

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
) No.
)
) Violations: Title 18, United States
SHANTELL WINTERS) Code, Sections 1343; 287; and 1028(a)(7)

COUNTS ONE - TWELVE

The SPECIAL FEBRUARY 2014 GRAND JURY charges:

1. At times material to this indictment:

(a) The Internal Revenue Service (“IRS”) was an agency of the United States Department of Treasury. Taxpayers who were entitled to a refund of federal individual income taxes could claim that refund either by signing and filing in person a U.S. Individual Form 1040, 1040A, 1040EZ (collectively referred to hereinafter as “Form 1040”), by mailing a Form 1040, or submitting a Form 1040 and supporting information electronically.

(b) The information that the Form 1040 required the taxpayer to provide included, but was not limited to, the taxpayer’s name and address, social security number, filing status, number and personal identifying information of dependents, sources and amounts of total income for the tax year, the amount of federal income tax withheld during the tax year, any credits for which the taxpayer was eligible, and the amount of tax due or refund claimed. The taxpayer was required to provide information contained in the Form W-2 for any wages or salary claimed. Depending on the circumstances and submissions of the particular taxpayer, various other schedules and forms also were required to be attached to or otherwise submitted with the Form 1040.

(c) Information contained in the Form 1040, including, but not limited to, the attached forms and schedules, was considered by the IRS in determining whether the taxpayer had correctly and accurately calculated any tax due and owing and any claimed under the internal revenue law. After receiving the Form 1040, the IRS issued a refund to the taxpayer if there were no outstanding tax liabilities or other federally authorized deductions on record with the IRS.

(d) The Earned Income Credit was a tax credit available to certain taxpayers who worked and earned below a threshold level of income. The credit reduced the amount of income tax owed by an individual taxpayer, and was intended to offset increases in living expenses and social security taxes. Taxpayers who qualified could claim the Earned Income Credit by completing a Schedule EIC, which was required to be attached to the Form 1040.

(e) A taxpayer's total income included any gain or loss from a business. Taxpayers were required to report any such gain or loss from a business on their Form 1040 and to attach a Schedule C that listed, among other things, the business's gross receipts and expenses.

(e) An Education Credit was a tax credit available to taxpayers who paid qualified educational expenses for themselves or their dependents. The credit reduced the amount of income tax owed by an individual taxpayer in order to offset the costs of higher education. Taxpayers who qualified for the credit could claim the credit by completing Form 8863, which was required to be attached to the Form 1040.

(f) Various entities offered financial services to customers in the form of a stored value account, which functioned similarly to a bank account. Customers who chose this service would deposit funds or cause funds to be deposited to a stored value account. By way of a stored value card associated with the account, customers could then, up to the amount on deposit in the account, use the stored value card to purchase goods and services or obtain cash by way of an

automated teller machine (ATM). Customers could deposit additional funds to the account and make inquiries of the provider concerning issues with the account.

(g) A taxpayer filing electronically and expecting a refund from the IRS could designate a particular financial account to which the anticipated refund would be directly deposited, including a stored value account.

2. Beginning not later than late 2009 or early 2010, and continuing until not earlier than in or about mid-2012, in the Northern District of Illinois, Eastern Division, and elsewhere,

SHANTELL WINTERS,

defendant herein, along with others known and unknown to the Grand Jury, knowingly devised, intended to devise, and participated in a scheme to defraud and to obtain money and property from the United States Treasury Department by means of materially false and fraudulent pretenses, representations, and promises, which scheme is further described below.

3. It was part of the scheme that defendant WINTERS obtained means of identification of individuals both with and without their knowledge, including names and social security numbers. Defendant WINTERS obtained these means of identification with the intent to and in order to file false and fraudulent individual income tax returns with the IRS in the names of those individuals. Defendant WINTERS was aided by others, including individual A, to obtain the personal information of certain persons who were willing to allow the use of their names and social security numbers so that defendant WINTERS would file tax returns in their names claiming refunds. Defendant WINTERS also obtained the personal information of other persons who had not allowed the use of their names and social security numbers, including certain residents of a nursing home facility, which defendant WINTERS nonetheless used to file tax returns in their names in order to claim refunds.

4. It was further a part of the scheme that defendant WINTERS prepared and electronically filed, and caused to be prepared and electronically filed, with the IRS numerous false and fraudulent individual federal income tax returns (Forms 1040) for tax years that included tax years 2009, 2010, and 2011. The false and fraudulent returns were made out in the names of actual persons, whose identities WINTERS had acquired. These returns claimed false amounts related to items of income, deductions and credits, including, but not limited to, wages, federal tax withholdings, fictitious Schedule C business income and losses, and Earned Income and Education credits. As a result of the inclusion of the fictitious income, credits, and deductions, these returns showed tax refunds owing to the taxpayers at the time of the filing of the returns.

5. It was further a part of the scheme that in order to make the false and fraudulent returns appear legitimate, SHANTELL WINTERS obtained the electronic identification numbers (EINs) of real businesses. Using these EINs, SHANTELL WINTERS created and caused to be created fake and fraudulent Forms W-2 that purportedly had been issued by those businesses.

6. It was further a part of the scheme that defendant WINTERS electronically transmitted the false and fraudulent returns via interstate wire from the Northern District of Illinois to IRS Service Centers in Kansas City, Missouri, and elsewhere outside the state of Illinois.

7. It was further a part of the scheme that defendant WINTERS fraudulently caused the United States Department of Treasury, IRS, to issue refunds for the false and fraudulent returns. WINTERS caused these refunds to be deposited electronically into stored value accounts she controlled directly and indirectly.

8. It was further a part of the scheme that defendant WINTERS concealed, misrepresented, and hid, and caused to be concealed, misrepresented, and hidden, the existence and purpose of the false and fraudulent returns.

On or about the dates set forth below, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

SHANTELL WINTERS,

defendant herein, for the purpose of executing the scheme described above, did knowingly cause to be transmitted by means of wire communication in interstate commerce certain signs and signals, namely, a United States Individual Income Tax Return as set forth below, each such transmission constituting a separate count of this indictment,

Count	Tax Year	Taxpayer	Date filed
1	2010	C. J.	07/27/11
2	2011	C. J.	05/12/12
3	2012	C. J.	02/10/13
4	2010	D. R.	01/17/11
5	2011	D. R.	02/26/12
6	2010	D. W.	08/30/11
7	2011	D. W.	04/13/12
8	2010	B. Q.	06/07/12
9	2011	B. Q.	04/21/12
10	2011	S. J.	04/06/12
11	2011	K. N.	04/06/12
12	2011	D.T.	07/10/12

In violation of Title 18, United States Code, Section 1343.

COUNT THIRTEEN

The SPECIAL February 2014 GRAND JURY further charges:

On or about March 25, 2014, in the Northern District of Illinois, Eastern Division, and elsewhere,

SHANTELL WINTERS,

defendant herein, did make and present and cause to be made and presented to the Internal Revenue Service, an agency of the United States, a claim upon the United States, namely a claim for a federal income tax refund of approximately \$7,591 for tax year 2013 in the name of SHANTELL G. WINTERS, then knowing that such claim was false, fictitious and fraudulent; in that:

a) On line 24 of Form 8863, attached to Form 1040, defendant was enrolled at least half-time for at least one academic period that began in 2013 at an eligible educational institution;

(b) On line 27 of Form 8863, attached to Form 1040, line, defendant incurred \$4,000.00 in qualified educational expenses;

(c) On Form 1040, line 66, and line 8 of Form 8863, attached to Form 1040, line, defendant was entitled to a refundable American opportunity credit of \$1,000.

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

COUNT FOURTEEN

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One of this indictment are incorporated here.
2. On or about April 6, 2012, in the Northern District of Illinois, Eastern Division,

SHANTELL WINTERS,

defendant herein, knowingly possessed and used, without lawful authority, a means of identification of another person, namely, the social security number and name of an individual, S.J, with the intent to commit, aid and abet, and in connection with, unlawful activity that constitutes a violation of federal law, namely, Title 18, United States Code, Section 1343 (which prohibits causing the use of interstate wire and radio communications for the purpose of executing a scheme or artifice to defraud);

In violation of Title 18, United States Code, Sections 1028(a)(7).

COUNT FIFTEEN

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One of this indictment are incorporated here.
2. On or about April 6, 2012, in the Northern District of Illinois, Eastern Division,

SHANTELL WINTERS,

defendant herein, knowingly possessed and used, without lawful authority, a means of identification of another person, namely, the social security number and name of an individual, K.N., with the intent to commit, aid and abet, and in connection with, unlawful activity that constitutes a violation of federal law, namely, Title 18, United States Code, Section 1343 (which prohibits causing the use of interstate wire and radio communications for the purpose of executing a scheme or artifice to defraud);

In violation of Title 18, United States Code, Sections 1028(a)(7).

COUNT SIXTEEN

The SPECIAL FEBRUARY 2014 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One of this indictment are incorporated here.
2. On or about July 10, 2012, in the Northern District of Illinois, Eastern Division,

SHANTELL WINTERS,

defendant herein, knowingly possessed and used, without lawful authority, a means of identification of another person, namely, the social security number and name of an individual, D.T., with the intent to commit, aid and abet, and in connection with, unlawful activity that constitutes a violation of federal law, namely, Title 18, United States Code, Section 1343 (which prohibits causing the use of interstate wire and radio communications for the purpose of executing a scheme or artifice to defraud);

In violation of Title 18, United States Code, Sections 1028(a)(7).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY