

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.:2015ML002135

Plaintiff,

vs.

Complaining Witness:

Special Agent Vern Barnes

Staten, Sharon L.
5537 N. 39th Street
Milwaukee, WI 53209
DOB: 07/04/1977

Court Case No.:

Cross, James I.
Racine Correctional Institution
2019 Wisconsin Street
Sturtevant, WI 53177
DOB: 03/05/1984

Court Case No.:

Defendants,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: CONSPIRACY TO COMMIT UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS, REPEATER (As to defendants Sharon L. Staten and James I. Cross)

The above-named defendants during January 1, 2010 to December 31, 2012, at 5344 N. 38th Street, in the City of Milwaukee, and other locations within Milwaukee County, Wisconsin, with intent that a crime be committed, did combine with another for the purpose of committing a crime, to wit:

Unauthorized Use of an Entity's Identifying Information, whereby one of the conspirators intentionally uses the identifying information of an entity, without the authorization or consent of the entity and by representing that he or she is acting with the authorization or consent of the entity, to obtain money,

and furthermore, one or more of the conspirators did an act to effect the conspiracy's object, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.31, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendants may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendants are repeaters, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 2: CONSPIRACY TO COMMIT FRAUDULENT CLAIM/INCOME TAX CREDIT, REPEATER (As to defendants Sharon L. Staten and James I. Cross)

The above-named defendants during January 1, 2010 to December 31, 2012, at 5344 N. 38th Street, in the City of Milwaukee, and other locations within Milwaukee County, Wisconsin, with intent that a crime be committed, did combine with another for the purpose of committing a crime, to wit:

Filing a Fraudulent Claim for Credit, whereby one of the conspirators, with intent to defraud, files a claim for a Homestead Credit that is false,

and furthermore, one or more of the conspirators did an act to effect the conspiracy's object, contrary to sections 71.83(2)(b)(4), 939.50(3)(h), 939.31, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendants may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendants are repeaters, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 3: THEFT BY FRAUD (VALUE EXCEEDING \$10,000) - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendants Sharon L. Staten and James I. Cross)

The above-named defendants during January 1, 2010 to December 31, 2012, at 777 E. Wisconsin Avenue, in the City of Milwaukee, and other locations within Milwaukee County, Wisconsin, as party to a crime, did obtain title to property of another person, exceeding \$10,000 in value, by intentionally deceiving that person with a false representation, which the defendant knew to be false and which the defendant made with intent to defraud, and which did defraud the person to whom it was made, contrary to sections 943.20(1)(d) & (3)(c), 939.50(3)(g), 939.05, 971.36(3), and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class G Felony, the defendants may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendants are repeaters, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 4: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about February 28, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 5: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about March 1, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 6: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about March 4, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 7: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME (As to defendant Sharon L. Staten)

The above-named defendant, on or about June 20, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), and 939.05, Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 8: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about January 27, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 9: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME (As to defendant Sharon L. Staten)

The above-named defendant, on or about June 30, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), and 939.05, Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 10: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about January 27, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 11: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about January 27, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 12: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME (As to defendant Sharon L. Staten)

The above-named defendant, on or about September 9, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), and 939.05, Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 13: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant James I. Cross)

The above-named defendant, on or about January 19, 2012, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 14: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant James I. Cross)

The above-named defendant, on or about January 20, 2012, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 15: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant James I. Cross)

The above-named defendant, on or about January 19, 2012, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 16: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant James I. Cross)

The above-named defendant, on or about January 19, 2012, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 17: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant James I. Cross)

The above-named defendant, on or about February 9, 2012, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 18: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant James I. Cross)

The above-named defendant, on or about February 20, 2012, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity, without the authorization or consent of the entity, and by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 19: FRAUDULENT CLAIM/INCOME TAX CREDIT - PTAC, AS A PARTY TO A CRIME
(As to defendant Sharon L. Staten)

The above-named defendant, on or about June 9, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did with intent to defraud, file a claim for a Homestead Credit that was false, contrary to sections 71.83(2)(b)(4), 939.50(3)(h), and 939.05, Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 20: FRAUDULENT CLAIM/INCOME TAX CREDIT - PTAC, AS A PARTY TO A CRIME
(As to defendant Sharon L. Staten)

The above-named defendant, on or about June 9, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did, with intent to defraud, file a claim for a Homestead Credit that was false, contrary to sections 71.83(2)(b)(4), 939.50(3)(h), and 939.05, Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 21: FRAUDULENT CLAIM/INCOME TAX CREDIT - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about May 6, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did, with intent to defraud, file a claim for a Homestead Credit that was false, contrary to sections 71.83(2)(b)(4), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 22: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME, REPEATER (As to defendant Sharon L. Staten)

The above-named defendant, on or about February 22, 2011, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity without the authorization or consent of the entity and by

representing that she was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), 939.05, and 939.62(1)(b), Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of at least three misdemeanors during the five year period immediately preceding the commission of this offense, which remain of record and unreversed, the maximum term of imprisonment for this offense may be increased by not more than two years, if the prior convictions were misdemeanors.

Count 23: UNAUTHORIZED USE OF AN ENTITY'S IDENTIFYING INFORMATION OR DOCUMENTS - PTAC, AS A PARTY TO A CRIME (As to defendant James I. Cross)

The above-named defendant, on or about February 3, 2010, at or near 5344 N. 38th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as party to a crime, did intentionally use the identifying information of an entity without the authorization or consent of the entity and by representing that he was acting with the authorization or consent of the entity, to obtain money, contrary to sections 943.203(2)(a), 939.50(3)(h), and 939.05, Wis. Stats.

Upon conviction for this offense, a Class H Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

1. I have been employed with the Wisconsin Department of Revenue (WDOR) for thirty-one years. For the last twenty-six years, I have served as a special agent investigating tax crimes. I have conducted numerous criminal investigations of income tax, sales tax, corporate franchise tax, withholding tax, excise tax and homestead credit claims offenses. I am also a certified public accountant.

Overview

2. My official investigation determined that, from January 1, 2011 to December 31, 2012, defendant Sharon Staten and defendant James Cross engaged in a tax fraud conspiracy that defrauded the State of Wisconsin out of at least **\$234,390**. Defendant Staten and defendant Cross, together with defendant Staten's sisters Tawanda Staten and Angela Staten, and other co-conspirators, stole these monies by filing over two thousand fraudulent income tax returns and fraudulent homestead credit claims with WDOR. The fraudulent income tax returns submitted fictitious wage and tax statements (Form W-2), that misappropriated identifying information of unwitting employers, to obtain refund of purportedly withheld taxes. The fraudulent homestead credit claims submitted fictitious rent certificates to obtain payment.

COUNTS 1-3

3. The defendants filed the fraudulent tax returns using identities of both complicit persons and unwitting victims. In many instances, the defendants used Mississippi and Wisconsin prison inmates as the purported tax filers.

4. The defendants' tax fraud conspiracy also likely defrauded the United States Department of Treasury out of several hundred thousand dollars. Federal tax records, available to WDOR, show fraudulent federal income tax returns were concurrently filed with the fraudulent State of Wisconsin returns.

5. The defendants' filed the fraudulent income tax returns electronically through the internet. They filed the fraudulent homestead credit claims on paper forms via the U.S. mail.

6. On May 31, 2012, law enforcement agents executed a search warrant at the defendants' residence at 5344 N. 38th Street, Milwaukee, WI.

a. Officers found fifty-eight prepaid debit cards issued in the names of persons who do not live at the home. Most of the cards were issued through the online tax filing service, TurboTax. Fraudulent income tax returns were filed requesting electronic payment to many of the cards.

b. Officers found a cache of note papers and notebooks hidden under the seat of a dining room chair. Most of these notes were in defendant Staten's handwriting. Forensic examination identified defendant Staten's fingerprints on one of the notebooks. The note papers and notebooks listed hundreds of personal identities with names, dates of birth, and social security numbers. WDOR records show that three hundred fraudulent income tax returns and fraudulent homestead credit claims were filed under these identities.

c. Officers found a Sony computer. Forensic analysis of the computer showed internet contacts with the tax filing service website, <http://turbotax.intuit.com>.

7. WDOR records show thirty-seven fraudulent income tax returns and nine fraudulent homestead credit claims, in other persons' names, were filed using the defendants' address of 5344 N. 38th Street.

8. WDOR records show thirteen fraudulent income tax returns, in other persons' names, were electronically filed using an internet protocol (IP) address linked to the defendants.

Search Warrant

9. On May 31, 2012, law enforcement officers including Phil Carini, U.S. Marshal's Service, Special Agent Gary Wachtl, WDOR, and Detectives Mitch Ward and Mark Wagner, Milwaukee Police Department, executed a search warrant on the duplex residence at 5344 N. 38th Street, Milwaukee, WI. The officers found the following evidence in the ground level unit.

10. Officers found mail, personal papers, invoices, bank records, and personal effects of defendant Staten and defendant Cross. The personal papers included a lease and rent receipts showing defendant Staten and defendant Cross lived in the home since September 2009.

11. In the master bedroom, officers found a plastic Walmart bag concealed inside a cardboard Huggies diaper box. The plastic bag contained the following items:

a. fifty-eight prepaid debit card, many embossed with the corporate name "Turbotax," in the names of persons not residing in the home;

b. approximately one hundred receipts and invoices with defendant Staten's name as the customer;

c. approximately twenty-five receipts and invoices with defendant Cross' name variously listed as "Jay Cross" and "James Cross."

12. Hidden in the underside of a dining room chair, officers found a large cache of note papers and notebooks.

a. The cache included a large spiral notebook and a small spiral notebook. Both notebooks contained lists of names with social security numbers, dates of birth, and notations for filing online income tax returns. The notations included "been filed," "refund," "fed," "state," "IRS," "Turbotax," "received payment", bank routing numbers, prepaid debit card account numbers, and Turbotax account passwords.

b. The cache included loose notepapers similarly listing names, social security numbers, dates of birth, and tax filing related information.

c. The notebooks and note papers contained a total of three hundred personal identities.

d. The cache included papers listing the following nineteen employers with their Federal Employer Identification Numbers (FEIN): Seek Careers/Staffing Inc.; Uline Corporation; Spherion Staffing, Inc.; Walmart Associates, Inc.; Buy Seasons, Inc.; Honey Baked Ham; Wisconsin Hospitality Group; Community Financial Services Center; Ultra Mart Foods, LLC; US Bank; Independent Lifestyles, Inc.; Forever 21 Retail; Goodwill Talent Bridge; K-Mart Corporation; Human Resource Services, Inc.; PA Staffing Services; Tempsplus Temporary Services, Inc.; and Capitol Food.

e. The cache included several handwritten templates for creating wage and tax statements (Form W-2). The upper margin of one template bears the notation "*paycheckcity.com*". *Paycheckcity.com* is an internet website providing an online calculator that "helps your payroll department determine the correct Federal, and in some cases, state and local tax to be withheld from your paycheck." The template further lists columns of dollar amounts consistent with variant wage and tax statements (Form W-2).

13. Officers found a stack of defendant Cross' legitimate wage and tax statements (Forms W-2) from tax years 2007 and 2009. Those statements were from the following employers: Seek Careers/Staffing Inc.; Spherion Atlantic Enterprises, LLC; Custom Staffing Solutions, Inc.; Staffworks, Inc.; and SITE Staffing, Inc.

14. Officers found leases and a receipt book showing defendant Staten was the landlord for the rental home at 2317 W. Nash Street, Milwaukee, WI.

15. Officers found a Sony desktop computer in the dining room. Forensic analysis shows this computer was used to access various tax related websites including www.irs.gov, <http://turbotax.intuit.com>, and www.revenue.wi.gov.

Fraudulent returns and claims using cached notes

16. As recited in paragraphs 12(a)-(e) above, officers found wage and tax statement (Form W-2) templates, employer identifying information, and lists of personal identifying information in the defendants' home. The defendants combined this information to file fraudulent income tax returns and wage and tax statements (Form W-2). The following is one example.

a. Officers found, in the defendants' fraud notes, the following wage and tax statement (Form W-2) template (*figure 1*), Wisconsin Hospitality Group's corporate identifying information (*figure 2*), and Eugene Dedeaux's personal identifying information (*figure 3*).

Box 1 - 9,423.90
Box 3 - 9,423.90
Box 5 - 9,423.90
Box 2 - 750.59
Box 4 - 395.80
Box 6 - 136.65
State - 249.50

figure 1

WISCONSIN Hospitality Group
10820 W. Potter Rd. Suite 1A
Wauwatosa, WI 53226
FED - 294
State - 036
[redacted] 2013

figure 2

Eugene Joseph Dedeaux
12-08-
433-7
[redacted]
ID - phone 612
word - canopener 4
FED - 2096
State - 200
2013
[scribbles]
Read

figure 3

Social security number, date of birth, and employer identifying number are redacted from the above images.

b. WDOR records show that a fraudulent 2011 income tax return was filed on January 19, 2012 in the name of Eugene Dedeaux using the above information. The return included a bogus wage and tax statement (figure 4) purportedly from Wisconsin Hospitality Group reporting "Wages, tips, other compensation" (box 1) of \$9,424, "Social Security taxes withheld" (box 4) of \$396, "Medicare tax withheld" (box 6) of \$137, and "State income tax" of \$250. The wage and tax numbers match (rounded to the nearest dollar) the above template (figure 1).

22222		Void <input type="checkbox"/>	a Employee's social security number 4337		For Official Use Only OMB No. 1545-0008		
b Employer identification number (EIN) 39			f Wages, tips, other compensation 9424		2 Federal income tax withheld 1772		
c Employer's name, address, and city and state WISHOSPITALITY GROUP 10930 W POTTER RD SUITE A WAUWATOSA Wisconsin 53226			3 Social security wages 9424		4 Social security tax withheld 396		
			5 Medicare wages and tips 9424		6 Medicare tax withheld 137		
			7 Social security tips 0		6 Allocated tips 0		
d Control number			9		10 Dependent care benefits 0		
e Employee's first name and initial EUGENE DEDEAUX		Last name	Suff.	11 Nonqualified plans 0		12a See instructions for box 12 0	
3372A N 23RD STREET MILWAUKEE WI 53206			13 <input type="checkbox"/> Statutory employee <input type="checkbox"/> Retiree <input type="checkbox"/> Independent contractor		12b 0		
f Employee's address and ZIP code			14 Other 0		12c 0		
16 State Employee's state ID number Wisconsin 6003		16 State wages, tips, etc. 9424	17 State income tax 250	18 Local wages, tips, etc. 0	19 Local income tax 0	20 Locality name	
Blank		0	0	0	0		

Form **W-2** Wage and Tax Statement **2011**
Copy A For Social Security Administration — Send this entire page with Form W-3 to the Social Security Administration; photocopies are not acceptable.
Do Not Cut, Fold, or Staple Forms on This Page — Do Not Cut, Fold, or Staple Forms on This Page

Department of the Treasury—Internal Revenue Service
For Privacy Act and Paperwork Reduction Act Notice, see back of Copy D.
Cat. No. 10134D

figure 4

Social security number and employer identifying numbers are redacted from the above images

c. Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group, informed me that her company did not employ Eugene Dedeaux in 2011. Wisconsin Hospitality Group did not give anyone permission to use the company's identity to fabricate the above wage and tax statement.

17. WDOR records show, from January 1, 2011 through December 31, 2012, a total of three hundred income tax returns and fraudulent homestead credit claims were filed using tax filer identities from the defendants' fraud notes.

a. WDOR approved one hundred thirty-two of these fraudulent income tax returns and issued withholding tax refunds totaling \$33,870.

b. WDOR approved seventeen of these fraudulent homestead credit claims and issued check payments totaling \$16,826.

Fingerprint evidence

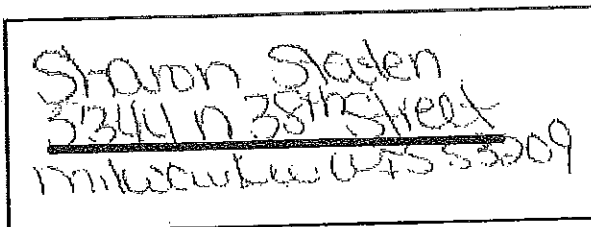
18. Forensic Analyst Adrianna Bast, Wisconsin State Crime Laboratory, is experienced and trained in the examination of fingerprint evidence. Ms. Bast forensically examined the large spiral notebook, containing fraud notes, that was seized from the defendants' home. Ms. Bast identified defendant Staten's latent fingerprints on multiple pages of the notebook.

19. Police also seized a small green spiral notebook from Tawanda Staten's home at 5766 N. 76th Street, Milwaukee, WI, during a search warrant execution on May 31, 2012. That notebook

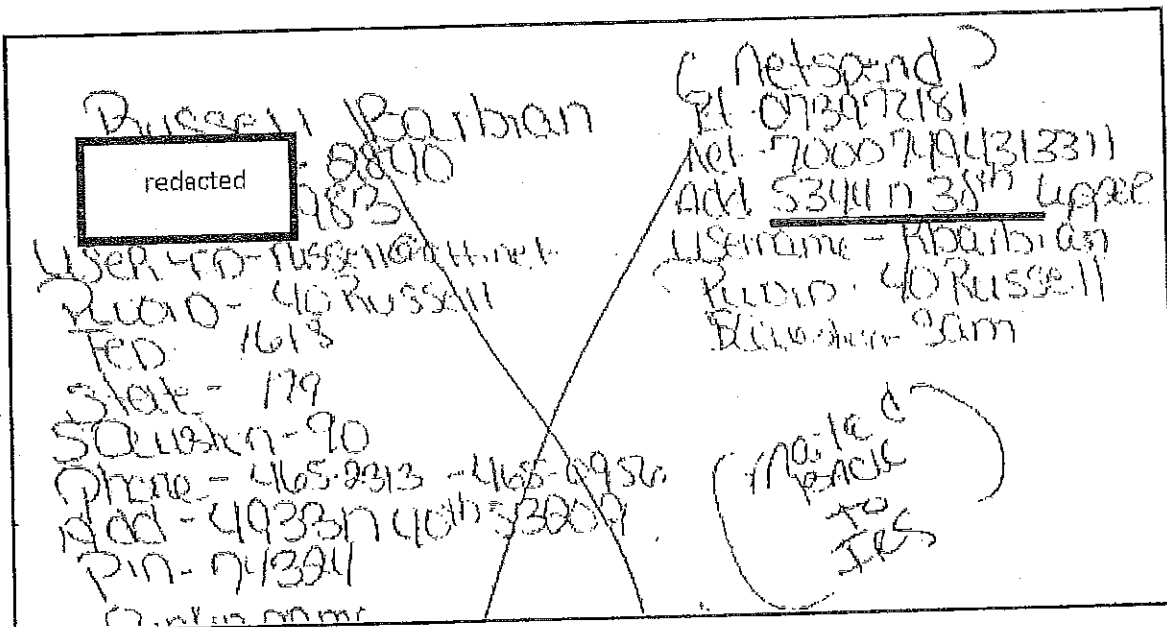
listed numerous names, social security numbers, and dates of birth, used as tax filer identities on fraudulent income tax returns. Analyst Bast identified multiple latent fingerprints of both Tawanda Staten and defendant Sharon Staten on the notebook.

Handwriting evidence

- 20. Defendant Staten wrote the majority of the tax fraud notes seized from the defendants' home.
- 21. Under section 909.015(3), Wis. Stats., a jury may determine authorship through its own lay comparison of handwriting.
 - a. Officers found known handwriting of defendant Staten in the defendants' home. That known handwriting includes a stamped, but unmailed envelope, bearing defendant Staten's handwritten return address. An image of that handwritten return address is shown below.



- b. The following images are copies of notes found the under the dining room chair in the defendants' home. The defendants filed fraudulent income tax returns using the tax filer information listed in each of these notes.



Erica Nelson (Upside)
[redacted] -1140
988
RF-073972181
ACT-2043490376004
Add-5244 N 38th Upper
USER ID-ericanelson@H

Phyllis Hall (Wa. ment) (01-17-2017)
Add-5344 N 35th Street 53207
465-235
Phone-551-0607
RF-194085024
ACT-91838701328597077

Leslie Curzon (Roady card)
[redacted] -3001
939
RF-073972181
ACT-252001266817
Add-5344 N 38th Upper
Phone-465-1125

Social security numbers and dates of birth are redacted from the above images.

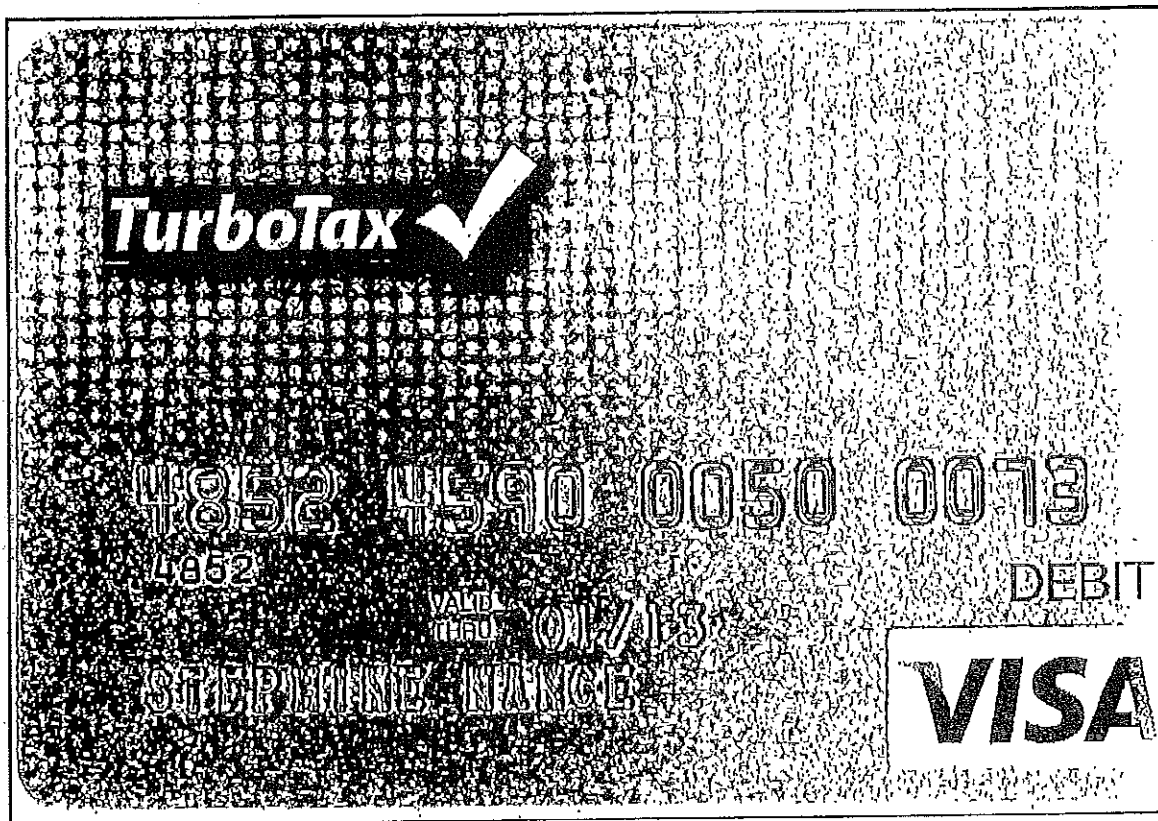
Fraudulent returns matching prepaid debit cards

22. As recited in paragraph 11(a) above, officers seized a total of fifty-eight prepaid debit cards, bearing other persons' names, from the defendants' home.

23. I reviewed bank records, obtained by subpoena from Green Dot Bank, Metabank, and The Bancorps Bank, for many of the seized prepaid debit cards. The records show the prepaid debit cards received fraudulent income tax refunds from WDOR.

24. The following is an example of WDOR wiring fraudulent income tax refunds to one of the Green Dot Bank prepaid debit cards found in the defendants' home.

a. Officers found the following prepaid debit card no. 4852-4590-0050-0073 in the name "Stephine Nance" in the defendants' master bedroom.



b. Green Dot Bank records show as follows. Account number 5082100121929177 was opened in the name of Stephine Nance on January 21, 2011. Prepaid debit card 4852-4590-0050-0073 was issued on this account and delivered to the defendants' address of 5344 N. 38th Street. WDOR wired payments to the account of \$212.00 on February 2, 2011 and \$180.00 on June 4, 2012.

c. WDOR records show a fraudulent 2010 income tax return was electronically filed in the name of Stephine Nance on January 27, 2011. The return claimed refund of purportedly withheld state income taxes of \$212. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid wages of \$7,136 to Ms. Nance and withheld states taxes of \$212 in 2010. WDOR approved the refund and wired this amount to the above Green Dot Bank account number 5082100121929177.

d. WDOR records show a fraudulent 2011 income tax return was electronically filed in the name of Stephine Nance on May 28, 2012. The return claimed refund of purportedly withheld state income taxes of \$180. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid wages of \$7,923 to Ms. Nance and withheld states taxes of \$180 in 2011. WDOR approved the refund and wired this amount to the above Green Dot Bank account number 5082100121929177.

e. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports that Wisconsin Hospitality Group did not employ Ms. Nance in 2010 or 2011.

24. The Bancorps Bank records provide another example of a prepaid debit cards, seized from the defendants' home, that matches a fraudulent income tax return filed with WDOR. Police

found prepaid debit card number 4034-4710-1771-4390 in the name of Leverage White in the defendants' home. The Bancorps Bank records show WDOR wired \$180 to this prepaid debit card on May 31, 2012. WDOR records show a fraudulent 2011 income tax return was filed on May 23, 2012 in the name of Leverage White, and, WDOR wired \$180 to this prepaid debit card account.

25. Green Dot Bank records circumstantially show defendant Cross was making automatic teller machine withdrawals from two of the seized prepaid debit cards. Transaction records show federal income tax refunds were deposited into prepaid debit card accounts in the names of Melvin Turner (\$1,716.10 on 2/1/12) and Stacy Williams (\$2,194.10 on 1/30/12). The bulk of these funds were withdrawn via automatic teller machines during February 2012. Defendant Staten was incarcerated during February 2012. Defendant Cross was free and living at 5344 N. 38th Street during this time frame. See paragraphs 44 and 64 below.

Forensic analysis of computer

26. As recited in paragraph 15 above, officers seized a Sony desktop computer from the defendants' home.

27. Special Agent Mark Howard, Wisconsin Division of Criminal Investigation (WDCI) is experienced and trained in forensic analysis of computers. Special Agent Howard examined the defendants' computer. He determined that, during May 28-31, 2012, the computer repeatedly accessed tax related websites including <http://turbotax.intuit.com>, www.irs.gov, and www.revenue.wi.gov. For example, the computer contained a cached image of a WDOR internet webpage showing an inquiry about a refund under social security number "*****6128". This social security number is not that of defendant Staten or defendant Cross.

Fraudulent returns and claims using 5344 N. 38th Street

28. WDOR records show that, for tax years 2010 and 2011, a total of thirty-seven fraudulent income tax returns, in other persons' names, were filed using defendants' home, 5344 N. 38th Street, Milwaukee, WI, as the purported tax filers' address.

29. WDOR records show that, for tax years 2010 and 2011, nine fraudulent homestead credit claims, in other persons' names, were electronically filed using defendants' home, 5344 N. 38th Street, Milwaukee, WI, as the purported claimants' address. WDOR approved six of these claims and mailed the check payments to 5344 N. 38th Street. The signature endorsement of "Tawanda Staten" appears on the checks payable to two of the purported claimants, Christopher Pouines and Kendrick DuBose. Tawanda Staten is sister to defendant Staten.

Fraudulent returns using 2317 W. Nash Street

30. Property records on file with the Milwaukee County Register of Deeds show defendant Staten has owned the residence at 2317 W. Nash Street, Milwaukee, WI since September 15, 2011.

31. During this same time period, WDOR records show five fraudulent income tax returns, in other persons' names, were electronically filed using 2317 W. Nash Street as the purported tax filers' home address.

Fraudulent returns using defendant Staten's internet protocol address

32. An internet protocol (IP) address is an unique number that identifies a customer accessing the internet. When WDOR electronically receives an income tax return via the internet, WDOR captures the internet protocol address of the computer submitting the income tax return.

33. I interviewed defendant Staten on February 25, 2013. During that interview, defendant Staten stated she filed a 2010 income tax return with WDOR.

34. WDOR records show defendant Staten electronically filed her 2010 income tax return on February 22, 2011. The IP address of the computer that defendant Staten used to submit her return was 24.209.166.190. The return listed her home address of 5344 N. 38th Street.

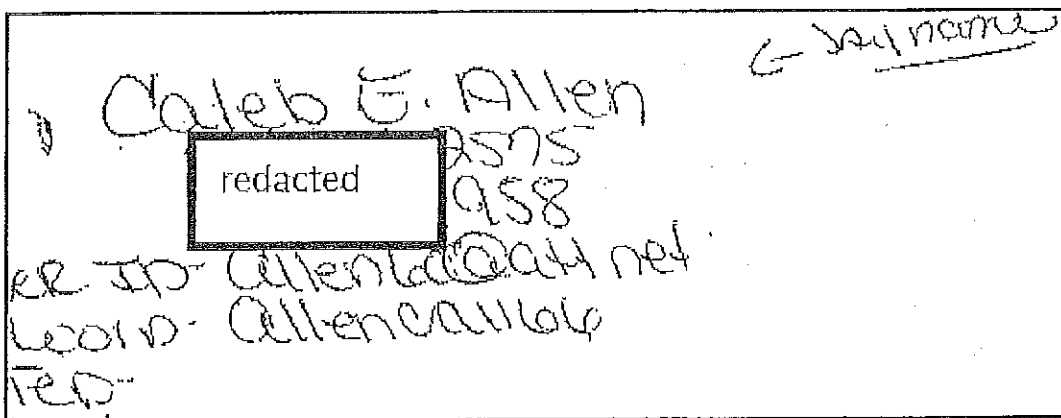
35. WDOR records show thirteen fraudulent income tax returns were filed from this same IP address of 24.209.166.190 during February 22 to March 24, 2011. All of the returns used employer identities from the fraud notes in the defendants' home. Eleven of the thirteen returns used tax filer names from the fraud notes found in the defendants' home.

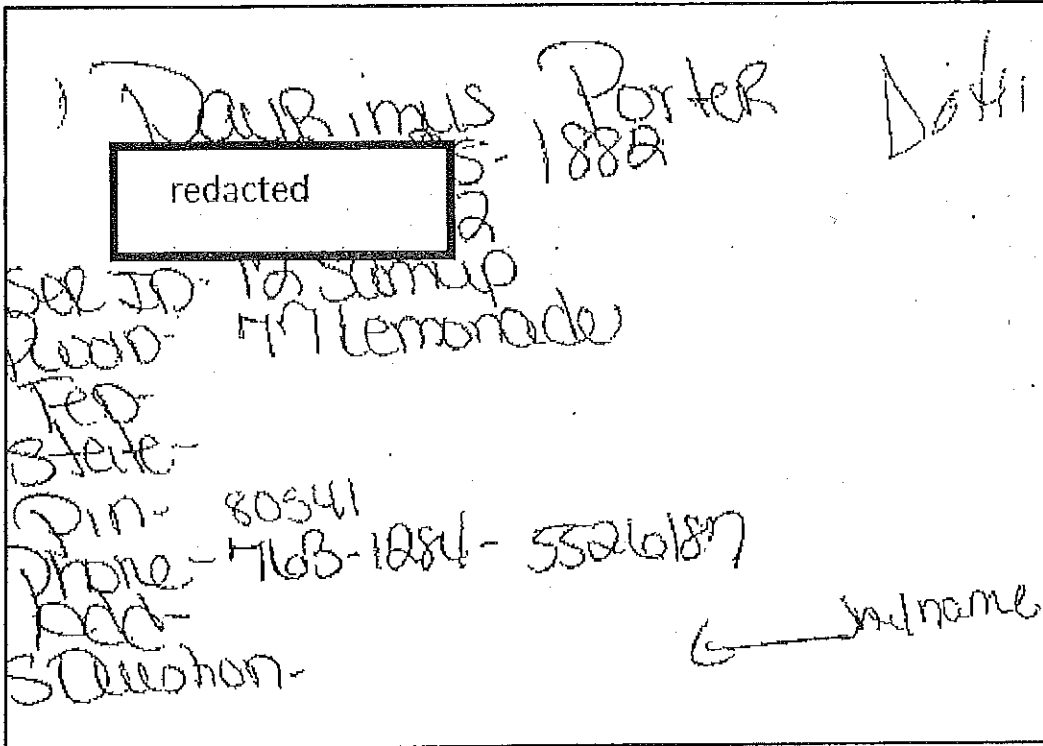
Fraudulent returns using information from defendant Cross

36. Defendant Cross was a source for both employer identifying information and tax filer information used in the defendants' fraud scheme.

37. Defendant Cross was a source of employer identifying information used on fraudulent income tax returns. As recited in paragraph 13 above, officers found a stack of defendant Cross' wage and tax statements (Form W-2) from tax years 2007 and 2009 in the defendants' home. A large portion of the three hundred fraudulent income tax returns used employer information from these forms.

38. Defendant Cross was a source of tax filer names used on fraudulent income tax returns. The note papers and notebooks, seized from the defendants' home, frequently indicated the source of the tax filer information. The notation "Jay name" repeatedly appears. The following images are two examples.





Social security numbers and dates of birth are redacted from the above images. WDOR records show fraudulent income tax returns were filed under both these identities.

39. I know "Jay" to be defendant Cross. During jail house telephone calls, defendant Staten called defendant Cross by the nickname, "Jay." See paragraph 46 below. Wisconsin Department of Correction records list defendant Cross' alias as "Jay Cross." Invoices and receipts found in the defendants' home identify defendant Cross as "Jay" and "Jay Cross."

40. "Wanda name" is listed in the seized note papers and notebooks as another source of tax filer identities. I believe "Wanda" is Tawanda Staten.

Fraudulent returns using Mississippi and Wisconsin prisoner identities

41. The defendants filed fraudulent income tax returns using the identities of Mississippi prison inmates. The following is one example.

a. WDOR records show, on June 20, 2011, a fraudulent 2010 income tax return was electronically filed in the name of Jeremy Faulkner claiming he earned \$8,894 from Temps Plus Temporary Service, Inc. in 2010.

b. Certified records from the Mississippi Department of Corrections show this same Jeremy Faulkner began serving a twenty year term of incarceration for sexual battery on May 24, 2005. The certified records include inmate Faulkner's social security number. This information allowed me to definitively match Mississippi prison inmate Jeremy Faulkner to Wisconsin tax filer Jeremy Faulkner.

c. Fraud notes seized from the defendants' home contain Jeremy Faulkner's name, date of birth, and social security number.

42. The defendants filed fraudulent income tax returns using the identities of Wisconsin prison inmates. The following is one example.

a. WDOR records show, on April 4, 2011, a fraudulent 2010 income tax return was electronically filed in the name of Dorian Harris claiming he earned \$7,189 from Buy Season, Inc. in 2010.

b. Wisconsin Department of Corrections show this same Dorian Harris was imprisoned from January 21, 2010 to April 13, 2011.

c. Fraud notes seized from the defendants' home contain Dorian Harris' name, date of birth, and social security number.

Statement of Lena Adams

43. On August 25, 2011, I interviewed adult citizen, Lena Adams. Ms. Adams stated as follows.

a. Ms. Adams is aunt to defendant Staten.

b. Defendant Staten, and her three sisters, Angela Staten, Tawanda Staten, and Shilda Staten, are jointly involved in a fraudulent income tax scheme

c. Tawanda Staten has a connection in Mississippi who provides prison inmate identities for the Statens' income tax fraud scheme.

d. Ms. Adams was inside the defendants' home on multiple occasions. She saw handwritten lists of personal identifying information including names, dates of birth, social security numbers, and passwords.

Jail calls

44. Milwaukee County Sheriff's Office records show defendant Staten served a sentence at the House of Correction from January 18 to May 18, 2012. She was incarcerated without release from January 18 to March 22, 2012, and thereafter had *Huber* release privileges.

45. All inmate telephone calls from the Milwaukee County House of Correction are recorded. Inv. Todd Armstrong, Milwaukee County District Attorney's Office, obtained recordings of defendant Staten's calls. During numerous calls, defendant Staten and defendant Cross discussed their tax fraud scheme. Two examples are transcribed below.

46. On January 21, 2012, defendant Staten called telephone number 414-388-9612 and spoke with defendant Cross (call no. 11, minute 5:23-6:35).

Staten: Jay.

Cross: Huh?

Staten: Check the mail box 'cause I got some, um, cards coming in, too, okay?

Cross: Yeah, I still... One came. One came. I forgot the name of it though. One had came yesterday.

Staten: Okay. About three of them...Okay just keep her with. It's on the page.

Cross: Uh, yeah.

Staten: And then...

Cross: Okay.

Staten: ...you got to change the address if it's on there too, right.

Cross: Yeah. I know. I'm gonna do that next week.

Staten: Naw...[unintelligible].

Cross: 'Cause you just did it this week...this week. So, I'm gonna give it 'til like...

Staten: [unintelligible].

Cross: Yes, you did just do it this week.

Staten: You look at the date...[unintelligible]

Cross: I did, Sharon. I'm awfully sure when you did it, baby. I checked in **inuit**. That's why I said I'm going to check the ones that you just did on the, uh, sixteenth.

Staten: Okay. **You don't want to talk about it like that on there.**

47. I believe the above term "**inuit**" refers to the TurboTax website, <http://turbotax.intuit.com>. I further believe that defendant Staten's above statement, "**You don't want to talk about it like that on there,**" is admonishing defendant Cross to stop speaking openly about their tax fraud activities on a monitored jail telephone line.

48. On February 27, 2012, defendant Staten called telephone number 414-512-2570 and spoke with defendant Cross (call no. 14, minute 6:08-9:29).

Cross: You got two more that had changed, too. You heard me?

Staten: Hmm hmm.

Cross: Yeah. **That's from the second bunch.**

Staten: Hmm.

Cross: Yup. The two that flipped over.

Staten: You got that thing I sent to it?

Cross: The...the...the who?

Staten: The what-ya-call-it to it.

Cross: No. That's... It... it... it going to that [unintelligible] around the corner. And ...so...ummm...shit. Motherfucker got the mailbox and shit so... Just got to look, check it don't come. I went and checked it today. Wasn't nothing else in there. 'Cause I'm going to check, uh, **Tone's shit** too 'cause he ain't there.

Staten: Hmm hmm

Cross: Yeah.

Staten: ...So that's the only... out of there.

Cross: That was just like those... I checked those. Those tripped over like... Not even on no... Know what I'm talking about? You know how they just...

Staten: Yeah

Cross: ...when they come in and they just... yeah. Yeah, yeah... Those just flipped over like that.

Staten: Yeah.

Cross: But the rest of them... [unintelligible]... I bet they going to go through, though.

Staten: Right.

Cross: Uh, I would think they going to go through. 'Cause the one say... [unintelligible]... 'Cause, um, when you check it and it say the date, and then, when you check it again and it say... before that date even come when it supposed to flip over... it say: "**Due to process today your refund date has changed.**" You know what I'm saying?

Staten: Yeah.

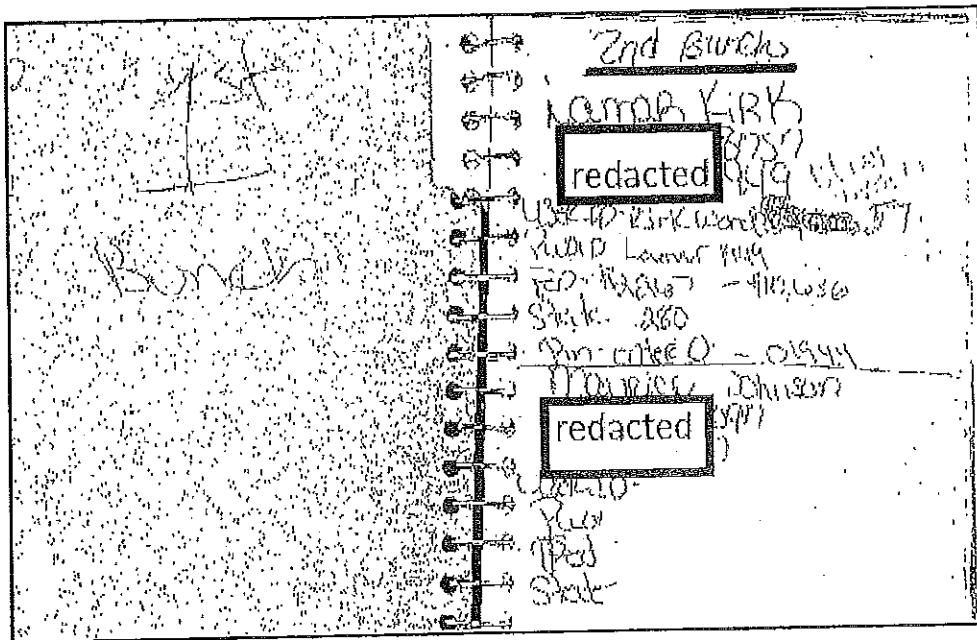
Cross: But it will still be the same date that it was, though.

Staten: Hmm hmm.

Cross: And a lot of things saying that... So, I'm thinking that the motherfuckers going to go through. I guess so.

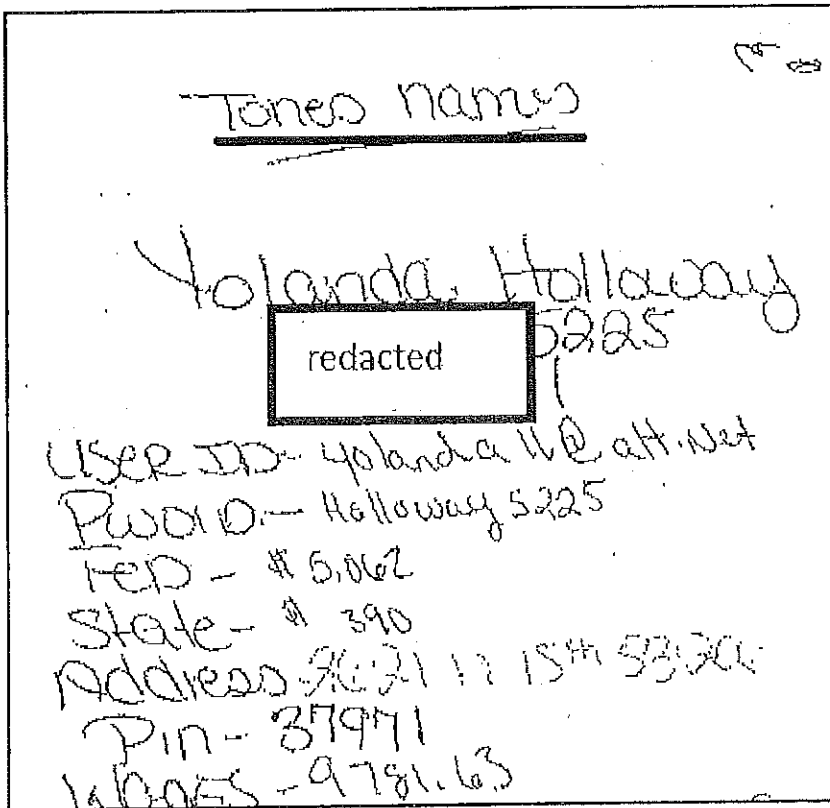
Staten: Just got to keep up with this shit.

49. Defendant Cross' statement above, "**That's from the second bunch,**" refers to a list of tax filer identities in the small notebook seized from the defendants' home. The below image is a copy of the first page of that notebook.



Social security numbers and dates of birth are redacted from the above image. WDOR records show numerous fraudulent income tax returns were filed in February 2012 using identities from this notebook.

50. Defendant Cross' statement above, "Tone's shit", refers to another list of tax filer identities in the defendants' fraud notes. The below image is a copy of tax filer identity notes from the defendants' home listed as "Tones name."



Social security number and date of birth is redacted from the above image. WDOR records show numerous fraudulent income tax returns were filed using tax filer identities listed as "Tone names."

51. Defendant James' above comment about receiving the message, "**Due to process today your refund date has changed...**", explicitly shows the entire conversation concerned the defendants' fraudulent income tax refund scheme.

Specific acts of income tax fraud

Defendant Staten

52. Milwaukee County Sheriff's Office records show defendant Cross was incarcerated in the Milwaukee County House of Correction and Milwaukee County Criminal Justice Facility throughout most of 2011. He was incarcerated from February 13 until March 4, 2011 when he was transferred to the custody of another jurisdiction. On April 15, 2011, defendant Cross was returned to the custody of the Milwaukee County Sheriff's Office and held until December 19, 2011. He had no access to the internet or ability to file online income tax returns during his incarceration.

53. During this same time frame, defendant Staten was living at 5344 N. 38th Street with full access to the computer and tax filer identity notes in the home. The fraudulent income tax returns, described in paragraphs 54-62 below, were all electronically filed during February 13-March 4, 2011 or April 15-December 19, 2011.

54. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Jason Wooten** on February 28, 2011.

a. WDOR records show that, on February 28, 2011, a 2010 income tax return was electronically filed in the name of Jason Wooten. The return claimed refund of purportedly withheld state income taxes of \$220. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid Mr. Wooten \$9,136 and withheld \$220 in state taxes in 2010. WDOR approved the refund and wired \$220 to a prepaid debit card account in Mr. Wooten's name.

b. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Mr. Wooten in 2010. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Mr. Wooten's name. **COUNT 4**

c. WDOR records further show that the computer used to submit Mr. Wooten's income tax return, on February 28, was assigned IP address 24.209.166.190. Defendant Staten used this same IP address to file her own personal income tax return on February 22, 2011.

d. Officers found handwritten notes in the defendants' home listing Mr. Wooten's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

55. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Candice Williamson** on March 1, 2011.

a. WDOR records show that, on March 1, 2011, a 2010 income tax return was electronically filed in the name and social security number of Ms. Williamson. The return claimed refund of purportedly withheld state income taxes of \$217. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid \$9,878 to Ms. Williamson and withheld \$217 in state taxes in 2010. WDOR approved the claimed refund and wired \$217 to a prepaid debit card account number in Ms. Williamson's name.

b. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Ms. Williamson in 2010. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Ms. Williamson's name. **COUNT 5**

c. WDOR records further show the computer used to submit Ms. Williamson's income tax return, on March 1, 2011, was assigned IP address 24.209.166.190. Defendant Staten used this same IP address to file her own personal income tax return on February 22, 2011.

d. Officers found notes in the defendants' home listing Ms. Williamson's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

e. WDOR records further show that a fraudulent 2009 income tax return was also filed under Ms. Williamson's name and social security number. That return purported that Ms. Williamson resided at "5344 N. 38th Street Apt Upper." Defendant Staten lives in the lower apartment of that same street address.

56. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Ida Graves** on March 4, 2011.

a. WDOR records show that, on March 4, 2011, a 2010 income tax return was electronically filed in the name and social security number of Ms. Graves. The return claimed refund of purportedly withheld state income taxes of \$319. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid \$10,123 to Ms. Graves and withheld states taxes of \$319 in 2010. WDOR approved the claimed refund and wired \$319 to prepaid debit card account number 50142324149 issued by Metabank in Ms. Graves' name.

b. Metabank records show account number 50142324149 matches prepaid debit card 4612-3501-2119-6373. Officers found this prepaid debit card 4612-3501-2119-6373 in the name of "Ida Graves" in the defendants' master bedroom.

c. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Ms. Graves in 2010. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Ms. Graves' name. **COUNT 6**

d. WDOR records further show the computer used to submit Ms. Graves' income tax return, on March 4, 2011, was assigned IP address 24.209.166.190. Defendant Staten used this same IP address to file her own personal income tax return on February 22, 2011.

e. Officers found notes in the defendants' home listing Ms. Graves' name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

57. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Jeremy Faulkner** on June 20, 2011.

a. WDOR records show that, on June 20, 2011, a 2010 income tax return was electronically filed in the name and social security number of Mr. Faulkner. The return claimed refund of purportedly withheld state income taxes of \$225. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Temps Plus Temporary Service paid \$8,894 to Mr. Faulkner and withheld states taxes of \$225 in 2010. WDOR approved the claimed refund and wired \$225 to a prepaid debit card account number in Mr. Faulkner's name.

b. I spoke by telephone with Alice Grant, Payroll Manager, Temps Plus Temporary Service. She reports as follows. Temps Plus Temporary Service did not employ Mr. Faulkner in 2010. Temps Plus Temporary Service did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Mr. Faulkner's name. **COUNT 7**

c. Certified records from the Mississippi Department of Corrections show this same Jeremy Faulkner has been incarcerated since May 24, 2005.

d. Officers found notes in the defendants' home listing Mr. Faulkner's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

58. Defendant Staten participated in filing a 2010 fraudulent income tax return in the name of **Stephine Nance** on January 27, 2011.

a. Officers found a prepaid debit card in the name "Stephine Nance" in the defendants' master bedroom. As recited in paragraphs 24(b) above, that prepaid debit card account received the refund from a fraudulent 2010 income tax return in Ms. Nance's name. The income tax return included a fraudulent wage and tax statement in the name of employer Wisconsin Hospitality Group.

b. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Ms. Nance in 2010. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Ms. Nance's name. **COUNT 8**

c. Officers found notes in the defendants' home listing Ms. Nance's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

d. The following year, on May 28, 2012, defendant Staten filed a 2011 fraudulent income tax return in Ms. Nance's name and that refund was likewise wired to the above prepaid debit card account.

59. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Joelle Moore** on June 30, 2011.

a. Officers found prepaid debit card no. 4736-9199-9501-4028 in the name "Joelle Moore" in the defendants' master bedroom.

b. Green Dot Bank records show as follows. Account number 45246701194576531 was opened in the name of Joelle Moore on June 25, 2011. Prepaid debit card 4736-9199-9501-4028 was issued on this account and delivered to the defendants' address of 5344 N. 38th Street. WDOR wired payment to the account of \$247.00 on July 7, 2011.

c. WDOR records show a fraudulent 2010 income tax was electronically filed in the name of Joelle Moore on June 30, 2011. The return claimed refund of purportedly withheld state income taxes of \$247. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Capitol Foods paid wages of \$10,984 to Ms. Moore and withheld \$247 in state taxes in 2010. WDOR approved the refund and wired this amount to the above Green Dot Bank account number 45246701194576531.

d. I spoke by telephone with Kozat Martin, Human Resources Manager, Capitol Food. He reports as follows. Capitol Foods did not employ Ms. Moore in 2010. Capitol Foods did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Ms. Moore's name. **COUNT 9**

e. Officers found notes in the defendants' home listing Ms. Moore's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

60. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Lynnisha Davis** on January 27, 2011.

a. Officers found prepaid debit card no. 4736-9199-9501-4028 in the name "Lynnisha Davis" in the defendants' master bedroom.

b. Green Dot Bank records show as follows. Account number 45082100120662995 was opened in the name of Lynnisha Davis on January 17, 2011. Prepaid debit card 4852-4500-0680-3942 was issued on this account. WDOR wired payment to the account of \$345 on February 2, 2011.

c. WDOR records show a fraudulent 2010 income tax was electronically filed in the name of Lynnisha Davis on January 27, 2011. The return claimed refund of purportedly withheld state income taxes of \$345. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that U-Line Corporation paid wages of \$8,739 to Ms. Davis and withheld \$345 in state taxes in 2010. WDOR approved the refund and wired this amount to the above Green Dot Bank account number 45082100120662995.

d. I spoke by telephone with Mary Gasiorowski, Human Resources Administrator, U-Line Corporation. She reports as follows. U-Line Corporation did not employ Ms. Davis in 2010. U-Line Corporation did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Ms. Davis's name. **COUNT 10**

e. Officers found notes in defendant Staten's home listing Ms. Davis' name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

61. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Teresa Murphy** on January 27, 2011.

a. Officers found prepaid debit card no. 4852-4500-0674-8683 in the name "Teresa Murphy" in the defendants' master bedroom.

b. Green Dot Bank records show as follows. Account number 5082100120497160 was opened in the name of Teresa Murphy on January 16, 2011. Prepaid debit card 4852-4500-0674-8683 was issued on this account. WDOR wired payment to the account of \$386 on February 2, 2011.

c. WDOR records show a fraudulent 2010 income tax was electronically filed in the name of Teresa Murphy on January 27, 2011. The return claimed refund of purportedly withheld state income taxes of \$386. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid wages of \$8,215 to Ms. Murphy and withheld \$386 in state taxes in 2010. WDOR approved the refund and wired this amount to the above Green Dot Bank account number 5082100120497160.

d. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Ms. Murphy in 2010. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Ms. Murphy's name. **COUNT 11**

e. Officers found notes in the defendants' home listing Ms. Murphy's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

62. Defendant Staten participated in filing a fraudulent 2010 income tax return in the name of **Alexander Himmelspaek** on September 9, 2011.

a. WDOR records show a fraudulent 2010 income tax was electronically filed in the name of Mr. Himmelspaek on September 9, 2011. The return claimed refund of purportedly withheld state income taxes of \$245. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid wages of \$9,971 to Mr. Himmelspaek and withheld \$245 in state taxes in 2010. WDOR denied the refund claim.

b. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Ms. Himmelspaek in 2010. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2010 wage and earning statement in Mr. Himmelspaek's name.
COUNT 12

c. I interviewed adult citizen, Quinn Inman. Ms. Inman stated as follows. Ms. Inman is the mother of Mr. Himmelspaek. Mr. Himmelspaek is completely disabled and unemployed. He has never worked for Wisconsin Hospitality Group. Ms. Inman has no idea how anyone obtained Mr. Himmelspaek's social security number and filed an 2010 income tax return in his name.

d. Officers found notes in the defendants' home listing Mr. Himmelspaek's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

Defendant Cross

63. As recited in paragraph 44 above, defendant Staten was incarcerated in the Milwaukee County House of Correction from January 18, 2012 through March 22, 2012. She had no access to the internet or ability to file online income tax returns during this period.

64. During this same period, defendant Cross was living at 5344 N. 38th Street with full access to the computer and tax filer identity notes in the home. The fraudulent income tax returns, described in paragraphs 65-70 below, were all electronically filed from January 18, 2012 through March 22, 2012.

65. Defendant Cross participated in the filing of a fraudulent 2011 income tax return in the name of **Katherine Kimbrough** on January 19, 2012.

a. Officers found prepaid debit card no. 4852-7932-0676-0986 in the name "Katherine Kimbrough" in the defendants' master bedroom.

b. Green Dot Bank records show as follows. Account number 5074701325334658 was opened in the name of Katherine Kimbrough on January 9, 2012. Prepaid debit card 4852-7932-0676-0986 was issued on this account.

c. WDOR records show a fraudulent 2011 income tax was electronically filed in the name of Katherine Kimbrough on January 19, 2012. The return claimed refund of purportedly withheld state income taxes of \$580. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Capitol Food paid wages of \$8,491 to Ms.

Kimbrough and withheld \$580 in state taxes in 2011. The return requested the refund be wired to Green Dot Bank account number 5074701325334658. WDOR denied the refund.

d. I spoke by telephone with Kozat Martin, Human Resources Manager, Capitol Food. He reports as follows. Capitol Food did not employ Ms. Kimbrough in 2011. Capitol Food did not give anyone permission to use its entity identifying information to fabricate a 2011 wage and earning statement in Ms. Kimbrough's name. **COUNT 13**

e. Officers found notes in the defendants' home listing Ms. Kimbrough's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

66. Defendant Cross participated in the filing of a fraudulent 2011 income tax return in the name of **Bobby Dyson** on January 20, 2012.

a. Officers found prepaid debit card no. 4852-4500-0674-8683 in the name "Bobby Dyson" in the defendants' master bedroom.

b. Green Dot Bank records show as follows. Account number 205420583135 was opened in the name of Bobby Dyson on August 16, 2011. Prepaid debit card 4852-4590-0166-0926 was issued on this account.

c. WDOR records show a fraudulent 2011 income tax was electronically filed in the name of Bobby Dyson on January 20, 2012. The return claimed refund of purportedly withheld state income taxes of \$227. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Temps Plus Temporary Service paid wages of \$8,945 to Mr. Dyson and withheld \$227 in state taxes in 2011. The return requested the refund be wired to Green Dot Bank account number 205420583135. WDOR denied the refund.

d. I spoke by telephone with Alice Grant, Payroll Manager, Temps Plus Temporary Service. She reports as follows. Temps Plus Temporary Service did not employ Mr. Dyson in 2011. Temps Plus Temporary Service did not give anyone permission to use its entity identifying information to fabricate a 2011 wage and earning statement in Mr. Dyson's name. **COUNT 14**

e. Officers found notes in the defendants' home listing Mr. Dyson's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

67. Defendant Cross participated in the filing of a fraudulent 2011 income tax return in the name of **Dayrimus Porter** on January 19, 2012.

a. WDOR records show that, on January 19, 2012, a 2011 income tax return was electronically filed in the name and social security number of Mr. Porter. The return claimed refund of purportedly withheld state income taxes of \$266. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid \$9,782 to Mr. Porter and withheld states taxes of \$266 in 2011. WDOR denied the refund.

b. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Mr. Porter in 2011. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2011 wage and earning statement in Mr. Porter's name. **COUNT 15**

c. Officers found notes in the defendants' home listing Mr. Porter's name, date of birth, social security number, and related TurboTax password notes. The notes indicate the information as "Jay name."

68. Defendant Cross participated in the filing of a fraudulent 2011 income tax return in the name of **Derrick Dupar** on January 19, 2012.

a. WDOR records show that, on January 19, 2012, a 2011 income tax return was electronically filed in the name and social security number of Mr. Dupar. The return claimed refund of purportedly withheld state income taxes of \$241. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Seek Careers/Staffing Inc. paid \$9,235 to Mr. Dupar and withheld states taxes of \$241 in 2011. WDOR denied the refund.

b. I spoke by telephone with Lori Steuver, V.P. Human Resources, Seek Careers/Staffing, Inc. She reports as follows. Seek Careers/Staffing Inc. did not employ Mr. Dupar in 2011. Seek Careers/Staffing Inc. did not give anyone permission to use its entity identifying information to fabricate a 2011 wage and earning statement in Mr. Dupar's name. **COUNT 16**

c. Officers found notes in the defendants' home listing Mr. Dupar's name, date of birth, social security number, and related TurboTax password notes. The notes indicate the information as "Jay name."

69. Defendant Cross participated in the filing of a fraudulent 2011 income tax return in the name of **Melissa Oleander** on February 9, 2012.

a. WDOR records show that, on February 9, 2012, a 2011 income tax return was electronically filed in the name and social security number of Ms. Oleander. The return claimed refund of purportedly withheld state income taxes of \$284. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Wisconsin Hospitality Group paid \$10,800 to Ms. Oleander and withheld states taxes of \$284 in 2011. WDOR approved the refund and wired this amount to Metabank prepaid debit account number 4885725602.

b. Metabank records show account number 4885725602 matches prepaid debit card 5113-1786-9959-0064. Officers found a prepaid debit card 5113-1786-9959-0064 in the name of "Melissa Oleander" in the defendants' master bedroom.

c. I spoke by telephone with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She reports as follows. Wisconsin Hospitality Group did not employ Ms. Oleander in 2011. Wisconsin Hospitality Group did not give anyone permission to use its entity identifying information to fabricate a 2011 wage and earning statement in Ms. Oleander's name. **COUNT 17**

d. Officers found notes in defendant Staten's home listing Ms. Oleander's name, date of birth, social security number, and related TurboTax password notes.

70. Defendant Cross participated in the filing of a fraudulent 2011 income tax return in the name of **Sonja Wright** on February 20, 2012.

a. WDOR records show that, on February 20, 2012, a 2011 income tax return was electronically filed in the name and social security number of Ms. Wright. The return claimed

refund of purportedly withheld state income taxes of \$266. A fraudulent wage and tax statement (Form W-2) was submitted in support of the claim purporting that Honey Baked Ham, Inc. paid \$9,782 to Ms. Wright and withheld states taxes of \$284 in 2011. WDOR approved the refund and wired this amount to a prepaid debit card account in Ms. Wight's name.

b. I spoke by telephone with Lori Fehlberg, Payroll Administrator, Honey Baked Ham, Inc. She reports as follows. Honey Baked Ham, Inc. did not employ Ms. Wright in 2011. Honey Baked Ham, Inc. did not give anyone permission to use its entity identifying information to fabricate a 2011 wage and earning statement in Ms. Wright's name. **COUNT 18**

c. Officers found notes in defendant Staten's home listing Ms. Wright's name, date of birth, social security number, and related TurboTax password notes. These notes are in defendant Staten's distinctive handwriting.

Specific acts of homestead credit claim fraud

71. The Wisconsin Tax Code provides a homestead credit for renters and homeowners of low to moderate income. The homestead credit can be used to offset income tax liability, and under some circumstances, to claim an outright cash payment. The homestead credit is determined by the amount of rent or property taxes that the claimant pays in comparison to their total income.

72. The defendants filed numerous fraudulent homestead credit claims. They submitted these claim on paper forms via the U.S. mail. WDOR issued payment by check. The claims were fraudulent in several respects.

a. In many instances, the purported claimants were unaware that the defendants were submitting homestead credit claims in their names. The defendants forged these claimants' signatures on the homestead credit claim forms.

b. The defendants submitted fake Rent Certificates in support of the fraudulent homestead credit claims. These fake Rent Certificates falsely represented that the claimants paid rent. The defendants' forged landlord signatures on the Rent Certificates.

c. The defendants entered false income information on the homestead credit claim forms.

73. Defendant Staten participated in the filing of a false 2010 homestead credit claim in the name of **Stephine Nance** on June 9, 2011. **COUNT 19**

a. WDOR records show a paper form 2010 homestead credit claim was filed in Ms. Nance's name on June 9, 2011. The return lists Ms. Nance's home as the defendants' address of 5344 N. 38th Street. A rent certificate was submitted with the return purporting that Ms. Nance resided throughout 2010 at 2762 N. 53rd Street, Milwaukee, WI and that she paid total rent of \$4,800 to landlord Billy Siggers.

b. The above homestead credit claim form is completed in defendant Staten's distinctive handwriting.

c. WDOR approved the above homestead credit claim and mailed check no. R4126442 for \$964 payable Ms. Nance at 5344 N. 38th Street. A copy of the check shows it was endorsed and cashed.

d. I spoke by telephone with Billy Siggers. Mr. Siggers stated that he never rented the above residence to Ms. Nance.

e. Fraud notes from the defendants' home list Ms. Nance's name, date of birth, and social security number. These notes are in defendant Staten's distinctive handwriting.

74. Defendant Staten participated in the filing of a false 2010 homestead credit claim in the name of **Omari Smith** on June 9, 2011. **COUNT 20**

a. WDOR records show a paper form 2010 homestead credit claim was filed in Mr. Smith's name on June 9, 2011. The return lists Mr. Smith's home as the defendants' address of 5344 N. 38th Street. A rent certificate was submitted with the return purporting that Mr. Smith resided throughout 2010 at 2764 N. 53rd Street, Milwaukee, WI and that he paid total rent of \$4,800 to landlord Billy Siggers.

b. The above homestead credit claim form is completed in defendant Staten's distinctive handwriting.

c. WDOR approved the above homestead credit claim and mailed check no. R4126301 for \$964 payable Mr. Smith at 5344 N. 38th Street. A copy of the check shows it was endorsed and cashed.

d. I spoke by telephone with Billy Siggers. Mr. Siggers stated that he never rented the above residence to Mr. Smith.

e. Fraud notes from the defendants' home list Mr. Smith's name, date of birth, and social security number. These notes are in defendant Staten's distinctive handwriting.

75. Defendant Staten participated in the filing of a false 2010 homestead credit claim in the name of **Jason Wooten** on May 6, 2011. **COUNT 21**

a. WDOR records show a paper form 2010 homestead credit claim was filed in Mr. Wooten's name on May 6, 2011. The return lists Mr. Wooten's home as the defendants' address of 5344 N. 38th Street. A rent certificate was submitted with the return purporting that Mr. Wooten resided throughout 2010 at 5344 N. 38th Street and that he paid total rent of \$4,800 to landlord Ben Aduba.

b. The above homestead credit claim form is completed in defendant Staten's distinctive handwriting.

c. WDOR approved the above homestead credit claim and mailed check no. R4126301 for \$1,016 payable Mr. Wooten at 5344 N. 38th Street. A copy of the check shows it was endorsed and cashed.

d. I spoke by telephone with Ben Aduba. Mr. Aduba stated that he never rented the above residence to Mr. Wooten.

e. Fraud notes from the defendants' home list Mr. Wooten's name, date of birth, and social security number. These notes are in defendant Staten's distinctive handwriting.

Defendants' personal income tax returns

76. The defendants also filed fraudulent income tax returns in their own names.

77. As recited in paragraph 33 above, defendant Staten admitted she filed a 2010 income tax return in her own name. WDOR records show defendant Staten electronically filed her 2010 income tax return on February 22, 2011. She included a wage and tax statement (Form W-2) purporting that Wisconsin Hospitality Group paid her \$9,878 and withheld state income taxes of \$364. Defendant Staten claimed refund of these purportedly withheld taxes. I spoke with Colleen Zickert, Payroll Manager, Wisconsin Hospitality Group. She stated defendant Staten's wage and tax statement is fraudulent. Wisconsin Hospitality Group did not pay defendant Staten such wages in tax year 2010 and did not give her permission to use their employer identifying information to create the fraudulent wage and tax statement (Form W-2). **COUNT 22**

78. WDOR records show a fraudulent 2009 income tax return was electronically filed in defendant Cross' name on February 3, 2010. The return included a wage and tax statement (Form W-2) purporting that Staffworks, Inc. paid him \$10,293 and withheld state income taxes of \$1,354. The return claimed refund of these purportedly withheld taxes. I spoke with Bruce Chesshire, General Counsel, Staffworks, Inc. He stated that defendant Cross' wage and tax statement is fraudulent. Staffworks, Inc. did employ defendant Cross in tax year 2009, but only paid him \$1,547 that year. Staffworks, Inc. did not give defendant Cross permission to use their employer identifying information to create the fraudulently inflated wage and tax statement (Form W-2). **COUNT 23**

Conspiracy

79. The facts alleged in this criminal complaint show defendant Staten and defendant Cross acted in conspiracy. For example, defendant Cross provided tax filer identities that defendant Staten recorded in her fraud notes. See paragraph 38 above. The defendants discussed their mutual tax fraud scheme in jail house telephone calls. See paragraphs 46 and 48 above.

80. The defendants also conspired with the other Staten sisters. The following are several examples.

a. Fraudulent homestead credit claims were filed in the names of Kendrick DuBose and Christopher Pounes in 2011. WDOR mailed the payment checks to the defendants' home address of 5344 N. 38th Street. Tawanda Staten's endorsement signature appears on the reverse of both these checks.

b. Recorded prison telephone calls show Angela Staten obtained the personal identifying information of Fox Lake Correctional Institute inmates, Dorian Harris, Corey Porter, and Michael Evonovich. These same identities were recorded in the fraud notes found in the defendants' home.

c. Officers found, in fraud notes from both Tawanda Staten's home and from the defendants' home, many of the same tax filer identities (names, dates of birth, and social security numbers).

d. Analyst Bast found latent fingerprints of both Tawanda Staten and defendant Staten on the same notebook seized from Tawanda Staten's home. The notebook listed numerous identities used to file fraudulent income tax returns.

e. Lena Adams stated the Staten sisters act together in their tax filing scheme. She further stated that Tawanda Staten had a connection in Mississippi who was providing inmate identities for the fraud scheme. My investigation confirmed that the Staten sisters and the defendants were all using Mississippi prison inmate identities to file fraudulent income tax returns.

Total fraud loss to State of Wisconsin

81. WDOR identified more than two thousand fraudulent income tax returns and homestead credit claims involving the Staten sisters. These fraudulent returns and claims resulted in the State of Wisconsin being defrauded out of \$234,390.

82. As described above, circumstantial and direct evidence specifically links the defendants to three hundred fraudulent income tax returns and fraudulent homestead credit claims. Those fraudulent returns and claims resulted in fraud losses in excess of \$50,000.

83. All funds that the WDOR paid out in the above described fraud scheme were drawn on an account the State of Wisconsin holds with U.S. Bank, 777 E. Wisconsin Avenue, Milwaukee, WI.

Habitual criminality

84. Defendant Staten was convicted of three misdemeanors within five years of the presently charged offenses in Counts 1-6, 8, 10, 11, 21 and 22, and is therefore an habitual criminal within the definition of section 939.62, Wis. Stats.

a. Official records maintained by the Clerk, Milwaukee County Circuit Court, show defendant Staten was convicted of the following misdemeanor offenses: *State v. Sharon Staten, Case No. 08CM000036* (resisting/obstructing officer conviction on 07/23/2008) and *State v. Sharon Staten, Case No. 07CM006673* (retail theft conviction on 11/28/2007).

b. Official records maintained by the Clerk, Washington County Circuit Court, show defendant Staten was convicted of the following misdemeanor offense: *State v. Sharon Staten, Case No. 05CM0001598* (resisting/obstructing officer conviction on 05/24/2006).

These convictions remain unreversed and a matter of record. Certified copies of the judgments of conviction are attached and incorporated herein by reference.

85. Defendant Cross was convicted of three misdemeanors within five years of the presently charged offenses in Counts 1-3 and 13-18, and is therefore an habitual criminal within the definition of section 939.62, Wis. Stats.


a. Official records maintained by the Clerk, Kenosha County Circuit Court, show defendant Cross was convicted of the following misdemeanor offense: *State v. James I. Cross, Case No. 10CM000235* (retail theft conviction on 09/22/2010).

b. Official records maintained by the Clerk, Milwaukee County Circuit Court, show defendant Cross was convicted of the following misdemeanor offenses: *State v. James I. Cross, Case No. 10CM0006308* (count 1: disorderly conduct, and count 2: bail jumping on 01/31/2011).

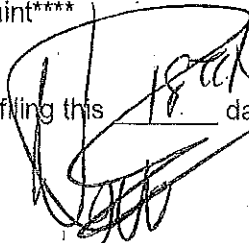
These convictions remain unreversed and a matter of record. Certified copies of the judgments of conviction are attached and incorporated herein by reference.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 18th day of February, 2015.



Kurt B. Benkley
Assistant District Attorney
1021096



Complainant