

# ***NEWS RELEASE***

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## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

***San Diego, California***

***United States Attorney  
Laura E. Duffy***

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***For Further Information, Contact: Assistant U.S. Attorney Joseph J.M. Orabona (619)557-7736***

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***For Immediate Release***

### **NEWS RELEASE SUMMARY** - December 9, 2011

United States Attorney Laura E. Duffy announced that yesterday a federal jury convicted Neil A. Thomsen, a tax preparer, of 32 counts of fraud involving filing false claims for tax refunds with the Internal Revenue Service (IRS), mail fraud, Social Security fraud, passport card fraud, and aggravated identity theft.

According to the evidence presented at trial, Mr. Thomsen obtained the identities, including names and Social Security numbers, of several of his former clients and clients of his former employers and used those identities to file false tax returns in 2009 in order to obtain tax refunds to which he was not otherwise entitled. The evidence showed that in order to execute his scheme to defraud, Mr. Thomsen used his IRS electronic filing number to set up accounts with two banks in order to facilitate the receipt of tax preparation fees and tax refunds. The banks then mailed refund checks and debit cards to Mr. Thomsen, which facilitated his access to the proceeds of the false tax returns. The evidence showed that Mr. Thomsen deposited refund checks into his bank accounts and cashed debit cards at multiple ATM machines throughout Southern California. The evidence further showed that Mr. Thomsen used several identities to lease office space,

establish mail accounts, obtain telephone numbers, obtain a wireless card, purchase a car, and purchase computer equipment, including a laptop computer, external hard drive, and cell phone. The evidence also showed that when he was arrested on June 17, 2010, Mr. Thomsen had several false identification documents in his possession in the names of other persons.

This case was investigated by Special Agents with the Treasury Inspector General for Tax Administration, and the Internal Revenue Service, Criminal Investigation. Mr. Thomsen remains in custody without bail.

Thomsen is scheduled to appear for sentencing before United States District Judge Roger T. Benitez on March, 19, 2012 at 9:00 a.m.

**DEFENDANT**

**Criminal Case No. 10CR2810-BEN**

Neil A. Thomsen

**SUMMARY OF CHARGES**

Counts 1 through 4: Title 18, United States Code, Section 1341 – Mail Fraud

Maximum Penalties: 20 years of imprisonment and \$250,000 fine per count

Counts 7 through 16: Title 18, United States Code, Section 287 – False, Fictitious, and Fraudulent Claims

Maximum Penalties: 5 years of imprisonment and \$250,000 fine per count

Counts 17 through 24: Title 42, United States Code, Section 408(a)(8) – Social Security Fraud

Maximum Penalties: 5 years of imprisonment and \$250,000 fine per count

Counts 25 through 32: Title 18, United States Code, Section 1028A – Aggravated Identity Theft

Maximum Penalties: At least one term of imprisonment of 2 years consecutive to any other sentence

Count 33: Title 18, United States Code, Section 1546(a) – Passport Card Fraud

Maximum Penalties: 25 years of imprisonment and \$250,000 fine

Count 34: Title 18, United States Code, Section 1028A – Aggravated Identity Theft

Maximum Penalties: At least one term of imprisonment of 2 years consecutive to any other sentence

**PARTICIPATING AGENCIES**

Treasury Inspector General for Tax Administration  
Internal Revenue Service, Criminal Investigation