

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 26-CV-60354-MIDDLEBROOKS

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER BROWN, and
SUPERIOR TAXES, LLC,

Defendants.

CORRECTED ORDER ON MOTION FOR PRELIMINARY INJUNCTION

THIS CAUSE comes before the Court on Plaintiff United States of America's Motion for Preliminary Injunction, filed on March 4, 2026. (DE 7). The Motion is fully briefed. (DEs 10, 11). For the reasons explained below, the Motion is granted.

I. BACKGROUND

Plaintiff initiated this action on February 9, 2026, seeking temporary and permanent injunctive relief against Defendants, Christopher Brown, a tax return preparer, and his company, Superior Taxes, LLC, (collectively "Defendant") from engaging in certain conduct or from further acting as a tax return preparer. (DE 1 at 21). Plaintiff's central claim is that Defendant employs numerous schemes to prepare fraudulent returns that understate his customers' tax liabilities and overstate their refunds. (DE 7 at 3).

Christopher Brown is the sole owner of the return preparation business Superior Taxes, and has been preparing returns as early as 2000. (*Id.* at 2). Defendant prepared approximately 2,843 tax returns in 2025, and 3,105 tax returns in 2024. (*Id.* at 3). According to Plaintiff, Defendant trains his two year-round employees and about seven temporary employees (who are onboarded during the tax season) to input information customers provide into CrossLink, a tax preparation software. (*Id.*)

Afterwards, Defendant meets with the customer where he reviews the information input into the software, finalizes the return with the customer, and submits it electronically. (*Id.*).

Plaintiff alleges that Defendants employ five schemes to prepare fraudulent returns that understate his customers' tax liabilities and overstate their refunds. (*Id.* at 3). The first involves manipulating filing statuses. Here, Defendant Brown is alleged to fraudulently claim head of household ("HOH") status for unqualified claimants. HOH status is available only to taxpayers who are considered unmarried and furnish over one-half of the costs of maintaining the household for themselves and a qualifying person. (*Id.* at 4 (citing Publication 501 at 8, IRS)). Nevertheless, Plaintiff's Motion for Preliminary Injunction recounts several examples where Defendant claimed HOH status for married individuals, even where both individuals were present when Plaintiff prepared their tax returns, and the returns reflected that those married individuals lived at the same address. (*Id.* at 5).

The second scheme involves claims made involving the Schedule C of Form 1040, which is used for self-employed taxpayers to report their profits and losses. Here, Defendant is alleged to have wholly fabricated Schedules C for customers who had never been self-employed, and who often had no idea their returns even included a Schedule C until informed by the IRS. (*Id.* at 6). For example, Plaintiff recounts Defendant's work with respect to an individual, Janeice Prater, whose 2023 tax return reported "Sales" with more than \$7,000 in expenses and reported fake expenses in the following categories: purchases, advertising, depreciation, office expense, rent, repairs and maintenance, supplies, utilities, and "other" expenses. Yet, Plaintiff alleges that Ms. Prater never discussed these expenses with Defendant, nor did she incur them. (*Id.*).

These practices also extended to Defendant third scheme, where he allegedly falsified or misclassified expenses to claim residential energy credits. (*Id.* at 7). Residential energy credits promote tax breaks for individuals who invest in clean energy alternatives including, but not limited

to, solar electric property, solar water heaters, small wind turbines, geothermal heat pumps, and fuel cell property. (*Id.* at 6 (citing IRS Form 5695)). Yet, Defendant's customers who were interviewed by the IRS testified to the same effect: they never purchased, or even discussed, any qualifying improvements with Defendant. (*Id.* at 7).

Plaintiff's final two allegations likewise allege false reporting with respect to education credits and Earned Income Tax Credits (EITC). Education credits are refundable or non-refundable tax credits for certain types of education expenses incurred by taxpayers or their qualified dependents. (*Id.* at 8). Plaintiff points to several examples where Defendant claimed false education credits for customers who either did not incur qualified education expenses at all or who incurred less than Defendant claimed. (*Id.*). Likewise, Defendant is alleged to have manipulate reported income to maximize the EITC. Plaintiff represents that the EITC, as a refundable credit, in certain circumstances entitles a taxpayer to a refund *greater* than the amount of tax paid or a payment from the U.S. Treasury even if no tax is reported. As a result of the size of the credit and its refundable nature, EITC claims are subject to heightened due diligence requirements. (*Id.* at 9 (citing I.R.C. § 6695(g)).

As part of its investigation, Plaintiff IRS conducted an analysis of the returns filed by the Defendant in 2022, 2023, and 2024. (DE 1 at ¶ 54). Specifically, the IRS identified 2,001 tax returns filed by Defendant in 2022, 2023, and 2024. (*Id.* at ¶ 55). Of those tax returns, the IRS explains its methodology and findings as follows:

Of these 2,001 tax returns, the IRS randomly selected 70 tax returns of Defendants' customers to interview. Of the 70 tax returns examined, 86% (60 out of 70 returns) of these examined returns had errors and fabrications, resulting in an average tax deficiency of \$3,035. In applying the 86% error rate and the average tax deficiency to the 2,001 returns flagged with potential issues, the tax harm caused by Defendants for the 20[22], 2023, and 2024 tax years is estimated to be around \$5,204,773.

(DE 1 ¶ 55). Following these findings, the Plaintiff filed suit in this court on February 9, 2026, seeking to permanently enjoin Defendant from engaging in a range of tax-preparation activities. (*Id.* at 1, 2). And on March 4, 2026, Plaintiff filed the present Motion for Preliminary Injunction. (DE 7).

II. Legal Standard

A court may grant a preliminary injunction when the moving party demonstrates: (1) a substantial likelihood that plaintiff will succeed on the merits; (2) a substantial threat that plaintiff will suffer irreparable injury if a preliminary injunction is not granted; (3) that the threatened injury outweighs the harm a preliminary injunction may cause the defendant; and (4) that the grant of a preliminary injunction will not disserve the public interest. *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir. 2000) (en banc). “It is well established in this circuit that a preliminary injunction is an extraordinary and drastic remedy not to be granted unless the movant clearly established the burden of persuasion as to all four elements.” *Davidoff & CIE, S.A. v. PLD Intern. Corp.*, 263 F.3d 1297, 1300 (11th Cir. 2001) (internal quotations omitted).

III. Likelihood of Success on the Merits

Plaintiff seeks relief under I.R.C. §§ 7407, 7408, and 7402, each of which authorize injunctions where the Defendant has engaged in specified conduct listed in the statutory language. I.R.C. § 7407 authorizes injunctions against return preparers who, among other things, violate IRC §§ 6694 or 6695, or who engage in any other fraudulent or deceptive conduct that substantially interferes with the proper administration of the internal revenue laws. Likewise, in order to obtain a preliminary injunction under I.R.C. § 7408, Plaintiff must show that Defendant engaged in conduct subject to penalty under I.R.C. § 6700 or 6701, and that injunctive relief is appropriate to prevent the conduct from recurring. I.R.C. § 7402, in turn, generally provides court jurisdiction to issue injunctions “as may be necessary or appropriate for the enforcement of the internal revenue laws.”

As it pertains to I.R.C. § 7407, Plaintiff has shown that it is likely to succeed in demonstrating that Defendant's actions run afoul of IRC §§ 6694 or 6695. § 6694(a) proscribes understating a taxpayer's liability when the preparer "knew (or reasonably should have known)" they were doing so due to what the statute refers to as an "unreasonable position," *i.e.*, an actual lacking "substantial authority." § 6694(b) penalizes preparers who engage in such conduct recklessly or willfully. Here, the randomly selected interviews with Defendant's customers confirm that Defendant repeatedly manipulated customers' tax returns to obtain significant benefits by, for example, incorrectly claiming head of household filing status, and fabricating tax credits despite any basis for doing so. Defendant's response to these allegations is that "[t]he Government has ignored the fact that the sole source of the information used to prepare the tax returns in issue was supplied by the individual taxpayers who in turn received the resulting refund due from the IRS." (DE 10 at 2). But Defendant's theory does not comport with the similar testimony offered by the interviewees, who claim that they never provided Plaintiff with documentation supporting the various credits or refunds. (DE 7-1 at ¶¶ 31, 39). Accordingly, Defendant's claim that it "only inputs the information furnished by the client" is not credible. (DE 10 at 4). Moreover, Plaintiff is likely to be successful in showing that Defendant violated § 6695, which mandates that tax preparers exercise due diligence when assessing eligibility to file, among other things, as a head of household or for the EITC. Based on the record, Defendant failed to exercise care when assessing customer's eligibility for HOH status despite being presented with married couples whose addresses were identical. (DE 7 at 4, 5). Defendant's actions also extended to a different customer, which resulted in an EITC of \$1,827, an amount Plaintiff alleges is over \$1,700 more than the customer would have otherwise been entitled. (*Id.* at 10).

The previously mentioned examples also support Plaintiff's argument that it is likely to succeed in showing that Defendant violated § 7408 of the Internal Revenue Code. § 7408 permits injunctions where a Plaintiff has shown that the preparer engaged in conduct subject to penalty under

I.R.C. § 6701 and the Court determines that injunctive relief is appropriate to prevent the recurrence of such conduct. § 6701 imposes a penalty on any person who: (1) aids, assists, or advises with respect to the preparation or presentation of any portion of a tax return, claim, or other document; (2) when that person knows or has reason to know that such portion will be used in connection with a material matter arising under federal tax law; and (3) that person knows that such portion (if used) would result in an understatement of another person's tax liability.

IV. Irreparable Harm

To obtain a preliminary injunction, the Plaintiff must also demonstrate irreparable harm in the absence of such injunctive relief. The implications of such fraudulent conduct are self-evident. Fraudulent filings undermine the public trust in tax preparers, who possess a unique understanding over an otherwise complex and intimidating process. The Government incurs losses of millions of dollars to the Treasury. And the customers themselves face potentially significant liability and financial harm if audited. Each of these demonstrate serious irreparable harm in light of Defendant's actions.

V. The Injury to the United States and the Public Outweighs the Harm to Defendant

As Plaintiff alleges, virtually all of Defendant's business is tax preparation. As a result, an expansive injunction would likely significantly harm Defendant. Yet, if these randomly selected filings offer only a glimpse of the scale of Defendant's fraud, the effects of such fraud on the public and the government massively outweigh the benefits accrued to the Defendant.

VI. The Public Interest

A preliminary injunction would serve the public interest. Given the tax system's central role in our system of government, any attempts to undermine the public's trust in a system that is also difficult to navigate carries far-reaching implications.

VII. Scope of Injunctive Relief

Finally, the Parties dispute the scope of any injunction. Relying on the Eleventh Circuit’s decision in *U.S. v. Cruz*, Defendant suggests that if its actions have significantly improved, a narrow injunction should be appropriate. (DE 7). In support, Defendant points to the district court’s opinion that the evidence in that case did not support the allegation that defendants were engaged in an ongoing pattern of fraudulent conduct, and that the defendants had clearly made a good faith effort toward eliminating the kinds of errors they had made in the past. (DE 10 at 6). Defendant then suggests that “this year [Defendant] has been making a concerted effort to take more precautions when preparing tax returns” and points to a significant decrease in the amounts of loss claimed—decreasing from \$3,977,873 losses claimed in past years to \$1,480,582. This decrease, Defendant avers, is accompanied by more questions and stricter rules, such as requiring receipts for residential energy credit claims. (*Id.* at 4). But this is ultimately unavailing. This season’s tax filings and the returns are not audited and therefore – beyond Defendant’s own testimony – such claims about newly implemented practices are not readily verifiable. I also agree with the Plaintiff that Defendant’s Response is problematic for the additional reason that, despite identifying five problematic filing practices, Defendant points only to a decrease in the application of the residential energy credit. (*Id.*). In the face of Defendant’s self-serving representations about reforms to the current tax season, I am more compelled at this juncture by the inaccurate returns prepared over several years. As a result, I find that a broad injunction will provide appropriate relief in this case.

VIII. Conclusion

Accordingly, it is **ORDERED AND ADJUDGED** that:

1. Plaintiff’s Motion for Preliminary Injunction (DE 7) is **GRANTED**.
2. Defendant Christopher Brown and anyone acting in concert or participation with him or Defendant Superior Taxes, LLC, is preliminarily enjoined pursuant to Internal Revenue

Code (I.R.C.) §§ 7402, 7407, and 7408, from acting as a federal tax return preparer and preparing or filing federal tax returns, amended tax returns, or any other federal tax documents or forms for any person or entity other than himself; assisting in, advising, or directing the preparation or filing of federal tax returns, amended returns, or any other federal tax documents or forms for any person or entity other than himself; investing in, providing capital or loans to, or receiving fees or remuneration from a tax return preparation business; and operating, managing, working in, controlling, licensing, consulting with, or franchising a tax return preparation business.

3. Defendant Christopher Brown, pursuant to I.R.C. § 7402, is prohibited from assigning, transferring, selling, or allowing others to use: (1) a personal or business Preparer Tax Identification Number(s) (“PTIN”); (2) a personal or business Electronic Filing Identification Number(s) (“EFIN”); (3) any other federally issued identification number(s) to prepare or file federal income tax returns; (4) a list of customers or any other customer information; or (5) any proprietary information pertaining to his tax preparation businesses.
4. Defendant Christopher Brown, pursuant to I.R.C. § 7402, shall, within five days, provide a copy of this Order to all principals, officers, managers, franchisees, employees, or independent contractors for any business entity that he owns, manages, or operates for the preparation of tax returns.
5. This Order of Preliminary Injunction against Defendant Christopher Brown and Defendant Superior Taxes, LLC, shall remain in full force and effect until the final resolution of this case on the merits or such time as the Court modifies, vacates, or supersedes this Order.
6. Defendant Christopher Brown, pursuant to I.R.C. § 7402, shall, within five days, post a message on all of his social media accounts (Facebook, Twitter, Instagram, and any other

account), including any accounts held or controlled by him or used by any of tax preparation businesses that he owns, manages, or operates, stating that the Court has barred him from preparing tax returns.

7. Defendant Christopher Brown, pursuant to I.R.C. § 7403, shall, within five days, post a full-sized (8 1/2" by 11"), paper copy of this Order of Preliminary Injunction upon the entrance place, front door, or front window of any tax preparation store that he owns, manages, operates, is currently renting, or has rented for the 2026 tax filing season so that it is prominent and visible to the public, and shall maintain a copy of this Order of Preliminary Injunction upon the entrance until such time as the Court modifies, vacates, or supersedes this Order.

SIGNED in Chambers at West Palm Beach, Florida, this 27th day of March, 2026.



Donald M. Middlebrooks
United States District Judge

cc:

Counsel of Record