

Department of Justice

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Western District of New York

FOR IMMEDIATE RELEASE
AUGUST 17, 2012
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FORMER PIZZERIA OWNER SENTENCED FOR FILING FALSE TAX RETURNS

ROCHESTER, N.Y.-- U.S. Attorney William J. Hochul, Jr. announced today that Daniel Constantino, 45, of Churchville, N.Y., who was convicted of filing false tax returns with the Internal Revenue Service, was sentenced to three years of probation and ordered to pay restitution in excess of \$29,000 by U.S. District Judge Charles J. Siragusa.

Assistant U.S. Attorney Marisa J. Miller, who handled the case, stated that the defendant was the owner of Constantino's Pizza. Between 2007 and 2009, the defendant under-reported the sales and income of Constantino's on the federal Corporate Tax Returns filed with the IRS. At the same time, the defendant paid employees in a combination of paychecks and cash, thus under-reporting the wage and withholdings in the business' payroll federal tax returns filed with the IRS. As a result, the defendant and his company underpaid the IRS the sum of \$29,578.24

The sentencing is the culmination of an investigation on the part of Special Agents of the Internal Revenue Service - Criminal Investigations, under the direction of Special Agent in Charge Toni Weirauch.

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