applying for her L-2 visa.
17. On June 8, 2017, Villalta made false statements in his visa interview and application to indicate that he would be travelling to Anderson, South Carolina only to observe high school and college basketball systems by shadowing 22FT Basketball Academy functions in order to implement his observations at his marketing firm in Spain. Villalta falsely misrepresented himself in his visa application since he is currently engaging as an Assistant Coach for Hilton Head Basketball Academy. Villalta's email address is coachvillalta@hhihoops.com.
18. In August 2017, Rawson moved the company to Hilton Head, S.C. and rebranded it as the Hilton Head Basketball Academy after being denied a city permit to house students in

a converted barn on his Anderson property which did not meet code for living conditions after housing students there for nearly a year.

19. Based on the facts set forth in this affidavit, I believe there is probable cause that that on June 1, 2013 , Michael Rawson violated 18 U.S.C. § 1546; on August 13, 2013, Brenda Rawson violated 18 U.S.C. § 1546; and on June 8, 2017, Fernando Villalta violated 18 U.S.C. § 1546. Therefore, I request warrants for their arrest.



Thomas O. Howie Jr  
HSI Special Agent

Sworn to and subscribed before me, this 30<sup>th</sup> day of October, 2017 at Greenville, South Carolina.



Jacquelyn D. Austin  
United States Magistrate Judge