



*United States Attorney
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**FORMER OWNER AND OPERATOR OF SEWING COMPANY SENTENCED
IN MANHATTAN FEDERAL COURT TO FIVE MONTHS
IN PRISON FOR PAYROLL TAX VIOLATIONS**

PREET BHARARA, United States Attorney for the Southern District of New York, and PATRICIA J. HAYNES, the Special Agent-in-Charge of the New York Field Office of the Internal Revenue Service Criminal Investigation Division ("IRS"), announced that MINDY WONG, former owner and operator of Devine Fashion Corp. ("Devine Fashion"), was sentenced today by United States District Judge BARBARA S. JONES, to five months in prison on payroll tax charges. WONG pleaded guilty on March 13, 2009, to one count of payroll tax evasion and one count of failure to withhold and pay over payroll taxes.

According to the felony Information filed in this case and statements made during the WONG's guilty plea and sentencing proceedings:

WONG, together with her husband, ANDRES ORTIZ, owned, operated, and controlled Devine Fashion, a Manhattan company in the business of performing sewing work. From about 2003 through late 2006, rather than depositing all of the checks received from the customers of Devine Fashion into bank accounts, WONG and Ortiz cashed most of these checks at check-cashing establishments located in Manhattan.

WONG used the cash she generated to pay the employees of Devine Fashion cash wages that were not reported to the IRS. She also failed to withhold or remit to the IRS the required payroll taxes under the Federal Insurance Contributions Act ("FICA") for the employees. Over the course of her conduct, WONG paid cash wages, on which there was no withholding, of over \$2.2 million, and failed to remit to the IRS total FICA taxes of over \$347,000.

In addition to the prison term, Judge JONES sentenced WONG, 36, of Jackson Heights, New York, to three years of supervised release.

Mr. BHARARA thanked the IRS Criminal Investigation Division for their work on this case.

ORTIZ has been separately charged in an Indictment with conduct relating to his operation of Devine Fashion Corp. That case is pending before Judge JONES. As to ORTIZ, the charges contained in the Indictment are merely accusations and the defendant is presumed innocent unless and until proven guilty.

The case is being handled by the Major Crimes Unit of the United States Attorney's Office. Assistant United States Attorney DANIEL W. LEVY is in charge of this prosecution.

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