



The United States Attorney's Office

District of Colorado

January 9, 2009

MONUMENT COUPLE CHARGED WITH TAX EVASION

DENVER – Cheryl McMillan, age 56, and Marion McMillan, age 61, of Monument, Colorado, were both charged by Information today with tax evasion, Troy A. Eid, United States Attorney for the District of Colorado, and Christopher M. Sigerson, IRS Special Agent in Charge of IRS Criminal Investigation announced. The charges allege that the McMillan's, husband and wife, filed false and fraudulent tax returns. Both defendants appeared in court today for their initial appearance, where they were advised of the charges pending against them.

The Information charging Cheryl McMillan alleges that in April of 2004, McMillan, then a resident of Durango, Colorado, while married, willfully attempted to evade and defeat a large part of the income tax due by her and her spouse by filing a false and fraudulent joint U.S. individual Income Tax Return. In fact, the Information alleges that she and her husband's joint taxable income for calendar year 2003 was substantially more than the amount stated on the return, thus owing additional tax to the United States. The Information also alleges that in April 2005, Cheryl McMillan, then a resident of Pueblo, Colorado, again filed a false and fraudulent income tax return, willfully under reporting their income taxes.

The Information charging Marion McMillan alleges that in April 2005, McMillan, then a resident Pueblo, Colorado, while married, willfully attempted to evade and defeat a large part of the income tax due by he and his spouse by filing a false and fraudulent joint U.S. individual Income Tax Return. In fact, the Information alleges that he and his wife's joint taxable income for calendar year 2004 was substantially more than the amount stated on the return, thus owing additional tax to the United States.

Cheryl McMillan faces two counts of tax evasion. Marion McMillan faces one count of tax evasion. Tax evasion carries a penalty of not more than 5 years in federal prison, and up to a \$100,000 fine per count. The defendants could also be ordered to pay restitution.

"Tax scofflaws may wind up behind federal bars," said United States Attorney Troy Eid.

"Tax evasion is not a victimless crime. Honest, hardworking Americans pay the price when others choose to evade their tax obligations," said Christopher Sigerson, Special Agent in Charge, IRS Criminal Investigation, Denver Field Office.

This case was investigated by the Internal Revenue Service Criminal Investigation Division (IRS CID).

The case is being prosecuted by Assistant U.S. Attorney Robert Mydans

An Information is a charging document where the defendants waive their Constitutional right to be indicted by a federal grand jury.

The charges in this case are allegations, and the defendants are presumed innocent unless and until proven guilty.

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