

No. 25-626

In the Supreme Court of the United States

MOISES CRUZ CRUZ, PETITIONER

v.

PAMELA J. BONDI, ATTORNEY GENERAL

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT*

BRIEF FOR THE RESPONDENT IN OPPOSITION

D. JOHN SAUER

Solicitor General

Counsel of Record

BRETT A. SHUMATE

Assistant Attorney General

MELISSA NEIMAN-KELTING

BRYAN S. BEIER

Attorneys

Department of Justice

Washington, D.C. 20530-0001

SupremeCtBriefs@usdoj.gov

(202) 514-2217

QUESTION PRESENTED

Whether petitioner’s conviction for providing false identification “to a law-enforcement officer with the intent to deceive the law-enforcement officer as to” his “real identity after having been lawfully detained and after being requested to identify himself,” in violation of Va. Code Ann. § 19.2-82.1 (2013), constitutes a “crime involving moral turpitude” under 8 U.S.C. 1182(a)(2)(A)(i)(I).

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OPINIONS BELOW

The opinion of the court of appeals (Pet. App. 1a-4a) is available at 2025 WL 1704426. A prior opinion of the court of appeals (Pet. App. 6a-25a) is available at 2023 WL 4118011. The opinion of the Board of Immigration Appeals (Pet. App. 26a-32a) and the decision and order of the immigration judge (Pet. App. 33a-48a) are unreported.

JURISDICTION

The judgment of the court of appeals was entered on June 18, 2025. A petition for rehearing was denied on August 29, 2025 (Pet. App. 49a). The petition for a writ of certiorari was filed on November 26, 2025. The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

STATEMENT

1. Petitioner is a native and citizen of Mexico who entered the United States illegally in 2000. Pet. App. 8a. In 2013, petitioner was charged with being removable under 8 U.S.C. 1182(a)(6)(A)(i) as “[a]n alien present in the United States without being admitted or paroled.” Pet. App. 8a-9a. Petitioner conceded his removability, but sought cancellation of removal and adjustment of status under 8 U.S.C. 1229b(b). Pet. App. 9a.

Cancellation of removal is a “narrow pathway to relief” from removal that is available to eligible aliens without permanent-resident status. *Pereida v. Wilkinson*, 592 U.S. 224, 228 (2021); see *Wilkinson v. Garland*, 601 U.S. 209, 211-212 (2024) (describing cancellation and adjustment). To qualify, an applicant must prove that he “has been present in the United States for at least 10 years”; “has been a person of good moral character”; “has not been convicted of certain criminal offenses”; and “his removal would impose an exceptional and extremely unusual hardship on a close relative who is either a citizen or permanent resident of this country.” *Pereida*, 592 U.S. at 227-228 (citation and internal quotation marks omitted); see 8 U.S.C. 1229b(b)(1). “[T]hose criteria are stringent.” *Wilkinson*, 601 U.S. at 213. As relevant here, one kind of disqualifying conviction is for any “crime involving moral turpitude” under 8 U.S.C. 1182(a)(2)(A)(i)(I). See 8 U.S.C. 1229b(b)(1)(C). Even if an applicant is eligible for cancellation and adjustment, “this still yields no guarantees” of relief because “[t]he Attorney General may choose to grant or withhold [cancellation] in [her] discretion,” subject to an annual cap on cancellations that is set by Congress. *Pereida*, 592 U.S. at 228.

In a letter supporting petitioner's request for cancellation and adjustment, petitioner's counsel provided a list of petitioner's prior arrests and convictions for offenses, including driving under the influence, driving on a suspended license, failing to appear at a court hearing, and providing false identification to a police officer in violation of Va. Code Ann. § 19.2-82.1 (2013). See Administrative Record (A.R.) 211-212. The letter stated that, while "[t]here is no denying that [petitioner] has a criminal history," it should not "preclude him" from establishing his eligibility for cancellation of removal. A.R. 211. As relevant here, the letter contended that the Virginia false-identification statute under which petitioner had been convicted in 2013 does not qualify as a crime involving moral turpitude. A.R. 213-215. The statutory definition of that offense requires the government to prove that the defendant "falsely identif[ied] himself to a law-enforcement officer with the intent to deceive the law-enforcement officer as to" his "real identity after having been lawfully detained and after being requested to identify himself." Va. Code Ann. § 19.2-82.1 (2013).

The records from petitioner's 2013 conviction do not indicate the underlying facts, but his application for cancellation of removal offered his account of the events leading up to his arrest. A.R. 264-265. According to petitioner, the police stopped him after he "drove through a 7-Eleven parking lot to get through a jammed intersection." A.R. 264. When the police officer stopped him and asked for his name in "badly spoken Spanish," petitioner became "confused and very scared" and gave the officer his first name "but added [his] brother's name," providing the name "Moises Cecilio Cruz." *Ibid.*; see Pet. App. 36a. But, when the officer asked for his name

a second time, “he did so in English” and petitioner “understood him better this time” and wrote down his own name, “Moises Cruz Cruz.” A.R. 264. The criminal records petitioner included with his application indicate that, at the time of this event, he was listed as a “[f]ugitive” with an outstanding warrant. A.R. 376. He was arrested, and he pleaded guilty to charges of falsely providing identification to an arresting officer and of driving with a suspended license. A.R. 264, 390-393.

2. a. An immigration judge (IJ) held a hearing on petitioner’s application for cancellation of removal and found petitioner ineligible on the ground that the Virginia offense of falsely identifying oneself to a police officer qualifies as a crime involving moral turpitude under the categorical approach. Pet. App. 33a-47a. The IJ found that Va. Code Ann. § 19.2-82.1 (2013) requires both the “culpable mental state” and the “reprehensible conduct” that characterize a crime involving moral turpitude, because the state law requires an “intent to deceive,” and by deceiving a law-enforcement officer, a person “impair[s] and obstruct[s] a function of government.” Pet. App. 37a-40a (citations and internal quotation marks omitted).

The IJ also concluded that petitioner had not “shown a ‘realistic probability’ that conduct not involving moral turpitude could result in a conviction” under the Virginia statute. Pet. App. 40a (citation omitted). The IJ recognized that “[i]f [petitioner’s] testimony at his individual calendar hearing” about the nature of the conduct that led to his arrest is “taken at face value,” it “is difficult to understand why these actions should result in his being ineligible for cancellation of removal.” *Id.* at 42a-43a. But the IJ observed that the categorical approach requires examining the offense of conviction, not

the underlying conduct. *Id.* at 43a-44a. And while the IJ assumed that, in some circumstances, an alien might be able to use his own non-turpitudinous conduct to establish a “realistic probability” that a statute reaches beyond turpitudinous conduct in practice, *id.* at 45a-46a, petitioner could not make that showing in this case, because he had pleaded guilty to an offense that expressly requires deceit and the obstruction of the police. *Id.* at 46a.

b. The Board of Immigration Appeals (Board) affirmed the IJ’s decision and dismissed petitioner’s appeal. Pet. App. 26a-32a. The Board agreed that the Virginia statute “specifically requires as an element an ‘intent to deceive’” as well as the aggravating factor of deceiving a law-enforcement official, which necessarily “obstructs a function of government.” *Id.* at 29a.

The Board also rejected petitioner’s attempt to use the facts of his own case to show a “realistic probability that the minimum conduct prosecuted * * * under section 19.2-82.1 would not rise to the level of moral turpitude,” explaining that because petitioner pleaded guilty to the offense, there are no “judicially established facts to indicate that the statute of conviction was in fact expanded to cover conduct that involved something less than an ‘intent to deceive.’” Pet. App. 30a-31a. The Board observed that the IJ “was not obliged to accept [petitioner’s] characterization of the facts as the official record of events or explanation of why he was convicted,” and petitioner’s “recollection * * * could differ from the actual event in question” because he had not “proffered any documents, like a plea colloquy transcript or a charging document or complaint, that shows what the judge accepting the plea agreement found to be the factual basis underlying the plea.” *Id.* at 31a.

Without such facts “on the record, and because [petitioner] ha[d] not otherwise shown that there is a realistic probability that” the Virginia offense could be “applied to non-morally turpitudinous conduct,” the Board found “no reason to disturb the [IJ’s] decision.” *Id.* at 31a-32a.

3. a. Petitioner sought review in the court of appeals, which denied his petition for review in an unpublished per curiam opinion. Pet. App. 6a-25a. Relying on *Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984), the court deferred to the Board’s “reasonable” understanding that an offense qualifies as a crime involving moral turpitude where it involves “impairing or obstructing an important function of a department of the government by deceit, graft, trickery, or dishonest means.” Pet. App. 13a (quoting *In re Jurado-Delgado*, 24 I. & N. Dec. 29, 35 (B.I.A. 2006)) (brackets and ellipsis omitted). And applying that definition, the court concluded that petitioner’s Virginia offense was such a crime. See *id.* at 13a-16a.

To start, the court of appeals observed that, in performing its analysis, it was required to apply a “categorical approach,” under which “a crime does not involve moral turpitude if there is a realistic probability that the statute of conviction could be applied to reach conduct that does not involve moral turpitude.” Pet. App. 13a-14a (citations and internal quotation marks omitted). The court also observed that, under circuit precedent, “[t]he generic definition of a [crime involving moral turpitude] requires two essential elements: a culpable mental state and reprehensible conduct.” *Id.* at 14a (citation and internal quotation marks omitted).

As for the first element, the court of appeals found that the “mens rea element[] is easily satisfied” by the Virginia statute because it “requires making a false statement ‘with the intent to deceive the law-enforcement officer.’” Pet. App. 14a (citation omitted). As for the second element, the court found the “reprehensible conduct” requirement satisfied because petitioner’s offense involved not only deceit, but also deceit in service of impairing or obstructing a government function. *Id.* at 15a (citing *Nunez-Vazquez v. Barr*, 965 F.3d 272, 284 (4th Cir. 2020)). The court also rejected petitioner’s contention that the facts of his own case alter the analysis, explaining that petitioner had “pled guilty to all of the elements” of the statute, “including its requirement that he act with an ‘intent to deceive the law enforcement officer.’” *Id.* at 17a (citation omitted). So even if petitioner had a fair argument that his conduct (as he described it) did not actually involve an intent to deceive the law-enforcement officer, his guilty plea “presents a problem [p]etitioner cannot overcome.” *Ibid.*

Judge Keenan dissented. Pet. App. 18a-25a. She agreed with the majority’s definition of a crime involving moral turpitude, and that a categorical approach applies in this context. *Id.* at 18a-19a. But Judge Keenan disagreed that Virginia’s statute necessarily criminalizes conduct that “involve[s] vile or depraved conduct that independently violates a moral norm.” *Id.* at 25a.

b. Petitioner then sought certiorari from this Court. See 23-538 Pet. (filed Nov. 16, 2023). In its brief in opposition, the government noted that the court of appeals had “affirmatively invoked *Chevron* deference when deciding what elements are necessary to establish a crime involving moral turpitude,” and the government therefore suggested that the Court “may wish” to hold the

petition pending its decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024). See 23-538 Resp. Br. in Opp., at 15-16 (filed Feb. 14, 2024). After holding the case, this Court granted the petition for a writ of certiorari, vacated the judgment below, and remanded for further proceedings in light of *Loper Bright*. See 144 S. Ct. 2706.

4. a. On remand, the same panel of the court of appeals denied the petition for review in an unpublished per curiam opinion, this time unanimously. Pet. App. 3a-4a. The court first explained that, since *Loper Bright*, it had already “generally reaffirmed” its earlier “framework for assessing whether a state offense constitutes a [crime involving moral turpitude].” *Id.* at 3a (citing *Chavez v. Bondi*, 134 F.4th 207, 212-213 (4th Cir. 2025)). Applying that framework, the court concluded that petitioner’s petition for review “must again be denied.” *Id.* at 4a. The court explained that, even after *Loper Bright*, the Board’s precedents “are still entitled to respect under *Skidmore*.” *Ibid.* And “based on that conclusion,” it “adhere[d]” to its “bottom-line holding that a violation of Va. Code Ann. § 19.2-82.1 is a [crime involving moral turpitude].” *Ibid.* The court also noted that it was dispensing with oral argument “because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.” *Ibid.*

b. The court of appeals denied petitioner’s petition for rehearing and rehearing en banc, with no judge requesting a poll or noting their dissent. Pet. App. 49a.

ARGUMENT

Petitioner principally renews (Pet. 17-26) the contention that his conviction for providing false information to a police officer “with the intent to deceive the law en-

forcement officer as to” his “real identity after having been lawfully detained and after being requested to identify himself,” in violation of Va. Code Ann. § 19.2-82.1 (2013), does not constitute a crime involving moral turpitude. He also contends (Pet. 10-12, 12-17) that the court of appeals erred by failing to call for new arguments after this Court’s remand and by misapplying *Skidmore* deference. The decision of the court of appeals is correct, and it does not implicate any division in the circuits warranting this Court’s intervention. The Court should deny the petition.

1. Before turning to the merits, petitioner contends (Pet. 10-12) that the court of appeals violated his due-process rights by declining to call for “additional briefing and oral arguments” following this Court’s remand order. But this Court’s order did not require any such process. And petitioner cites nothing for the proposition that lower courts must invariably order additional briefing or argument after a remand. Nor does he cite a single circuit that has even suggested such a categorical rule. Rather, where a court concludes that the existing submissions are adequate to address the legal questions presented, the Fifth Amendment’s Due Process Clause requires nothing further. Cf. *FCC v. WJR, The Goodwill Station, Inc.*, 337 U.S. 265, 276 (1949) (“[T]he right of oral argument as a matter of procedural due process varies from case to case in accordance with differing circumstances, as do other procedural regulations.”).

Here, the same panel that originally decided petitioner’s case reasonably concluded, after the remand, that circuit precedent postdating *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), had already addressed whether the circuit needed to change its

framework for analyzing what constitutes a crime involving moral turpitude, and the panel then re-applied that framework. Pet. App. 3a-4a. Petitioner’s assertion (Pet. 11-12) that “one or more judges on the panel would have reached a different result had they been presented with [his] legal arguments” is belied by the panel’s denial of his petition for rehearing. See Pet. App. 5a.

Moreover, while petitioner faults the court of appeals for not calling *sua sponte* for new briefing and argument, he conspicuously failed to suggest to that court that he had additional arguments to present. In the eleven months between this Court’s remand and the court of appeals’ new decision, petitioner made no filing—no letter, motion for leave to file a supplemental brief, or request for oral argument—not even after the court of appeals issued a notice that it was considering the case on remand. See C.A. Notice (June 9, 2025). At minimum, the Due Process Clause did not compel the court below to affirmatively solicit whether petitioner had anything new to say.

2. On the merits, the court of appeals correctly concluded that petitioner’s offense of conviction is a crime involving moral turpitude. See Pet. App. 3a-4a, 13a-17a.

a. As petitioner does not dispute (see Pet. 6), a crime involving moral turpitude typically has two elements: a “culpable mental state” and “reprehensible conduct.” Pet. App. 14a; see *Chavez*, 134 F.4th at 213. Both elements are present in the Virginia offense of falsely identifying oneself to an officer after being lawfully detained. First, the statute requires a culpable mental state, because it expressly provides that a defendant must have the “intent to deceive,” Va. Code Ann. § 19.2-82.1 (2013), and this Court has long recognized that offenses involving fraud and deception fall squarely

“within the scope of moral turpitude.” *Jordan v. De George*, 341 U.S. 223, 229 (1951). Second, the statute requires “reprehensible conduct,” because the deceit frustrates a police officer’s need to learn the “real identity” of someone the officer has “lawfully detained,” and whose identity the officer has requested. Va. Code Ann. § 19.2-82.1 (2013).

Petitioner does not dispute that an offense qualifies as a crime of moral turpitude where it involves both deception and the obstruction of an important government function. See Pet. 20-22. But that is the Virginia offense at issue. That law requires deception on its face, and its elements limit its application to circumstances in which the deceit obstructs an important government function—law enforcement. A police officer who has detained a person needs to be able to identify him for several reasons, including to locate any outstanding warrants or other information in law-enforcement databases that may be relevant to determining, for example, whether the individual can be released without jeopardizing public safety. The Virginia law necessarily applies to a form of deception that will inevitably thwart a police officer in carrying out his duties.

b. Petitioner nonetheless contends (Pet. 15-17, 21) that the Virginia offense does not qualify as a crime involving moral turpitude because it involves an “intent to deceive” versus an “intent to defraud.” That is wrong.

This Court has never suggested that there is a meaningful distinction between an “intent to defraud” and an “intent to deceive” that would justify treating the two mental states differently in analyzing whether an offense qualifies as a crime involving moral turpitude. To the contrary, in a wide variety of cases issued over the last two centuries, this Court has recognized that the

concepts of fraud and deceit are overlapping, and—in some cases—identical. Thus, in resolving a commercial dispute more than 150 years ago, this Court stated flatly that “[f]raud means an intention to deceive.” *Lord v. Goddard*, 54 U.S. (13 How.) 198, 211 (1852); see, e.g., *Pence v. United States*, 316 U.S. 332, 338 (1942) (recognizing that a party may establish the defense of fraud in a contract dispute where he has acted in reliance on false representations made “with the intent to deceive”); *Russell v. Clark’s Executors*, 11 U.S. (7 Cranch) 69, 94 (1812) (a business “recommendation, known at the time[] to be untrue, would be deemed fraudulent”).

More recently, the Court observed in a bankruptcy case that while fraud is a term that is “difficult to define” with “precis[ion],” it “generally” “connotes *deception* or trickery.” *Husky Int’l Elecs., Inc. v. Ritz*, 578 U.S. 355, 360 (2016) (emphasis added). And in numerous criminal cases the Court has treated fraud and deceit as related and overlapping terms. See, e.g., *Shaw v. United States*, 580 U.S. 63, 67 (2016) (finding that a defendant was guilty of federal bank fraud and quoting Oliver Wendell Holmes’s hornbook explanation that “[a] man is liable to an action for *deceit* if he makes a false representation to another, knowing it to be false, but intending that the other should believe and act upon it”) (quoting O. W. Holmes Jr., *The Common Law* 132 (1881)) (emphasis added); see *Dennis v. United States*, 384 U.S. 855, 867 (1966) (describing defendant’s falsehoods as a “calculated course of fraud and deceit”); see also *Hammerschmidt v. United States*, 265 U.S. 182, 188 (1924) (recognizing that defrauding the government can “mean[] to interfere with or obstruct one of its lawful governmental functions by deceit, craft or trickery”).

By the same lights, both the courts of appeals and the Board have recognized that statutory offenses that speak in terms of deceit and dishonesty can qualify as crimes involving moral turpitude under the immigration laws. See, e.g., *Ghani v. Holder*, 557 F.3d 836, 841 (7th Cir. 2009) (noting “nearly every court to consider the issue has concluded that crimes involving willful false statements are turpitudinous”); *Hyder v. Keisler*, 506 F.3d 388, 391 (5th Cir. 2007) (interpreting the phrase “crime involving moral turpitude” to include “crimes whose essential elements involve fraud *or deception*”) (emphasis added); *Jurado-Delgado*, 24 I. & N. Dec. at 35 (“[I]t is the intent to mislead that is the controlling factor”).

c. Petitioner also errs in claiming (Pet. 23-26) that the particular conduct that he describes as underlying his own offense should have caused the court of appeals to conclude that his Virginia offense of conviction is not a crime involving moral turpitude. As petitioner recognizes (Pet. 22), courts apply a categorical approach to determining whether an offense constitutes a crime involving moral turpitude. That approach analyzes whether the “minimum conduct” the statute covers qualifies as a crime involving moral turpitude; courts do not look to the actual offense conduct. See *Moncrieffe v. Holder*, 569 U.S. 184, 190-191 (2013). And while the conduct in a particular case might serve as some evidence of what the statute covers, the applicant bears the “burden of proof” with respect to any “factual” matters relevant to the question whether he was convicted of an offense that qualifies as a crime involving moral turpitude. See *Pereida v. Wilkinson*, 592 U.S. 224, 234 (2021). As the Board explained in petitioner’s case, however, the IJ was not required to accept petitioner’s

own account of the events leading up to his arrest for these purposes, because petitioner did not provide any official records substantiating that account, and—if the events were in fact as petitioner describes them—there would have been no reason for him to enter a guilty plea. See Pet. App. 31a.

Nor is petitioner correct in asserting (Pet. 22-26) that the court of appeals failed to analyze whether there is a “realistic probability” that the Virginia offense covers conduct that does not qualify as a crime involving moral turpitude. Discussing the court of appeals’ previous decision, petitioner says (Pet. 22) that “[t]he words ‘realistic probability’ do not appear once in the Fourth Circuit’s opinion.” But he overlooks that the court did use that phrase twice when applying the categorical approach. See Pet. App. 14a (“a crime does not involve moral turpitude if there is a realistic probability that the statute of conviction could be applied to reach conduct that does not involve moral turpitude”) (citation and internal quotation marks omitted); *id.* at 17a (“[W]e conclude that even the least culpable conduct that has a realistic probability of being prosecuted pursuant to Va. Code section 19.2-82.1 is morally turpitudinous.”).

Petitioner cites (Pet. 22-23) a handful of other Virginia prosecutions. But he does so to make the point that the (supposed) facts of his conviction “diverge[]” (Pet. 23) from the Virginia law’s ordinary application—*i.e.*, that the Virginia law ordinarily *does* involve deceit coupled with obstruction (as petitioner’s descriptions confirm). That hurts rather than helps petitioner’s case under the categorical approach, especially since (as just explained) his own account of the facts of his conviction does not bear on the analysis here. And at any rate, petitioner does not identify any compelling reason why

the court of appeals' application of a settled legal standard to a specific state law would warrant further review.

3. Petitioner also contends (Pet. 12-17) that the court of appeals misapplied *Skidmore* deference. That contention is misguided, rests largely on misreadings of the decision below, and is not alleged to implicate any circuit conflict. The court of appeals cited post-*Loper Bright* circuit precedent that reaffirmed its earlier analytical “framework” for determining crimes involving moral turpitude. See Pet. App. 3a (citing *Chavez*, 134 F.4th at 212-213). And it did so not because it was under any impression that the facts of this case were “identical” with that one, Pet. 13, but because *Chavez* supplied the standard for analyzing the Virginia law at issue, Pet. App. 3a-4a. Namely, *Chavez* affirmed that “a crime involving moral turpitude must involve conduct that not only violates a statute but also independently violates a moral norm.” *Chavez*, 134 F.4th at 213 (citation omitted). *Chavez* also confirmed that such a crime must have “two essential elements: a culpable mental state and reprehensible conduct.” *Ibid.* (citation omitted). Nothing in either *Chavez* or the decision below involves improper deference to an executive agency. To the contrary, the court determined for itself the relevant legal standard that must govern in this context. *Ibid.* And it made clear that, “[a]fter *Loper Bright*,” it would “no longer defer to the Board’s reasonable interpretations in [an] uninterrupted line of precedent” about crimes involving moral turpitude, even though it could still show “respect” for “settled, consistent, and persuasive precedents.” *Id.* at 220, 221.

As to whether the Virginia offense at issue is a crime involving moral turpitude, it is true that the decision below raised *Skidmore*, and it found some Board decisions

to be persuasive in their answer to the legal question presented. Pet. App. 4a. But *Loper Bright* itself affirmed that the reasoned views of agencies may be treated as persuasive authority. 603 U.S. at 402. And while petitioner disagrees (Pet. 15-16) about the persuasiveness of those decisions, he does not identify any analytical error in the court's decision to look at them, or any broader legal issue warranting this Court's review.

4. Petitioner contends (Pet. 9, 17-20) that this case implicates a division in the courts of appeals only on the question whether an intent to deceive is sufficient, by itself, to render an offense a crime involving moral turpitude. But the court of appeals found that the Virginia offense of failing to provide identification to an arresting officer requires both an intent to deceive *and* the obstruction of a government function. Pet. App. 15a-16a. Thus, this case does not implicate any disagreement in the lower courts regarding whether an intent to deceive, by itself, can render an offense a crime involving moral turpitude.

Petitioner also asserts (Pet. 17-22) that the courts of appeals have reached conflicting decisions regarding whether the offense of providing false identification to the police can constitute a crime involving moral turpitude. But each of the decisions petitioner cites involves a different state statute (or local ordinance), and none of the other laws required an "intent to deceive" like the one in Va. Code Ann. § 19.2-82.1 (2013). In *Bobadilla v. Holder*, 679 F.3d 1052 (8th Cir. 2012), the Minnesota statute required "proof of 'intent to obstruct justice,'" rather than to deceive. *Id.* at 1058 (citation omitted). In *Flores-Molina v. Sessions*, 850 F.3d 1150 (10th Cir. 2017), the court found that the ordinance at issue did not require that false information "be given with the intent

to mislead the city official, to disrupt the official’s investigation, or to otherwise cause any harm or obtain any benefit.” *Id.* at 1165; see *id.* at 1166-1167 (explaining that state law “confirms that” the ordinance “cannot be read to implicitly include the requisite intent”). And in *Blanco v. Mukasey*, 518 F.3d 714 (9th Cir. 2008), the court found that the California statute at issue required an individual to “knowingly misrepresent[] his or her identity,” rather than characterizing the mens rea as an intent to deceive. *Id.* at 719. Given those differences in the underlying laws, the disparities in how the courts analyzed those laws do not present any conflict warranting this Court’s review.*

CONCLUSION

The petition for a writ of certiorari should be denied.

Respectfully submitted.

D. JOHN SAUER
Solicitor General
BRETT A. SHUMATE
Assistant Attorney General
MELISSA NEIMAN-KELTING
BRYAN S. BEIER
Attorneys

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* Petitioner also cites *Arias v. Lynch*, 834 F.3d 823 (7th Cir. 2016), but he concedes (Pet. 17) that the Seventh Circuit “decline[d] to rule” on whether the offense at issue qualified as a crime involving moral turpitude.