



Department of Justice

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WOMAN SENT TO PRISON FOR DEFRAUDING HER MOTHER AND THE IRS

COLUMBUS – Erin M. Stewart, age 35, of Fleming, Ohio, was sentenced to 30 months of incarceration, 5 years of supervised release, and ordered to pay \$402,526 in restitution upon her previously entered pleas of guilty for having committed wire fraud and for filing false federal income tax returns.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio and Jose A. Gonzalez, Special Agent in Charge, Internal Revenue Service Criminal Investigation announced the sentence handed down today by United States District Judge Gregory L. Frost.

According to public court records, beginning in April 1995, Stewart knowingly devised a scheme to defraud her mother, Judith O'Maille of Marietta, Ohio, and to obtain her mother's money and property by means of false and fraudulent pretenses, representations and promises.

Stewart was given her mother's power-of-attorney over retirement trust accounts previously established for her mother by her father for the purposes of providing financial support for her mother, to assist in the preparation of true and accurate income tax returns on behalf of her mother, to pay proper taxes for her mother, and otherwise to faithfully attend to various accounts and business arrangements for the benefit of her mother.

Instead of using those trust funds only for her mother, Stewart systematically looted them by creating unauthorized withdrawals over several years, typically in the form of electronic wire transfers from annuity accounts titled only to Judith O'Maille. The money went from O'Maille's account to a checking account titled "Stewart Cabinetry," a company owned by Stewart's husband and where Stewart kept the company's books and records. Stewart's mother was not an authorized signer on the "Stewart Cabinetry" account and therefore did not have access to those misappropriated funds. With the additional money from her mother's accounts, Stewart and her husband enhanced their standard of living, and purchased automobiles, including Corvettes, large boats, and relatively exotic vacations for themselves.

For the years 2000, 2001, and 2002, Stewart caused false tax returns to be filed for herself and her husband that substantially under-reported their income. Specifically, Stewart failed to report \$402,526 of her income, which represents the amount of money she defrauded from her mother.

Lockhart commended the investigation by IRS Criminal Investigation agents and Assistant U.S. Attorney Dan Brown, who is prosecuting the case.

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