



Department of Justice

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EX-WIFE OF FORMER HOME DEPOT EMPLOYEE PLEADS GUILTY TO FILING FALSE TAX RETURN

Atlanta, GA--MELISSA DEATON TESVICH, 41, of Mobile, Alabama, today pleaded guilty to one count of filing a false tax return before United States District Judge Richard W. Story.

United States Attorney David E. Nahmias said, "While this defendant is not charged with participating in her husband's fraudulent conduct, which generated millions of dollars, she knowingly joined him in filing false joint tax returns that intentionally omitted that income. She will now be a felon herself, facing prison and responsible for paying their back taxes plus interest and penalties. This sad story should serve as a lesson to other spouses of criminals who join them in willfully failing to report income."

In Washington, D.C., Christine A. Varney, Assistant Attorney General in charge of the Department's Antitrust Division said, "Those who try to cheat the government and illegally profit from their participation in fraudulent schemes will be vigorously prosecuted."

IRS-Criminal Investigation Special Agent in Charge Reginael McDaniel said, "We should not forget that the ultimate victim of tax fraud is the honest taxpayer. Anyone who fails to pay their fair share of taxes forces the rest of the taxpayers to pay more than their fair share."

According to United States Attorney Nahmias and information presented in court: On May 22, 2006, TESVICH and her former husband, ANTHONY TESVICH, filed a joint federal income tax return for calendar year 2005, in which they knowingly and intentionally underreported their taxable income by \$1,073,683.67 and underreported the amount of taxes they owed to the United States by \$386,997. At today's hearing, the government told the Court that Ms. TESVICH had in fact acted as a bookkeeper and had an assisting role in running a number of her former husband's side businesses. She also ignored her tax advisor's advice to report the income from those side businesses.

MELISSA TESVICH could receive a maximum sentence of 3 years in prison and

could be fined up to \$250,000. She also must file accurate income tax returns for the tax years 2003-2006. In determining the actual sentence, the Court will consider the United States Sentencing Guidelines, which are not binding but provide appropriate sentencing ranges for most offenders. She is scheduled to be sentenced on August 3, 2009, at 10 a.m., before Judge Story.

Her former husband, ANTHONY TESVICH pleaded guilty last June to one count of conspiracy to commit wire fraud in connection with a scheme to defraud Home Depot by taking kickbacks from vendors seeking to do business with Home Depot. ANTHONY TESVICH also pleaded guilty to evading federal taxes on his corrupt income for tax years 2003 (\$212,937 in unpaid taxes); 2004 (\$821,981 in unpaid taxes); and 2005 (\$386,997 in unpaid taxes). He is scheduled to be sentenced on June 11, 2009, at 10:00 a.m., before Judge Story.

This case is being investigated by the Internal Revenue Service-Criminal Investigation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation.

This case is being prosecuted by John R. Fitzpatrick and Barbara W. Cash, Trial Attorneys for the United States Department of Justice Antitrust Division, Atlanta Field Office, and Assistant United States Attorneys Russell Phillips, Sally Molloy, Michael J. Brown, and Gerald S. Sachs.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.