

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

DEC 13 2011

FOR THE DISTRICT OF NEW MEXICO **MATTHEW J. DYKMAN**  
CLERK

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 **SHELDA SUTTON-MENDOZA,** )  
 )  
 Defendant. )

CRIMINAL NO. 11-3073  
Counts 1- 5: 26 U.S.C. § 7201: Attempt to  
Evade and Defeat Tax.

INDICTMENT

The Grand Jury charges:

Count 1

On or about December 27, 2005, in Bernalillo County, District of New Mexico, the Defendant, **SHELDA SUTTON-MENDOZA**, a resident of Albuquerque, New Mexico, did willfully attempt to evade and defeat a large part of the income tax due and owing by her to the United States of America for the calendar year 2003 by filing and causing to be filed with the Director, Internal Revenue Service Center, at Austin, Texas, a false and fraudulent U.S. Individual Income Tax Return, Form 1040. In that false return, Defendant **SHELDA SUTTON-MENDOZA** stated that her taxable income for the calendar year 2003 was the sum of \$1,296.00, and that the amount of tax due and owing thereon was the sum of \$129.00. In fact, as she there and then knew, her taxable income for the calendar year 2003 was the approximate sum of \$277,955.00 upon which taxable income there was owing to the United States of America an income tax of approximately \$76,660.00

In violation of 26 U.S.C. § 7201.

Count 2

On or about December 27, 2005, in Bernalillo County, District of New Mexico, the Defendant, **SHELDA SUTTON-MENDOZA**, who was owner and sole shareholder of NSYNC, a corporation, did willfully attempt to evade and defeat a large part of the income tax due and owing by the corporation to the United States of America for the calendar year 2003, by preparing and causing to be prepared, and signing and causing to be signed, a false and fraudulent U.S. Corporation Income Tax Return, Form 1120, which was filed with the Internal Revenue Service on behalf of the corporation. In that false return, it was reported that the taxable income of the corporation for the calendar year 2003 was the sum of \$35,349.00 and that the total amount of tax due and owing thereon was the sum of \$5,302.00. In fact, as she then and there knew, the taxable income of NSYNC for the calendar year 2003 was the approximate sum of \$107,019.00, upon which taxable income there was due and owing to the United States of America a total tax of approximately \$19,685.00.

In violation of 26 U.S.C. § 7201.

Count 3

On or about December 27, 2005, in Bernalillo County, District of New Mexico, the Defendant, **SHELDA SUTTON-MENDOZA**, a resident of Albuquerque, New Mexico, did willfully attempt to evade and defeat a large part of the income tax due and owing by her to the United States of America for the calendar year 2004 by filing and causing to be filed with the Director, Internal Revenue Service Center, at Austin, Texas, a false and fraudulent U.S. Individual Income Tax Return, Form 1040. In that false return, Defendant **SHELDA SUTTON-MENDOZA** stated that her taxable income for the calendar year 2004 was the sum of \$7,167.00, and that the amount of tax due and owing thereon was the sum of \$718.00. In fact, as she there

and then knew, her taxable income for the calendar year 2004 was the sum of \$266,967.00 upon which taxable income there was owing to the United States of America an income tax of \$71,560.00

In violation of 26 U.S.C. § 7201.

Count 4

On or about December 27, 2005, in Bernalillo County, District of New Mexico, the Defendant, **SHELDA SUTTON-MENDOZA**, who was owner and sole shareholder of NSYNC, a corporation, did willfully attempt to evade and defeat a large part of the income tax due and owing by the corporation to the United States of America for the calendar year 2004, by preparing and causing to be prepared, and signing and causing to be signed, a false and fraudulent U.S. Corporation Income Tax Return, Form 1120, which was filed with the Internal Revenue Service on behalf of the corporation. In that false return, it was reported that the taxable income of the corporation for the calendar year 2004 was the sum of \$10,277.00 and that the total amount of tax due and owing thereon was the sum of \$1,542.00. In fact, as she then and there knew, the taxable income of NSYNC for the calendar year 2004 was the approximate sum of \$64,638.00, upon which taxable income there was due and owing to the United States of America a total tax of \$9,618.00.

In violation of 26 U.S.C. § 7201.

Count 5

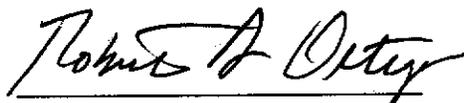
On or about November 13, 2006, in Bernalillo County, District of New Mexico, **SHELDA SUTTON-MENDOZA**, a resident of Albuquerque, New Mexico, did willfully attempt to evade and defeat a large part of the income tax due and owing by her to the United States of America for the calendar year 2005 by filing and causing to be filed with the Director,

Internal Revenue Service Center, at Fresno, California, a false and fraudulent U.S. Individual Income Tax Return, Form 1040. In that false return, Defendant **SHELDA SUTTON-MENDOZA** stated that her taxable income for the calendar year 2005 was zero (-0-), and that the amount of tax due and owing thereon was the sum of \$3,236.00. In fact, as she there and then knew, her taxable income for the calendar year 2005 was the approximate sum of \$248,389.00 upon which taxable income there was owing to the United States of America an income tax of approximately \$63,609.00

In violation of 26 U.S.C. § 7201.

A TRUE BILL:

/s/  
FOREPERSON OF THE GRAND JURY

  
Assistant United States Attorney

  
12/12/11 3:36pm