

For Immediate Release
August 5, 2011

TIJERAS MAN PLEADS GUILTY TO FEDERAL TAX OFFENSE

ALBUQUERQUE – This morning in federal court in Albuquerque, **Robert A. Fout**, 60, of Tijeras, New Mexico, entered a guilty plea to a criminal information charging him with making a false statement in a tax return. The plea was entered under a plea agreement with the United States Attorney's Office requiring that Fout serve the maximum penalty allowed for filing a false tax return, a three year term of imprisonment to be followed by one year of supervised release. Fout also is required to pay restitution \$153,416 to the Internal Revenue Service (IRS), and \$33,999.84 to the State of New Mexico Taxation and Revenue Department. Fout has been on conditions of release under pretrial supervision since his arrest on March 19, 2010. He will continue to be on release conditions pending his sentencing hearing, which has yet to be scheduled.

According to the plea agreement, from 2005 to 2008, Fout worked as a general and electrical contractor in Albuquerque and other locations in New Mexico. During this time, Fout did not hold a general contractor's license or a business license, but instead operated under the licenses of other contractors. Fout's general and electrical contracting work generated significant receipts during the years 2005, 2006, 2007, and 2008, and Fout admitted that he willfully concealed from the IRS the receipts generated from the work he performed as a general and electrical contractor.

In entering his plea this morning, Fout admitted that, in calendar years 2005, 2006, 2007 and 2008, he filed false tax returns in which he failed to report taxable income in order to evade income taxes due to the IRS. More specifically, Fout admitted the following: (i) in 2005, he failed to report \$16,754 in taxable income to evade \$6,339 in taxes; (ii) in 2006, he failed to

report \$66,961 in taxable income to evade \$21,828 in taxes; (iii) in 2007, he failed to report \$32,604 in taxable income to evade \$10,683 in taxes; and (iv) in 2008, he failed to report \$322,195 in taxable income to evade \$114,566 in taxes.

The case was investigated by the United States Secret Service and the IRS, and is being prosecuted by Assistant United States Attorney George C. Kraehe and Department of Justice Trial Attorney Jed Silversmith.

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