



Robert W. Wood

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NY Tax Preparer Indicted On 31 Tax Counts Could Face 3 Years Prison---For Each

An indictment is only that, not proof. Innocent until proven guilty still applies. But a tax indictment is scary. It is understandable that the public reads about tax cases even at their inception and worries. The last thing you want at tax time is to be in trouble yourself over tax charges. A close second would be to find out that your tax return preparer is in trouble with the IRS, especially criminal trouble.

This one is an indictment of a Brooklyn, New York, tax return preparer with [31 counts](#) of aiding and assisting in the preparation of false federal income tax returns. The indictment alleges that between 2008 and 2010, Phillip Baynes operated a tax preparation business called Small Mans Accounting and Tax Service in Brooklyn.



Prosecutors allege that Mr. Baynes falsified business expenses and losses, charitable contributions and unreimbursed employee expenses. If convicted, Mr. Baynes faces up to three years in prison and a fine of \$250,000 *on each count*. At tax time, prosecutors and the IRS like to showcase tax

cases to help most people think just a little harder before filing their tax returns. In Kalamazoo, Michigan, a tax preparer doing business as #1 Tax Lady was arraigned [on 27 counts of tax fraud](#) for her role in filing false returns.

Prosecutors allege that Fontrice Lenee Charles, 39, filed numerous bogus tax return while operating as #1 Tax Lady. If she is convicted, she [faces 25 counts, 5 years in prison for each](#) count. Prosecutors allege that she claimed approximately \$2 million in improper refunds. She even faces charges for not reporting the income she was earning in her allegedly fraudulent tax business—plus claiming a dead person as a dependent.

She is only indicted, of course. Yet even an indictment that commences a criminal tax case is sobering, and the IRS knows this. It is one reason there is a spike or criminal tax charges and plea deals announced at tax time. Sentencing can provide an especially convincing reminder of how serious taxes can be.

Rashia Wilson, the self-proclaimed [queen of tax fraud, was sentenced to a 21 year prison term](#). Despite an appellate court's order to the trial judge to recompute her sentence, she got the *same* thing the second time: 21 long years. It is an inglorious end for someone who taunted publicly on Facebook that she *couldn't* be caught. When sentenced in 2013, she got 21 years for owning guns and stealing millions from the IRS.

She appealed, and an appeals court in 2014 [struck down her 21 year term](#), rejecting it on technical grounds. But the latest sentence showed that the trial [judge would not budge on her 21-year term](#).

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