NEWS

Tampa Man Pleads Guilty To Stolen Identity Refund Fraud

FOR IMMEDIATE RELEASE

November 26, 2013

Tampa, FL – Acting United States Attorney A. Lee Bentley, III announces that Brian E. Simmons today pleaded guilty to wire fraud and aggravated identity theft. He has also agreed to forfeit $790,421.28 to the United States, as proceeds of the offense. Simmons faces up to 22 years in prison. He is scheduled to be sentenced on February 13, 2014. A co-defendant Tressa V. Guy pleaded guilty to conspiracy to commit wire fraud and aggravated identity theft on October 16, 2013. She is scheduled to be sentenced on January 9, 2014.

According to the plea agreement, Simmons, a resident of the Tampa area, and others, including Tressa V. Guy, orchestrated a scheme to defraud the United States Treasury by causing fraudulent federal income tax returns to be filed. To facilitate the scheme, they used stolen identities, solicited personal identifying information and addresses from co-conspirators in Florida and Georgia, and coordinated the withdrawal of fraudulently obtained tax refund amounts from prepaid debit cards.

In April 2012, Monroe County Sheriff's Office ("MCSO") conducted a traffic stop of a car driven by Simmons, in which Guy was the only passenger. MCSO discovered medical office patient roster screen prints and handwritten notes containing at least twenty-eight names, social security numbers (SSN) and dates of birth (DOB), cash in the amount of $10,818.00, and nine prepaid debit cards in the names of individuals other than Guy or Simmons. Deputies also discovered three cell phones; two apparently belonging to Simmons and one belonging to Guy. Photos of personal identifying information and hundreds of text messages between Guy, Simmons, and others discussing the fraudulent scheme were discovered on these cell phones. Photos of approximately thirty-three names, SSNs and DOBs were found on one of Simmons' cell phones.

In May 2012, the Tampa Police Department performed a traffic stop of a vehicle driven by Brian Simmons. Tressa Guy and another individual were passengers in the vehicle. In the vehicle were fourteen prepaid debit cards in the names of individuals other than Guy or Simmons, cash in the amount of $1,300, and multiple Walmart receipts. Guy's purse contained one Turbo Tax debit card in the name of another individual.

This case was investigated by the Internal Revenue Service – Criminal Investigation, the Tampa Police Department, and the Monroe County, Georgia Sheriff's Office, with assistance from the Hillsborough County Sheriff's Office. It is being prosecuted by Assistant United States Attorney Matthew J. Mueller and Trial Attorney Jason H. Poole of the Department of Justice, Tax Division.

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