

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
JOSE TIRADO : **VIOLATIONS:**
VICTOR TIRADO : **18 U.S.C. § 286 (conspiracy to defraud**
: **the government with respect to claims -**
: **1 count)**
: **18 U.S.C. § 287 (false claims - 14 counts)**
: **18 U.S.C. § 2 (aiding and abetting)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this superseding information:

1. The Internal Revenue Service (“IRS”) was an agency of the United States Department of the Treasury, responsible for administering and enforcing the tax laws of the United States.
2. On federal individual income tax returns, IRS Forms 1040, a taxpayer was required to provide his or her Social Security Number (“SSN”). The IRS uses SSNs provided on tax returns to track and record for each particular tax year who has filed an income tax return and who has claimed or received a tax refund.
3. The tax laws of the United States required every citizen and resident of the United States who received gross income in excess of the minimum filing amount established by law for a particular tax year to annually make a federal individual income tax return for that tax year, and to file such a tax return with the IRS.

4. Upon receipt of a filed tax return showing that a refund is due to a particular taxpayer, as identified by his or her SSN, the IRS typically issued a refund check to the taxpayer payable by the United States Treasury.

5. As one method of payment, the IRS directly deposited a refund check to a bank account listed on the tax return filed with the IRS. If direct deposit of a refund check could not be made successfully to a bank account listed on the tax return filed with the IRS, the IRS might have mailed a refund check to an address listed on the tax return.

6. TurboTax® was a computer software package which helped users prepare federal or state income tax forms using a step-by-step process. TurboTax® users could either file their income tax returns online, or print out their tax returns and file them via U.S. mail.

7. The Earned Income Tax Credit (EITC) was a refundable credit that was available to certain low-income individuals who earned income and met adjusted gross income limitations.

8. The Economic Stimulus Act of 2008 provided for several kinds of economic stimuli intended to boost the United States economy in 2008, including tax rebates to low- and middle-income U.S. taxpayers, to be paid to individual U.S. taxpayers during 2008. As a result of this Act, most taxpayers who filed federal tax returns in 2008 and had income below a certain limit received a rebate of at least \$300 per person (\$600 for married couples filing jointly), and, if eligible, an additional \$300 per dependent child under the age of 17.

THE CONSPIRACY

9. From on or about January 12, 2008 to on or about and March 11, 2010, in the Eastern District of Pennsylvania, defendants

**JOSE TIRADO and
VICTOR TIRADO**

conspired and agreed, together and with others known and unknown to the grand jury, to defraud the United States and the IRS, an agency of the United States, by obtaining and aiding others to obtain undeserved federal income tax refunds by presenting and causing to be presented false, fictitious and fraudulent claims, that is tax returns, to the IRS.

MANNER AND MEANS

It was part of the conspiracy that:

10. Defendants JOSE TIRADO and VICTOR TIRADO and other individuals known and unknown to the grand jury recruited individuals to provide to them or otherwise obtained from individuals their names, dates of birth, and SSNs, and in some cases, the names, dates of birth, and SSNs of the individuals' or others' children.

11. Defendant JOSE TIRADO prepared and caused to be prepared federal individual income tax returns that falsely and fraudulently inflated earned income amounts in order to obtain tax refunds that included Earned Income Tax Credits. In some cases, defendant JOSE TIRADO also listed false dependent(s) on those individual income tax returns.

12. Defendant JOSE TIRADO then filed the false income tax returns with the IRS in electronic form using the TurboTax® computer software program.

13. Defendant JOSE TIRADO directed the IRS to deposit refunds generated from the false income tax returns to either of two Bank of America Bank Accounts, which ended in account numbers x6404 and x6412 and which were registered to defendant JOSE TIRADO at his residence. Frequently, defendant JOSE TIRADO also used street addresses that were known

and accessible to him, including addresses of buildings owned by him, when preparing the false tax returns.

14. Thereafter, defendant JOSE TIRADO and other individuals known and unknown to the grand jury received tax refunds issued by the IRS that were generated because of the false tax returns that defendant JOSE TIRADO submitted to the IRS.

OVERT ACTS

In furtherance of the conspiracy, the defendants, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

Between on or about January 12, 2008 to on or about and March 11, 2010, defendants JOSE TIRADO and VICTOR TIRADO and other individuals known and unknown to the grand jury prepared and caused to be prepared, filed and caused to be filed, and aided and abetted the preparing and filing of, federal income tax returns, in the names of the individuals listed by person number below, for income tax refunds for the amounts listed below, received by the IRS on the dates listed below, for the taxable year listed below, with knowledge that such claims were false, fictitious or fraudulent:

Overt Act	Person Number	Refund Amount Claimed	Date Received by the IRS	Taxable Year
1	1	\$4,974.00	January 12, 2008	2007
2	1	\$5,683.00	January 19, 2009	2008
3	1	\$6,287.00	January 25, 2010	2009
4	2	\$4,974.00	January 12, 2008	2007
5	2	\$5,683.00	January 19, 2009	2008
6	3	\$3,111.00	January 12, 2008	2007
7	3	\$3,762.00	January 20, 2009	2008
8	4	\$4,974.00	January 14, 2008	2007
9	4	\$5,767.00	January 27, 2009	2008

10	4	\$6,287.00	February 2, 2010	2009
11	5	\$4,974.00	January 15, 2008	2007
12	5	\$5,767.00	January 19, 2009	2008
13	5	\$7,287.00	January 25, 2010	2009
14	6	\$3,253.00	January 15, 2008	2007
15	7	\$5,314.00	January 15, 2008	2007
16	8	\$4,549.00	January 15, 2008	2007
17	8	\$4,365.00	January 19, 2009	2008
18	8	\$4,302.00	January 27, 2010	2009
19	9	\$3,111.00	January 16, 2008	2007
20	9	\$3,607.00	January 19, 2009	2008
21	9	\$4,302.00	January 25, 2010	2009
22	10	\$4,974.00	January 16, 2008	2007
23	10	\$5,737.00	February 25, 2009	2008
24	11	\$4,974.00	January 18, 2008	2007
25	12	\$5,262.00	January 28, 2008	2007
26	13	\$3,258.00	January 29, 2008	2007
27	13	\$3,607.00	January 27, 2009	2008
28	13	\$4,302.00	February 2, 2010	2009
29	14	\$5,288.00	January 29, 2008	2007
30	14	\$7,287.00	January 25, 2010	2009
31	15	\$5,377.00	January 30, 2008	2007
32	16	\$3,114.00	January 30, 2008	2007
33	16	\$3,762.00	January 29, 2009	2008
34	17	\$5,554.00	February 1, 2008	2007
35	17	\$5,988.00	February 24, 2009	2008
36	17	\$7,485.00	February 8, 2010	2009
37	18	\$3,114.00	February 1, 2008	2007
38	18	\$4,362.00	February 18, 2009	2008
39	19	\$4,903.00	February 2, 2008	2007
40	19	\$5,660.00	January 24, 2009	2008
41	19	\$6,287.00	January 29, 2010	2009
42	20	\$3,444.00	February 2, 2008	2007
43	20	\$6,293.00	January 31, 2009	2008
44	20	\$7,287.00	January 25, 2010	2009
45	21	\$5,586.00	February 8, 2008	2007
46	22	\$5,120.00	February 8, 2008	2007
47	22	\$5,683.00	January 20, 2009	2008
48	22	\$6,428.00	February 11, 2010	2009
49	23	\$4,977.00	February 14, 2008	2007
50	24	\$5,295.00	February 20, 2008	2007
51	25	\$3,396.00	February 27, 2008	2007
52	26	\$2,712.00	February 27, 2008	2007

53	26	\$5,983.00	January 27, 2009	2008
54	26	\$6,287.00	February 2, 2010	2009
55	27	\$3,258.00	February 27, 2008	2007
56	27	\$3,597.00	January 27, 2009	2008
57	27	\$4,302.00	February 2, 2010	2009
58	28	\$3,258.00	February 27, 2008	2007
59	29	\$2,712.00	February 28, 2008	2007
60	29	\$3,372.00	March 11, 2010	2009
61	30	\$3,605.00	March 6, 2008	2007
62	31	\$3,258.00	March 6, 2008	2007
63	32	\$3,258.00	March 11, 2008	2007
64	33	\$3,258.00	March 12, 2008	2007
65	34	\$3,258.00	March 12, 2008	2007
66	34	\$6,039.00	February 2, 2009	2008
67	34	\$6,287.00	February 2, 2010	2009
68	35	\$3,114.00	May 6, 2008	2007
69	36	\$2,712.00	May 6, 2008	2007
70	36	\$5,983.00	January 19, 2009	2008
71	36	\$6,037.00	January 21, 2010	2009
72	37	\$5,120.00	May 7, 2008	2007
73	38	\$4,279.00	January 22, 2009	2008
74	38	\$4,443.00	February 24, 2010	2009
75	39	\$6,667.00	January 24, 2009	2008
76	40	\$5,183.00	January 27, 2009	2008
77	40	\$6,607.00	January 23, 2010	2009
78	41	\$4,207.00	January 28, 2009	2008
79	42	\$5,938.00	January 28, 2009	2008
80	42	\$7,648.00	February 11, 2010	2009
81	43	\$3,515.00	January 28, 2009	2008
82	43	\$8,390.00	February 5, 2010	2009
83	44	\$5,298.00	January 28, 2009	2008
84	44	\$5,991.00	January 22, 2010	2009
85	45	\$3,762.00	January 31, 2009	2008
86	45	\$4,302.00	January 25, 2010	2009
87	46	\$6,135.00	February 24, 2009	2008
88	47	\$4,207.00	April 21, 2009	2008
89	48	\$7,287.00	January 23, 2010	2009
90	49	\$7,287.00	January 25, 2010	2009
91	50	\$7,287.00	January 27, 2010	2009
92	51	\$4,560.00	January 29, 2010	2009
93	52	\$7,287.00	February 2, 2010	2009
94	53	\$7,428.00	February 2, 2010	2009
95	54	\$7,287.00	February 4, 2010	2009
96	55	\$4,443.00	February 10, 2010	2009

97	56	\$4,302.00	February 24, 2010	2009
98	57	\$4,571.00	February 26, 2010	2009
99	58	\$7,428.00	February 27, 2010	2009
100	59	\$4,344.00	March 7, 2010	2009
101	60	\$4,344.00	March 8, 2010	2009

All in violation of Title 18, United States Code, Section 286.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 4 of Count One are re-alleged here.
2. On or about January 12, 2008, in the Eastern District of Pennsylvania,

defendants

**JOSE TIRADO and
VICTOR TIRADO**

prepared and caused to be prepared with, filed and caused to be filed with, and aided and abetted the preparing and filing with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendants JOSE TIRADO and VICTOR TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared, filing and causing to be filed, and aiding and abetting the preparing and filing of what purported to be a federal income tax return of PERSON #2, wherein a claim for an income tax refund for \$4,974, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Sections 287 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 11 of Count One are re-alleged here.
2. On or about January 15, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #5, wherein a claim for an income tax refund for \$4,974, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 31 of Count One are re-alleged here.
2. On or about January 30, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #15, wherein a claim for an income tax refund for \$5,377, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 45 of Count One are re-alleged here.
2. On or about February 8, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #21, wherein a claim for an income tax refund for \$5,586, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 51 of Count One are re-alleged here.
2. On or about February 27, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #25, wherein a claim for an income tax refund for \$3,396, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 59 of Count One are re-alleged here.
2. On or about February 28, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #29, wherein a claim for an income tax refund for \$2,712, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 61 of Count One are re-alleged here.
2. On or about March 6, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #30, wherein a claim for an income tax refund for \$3,605, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 68 of Count One are re-alleged here.
2. On or about May 6, 2008, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #35, wherein a claim for an income tax refund for \$3,114, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 5 of Count One are re-alleged here.
2. On or about January 19, 2009, in the Eastern District of Pennsylvania,

defendants

**JOSE TIRADO and
VICTOR TIRADO**

prepared and caused to be prepared with, filed and caused to be filed with, and aided and abetted the preparing and filing with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendants JOSE TIRADO and VICTOR TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared, filing and causing to be filed, and aiding and abetting the preparing and filing of what purported to be a federal income tax return of PERSON #2, wherein a claim for an income tax refund for \$5,683, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Sections 287 and 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 12 of Count One are re-alleged here.
2. On or about January 19, 2009, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #5, wherein a claim for an income tax refund for \$5,767, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 78 of Count One are re-alleged here.
2. On or about January 28, 2009, in the Eastern District of Pennsylvania, defendants

**JOSE TIRADO and
VICTOR TIRADO**

prepared and caused to be prepared with, filed and caused to be filed with, and aided and abetted the preparing and filing with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendants JOSE TIRADO and VICTOR TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared, filing and causing to be filed, and aiding and abetting the preparing and filing of what purported to be a federal income tax return of PERSON #41, wherein a claim for an income tax refund for \$4,207, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Sections 287 and 2.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 13 of Count One are re-alleged here.
2. On or about January 25, 2010, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #5, wherein a claim for an income tax refund for \$7,287, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 90 of Count One are re-alleged here.
2. On or about January 25, 2010, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #49, wherein a claim for an income tax refund for \$7,287, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and Overt Act 100 of Count One are re-alleged here.
2. On or about March 7, 2010, in the Eastern District of Pennsylvania, defendant

JOSE TIRADO

prepared and caused to be prepared with, filed and caused to be filed with, the Internal Revenue Service, an agency of the Department of the Treasury, a claim against the United States for payment, which defendant JOSE TIRADO knew to be false, fictitious or fraudulent, by preparing and causing to be prepared and filing and causing to be filed what purported to be a federal income tax return of PERSON #59, wherein a claim for an income tax refund for \$4,344, with knowledge that such a claim was false, fictitious or fraudulent.

All in violation of Title 18, United States Code, Section 287.

A TRUE BILL:

GRAND JURY FOREPERSON



**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**