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District of Connecticut  
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### THREE CHARGED WITH OPERATING FRAUDULENT FEDERAL INCOME TAX REFUND SCHEME

Deirdre M. Daly, Acting United States Attorney for the District of Connecticut, today announced that a federal grand jury sitting in New Haven has returned an 18-count indictment charging three individuals with operating an extensive federal income tax refund scheme. The indictment, which was returned yesterday, charges KENYA MALCOLM, 34, and CHARLES ROSS, 40, both of Surprise, Ariz., and BERNARD BRANTLEY, 43, of Waterbury, Conn., with various conspiracy, fraud, theft and identity theft offenses.

The indictment alleges that between November 2012 and May 2013, MALCOLM, BRANTLEY, ROSS and others conspired to file false federal income tax returns in the names of individuals without the individuals' knowledge. As part of the scheme, BRANTLEY, ROSS and others advertised to victims that they were eligible for "Obama stimulus money" or "government funding" through a prepaid debit card, and then obtained personal identifying information from the victims. MALCOLM, who operated a business in Arizona called "Biggest Refund Taxes," used the victims' names, dates of birth, and Social Security Numbers to prepare and file false federal income tax returns. MALCOLM then directed tax refunds totaling more than \$2.5 million to be deposited partially into bank accounts controlled by MALCOLM, her family members, her employees, and ROSS, and partially into bank accounts linked to prepaid debit cards that were sent to the victims.

The indictment charges MALCOLM, BRANTLEY and ROSS with one count of conspiracy, which carries a maximum term of imprisonment of five years. The indictment also charges each defendant with six counts of mail fraud and six counts of wire fraud, which carry a maximum term of imprisonment of 30 years on each count. The defendants are also charged with theft of public money, a charge that carries a maximum term of imprisonment of 10 years. Finally, MALCOLM and BRANTLEY are each charged with one count of aggravated identity theft, an offense that carries a mandatory consecutive two-year prison term.

The case has been assigned to Senior U.S. District Judge Warren W. Eginton in Bridgeport. This matter is being investigated by the Internal Revenue Service – Criminal Investigation and the United States Postal Inspection Service, and is being prosecuted by Assistant U.S. Attorney Sarala V. Nagala.

Acting U.S. Attorney Daly stressed that an indictment is not evidence of guilt. Charges are only allegations, and each defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt.