



# Department of Justice

**United States Attorney Sarah R. Saldaña  
Northern District of Texas**

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INQUIRIES: KATHY COLVIN

MEDIA

214.659.8600  
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## **Defendant Sentenced to 36 Months in Federal Prison in Tax Refund Conspiracy Case**

**DALLAS** — Tommy Dean Turner was sentenced yesterday to 36 months in federal prison and ordered to pay \$365,626 in restitution following his guilty plea in February 2013 to one count of conspiracy to file false claims. His co-conspirator, Shaunthina Daniel Rushing, who pleaded guilty to the same offense, is scheduled to be sentenced on June 19, 2013. Today's announcement was made by U.S. Attorney Sarah R. Saldaña of the Northern District of Texas.

According to factual resumes filed in the cases, Turner conspired with Rushing, and others, to file approximately 50 fraudulent tax returns that resulted in more than \$400,000 in false claims. The returns included Forms 5405, representing that the taxpayers were entitled to claim a First-Time Homebuyer Tax Credit (FTHTC) under the provisions of the Housing and Economic Recovery Act of 2008.

That refundable tax credit could be claimed if a person purchased a main home in the U.S. after April 8, 2008, and before December 1, 2009, and the person (and spouse, if married) did not own any other main home during the previous three years of the date of purchase. Qualifying taxpayers who purchased a home between January 1, 2009, and December 1, 2009, could claim up to \$8,000 as the FTHBC.

Turner admitted that the co-conspirators caused bank accounts to be opened to receive the fraudulent tax refund checks, obtained and disbursed the proceeds among themselves and

others and maintained detailed records and logs that identified the fraudulent tax returns the money received and the disbursement of proceeds.

Internal Revenue Service Criminal Investigation investigated. Assistant U.S. Attorney J. Nicholas Bunch and DOJ Tax Division Trial Attorney Robert A. Kemins prosecuted.

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