

Probable Cause:

Department of Revenue Special Agent Michael Austin, reports that on or about March 28, 2017, an internal Wisconsin Department of Revenue referral was made to the Office of Criminal Investigation in regards to income tax returns from 2013 to 2016 filed by the defendant, Lamyra Tavaréz, DOB: 10/29/79, Social Security number ending in 1089. Special Agent Austin reviewed the defendant's tax returns from 2013 to 2016 at which point he noticed that she did file W-2's associated with Rockwell Automation. The personnel file for Tavaréz was obtained from Rockwell Automation showing the number of withholdings she elected each year and the amount of State of Wisconsin income tax withheld from her wages each year. He then compared these to the tax returns showing that there was a discrepancy in the filings by Lamyra Tavaréz:

On February 2, 2014, the defendant electronically filed her 2013 State of Wisconsin income tax returns with a computer program, "Tax Act." In that filing, she claimed that she had State of Wisconsin withholdings in the amount of \$1,813. Agent Austin reviewed records from Rockwell Automation which showed that for the tax year 2014, the defendant had \$1332 in withholding. A refund of \$1,626 from the defendant's 2014 filed tax return was deposited into her Wells Fargo bank account ending in 2829. She was only entitled to \$1141. \$481 was fraudulently received.

AS TO COUNT 1:

On April 15, 2015, Tavaréz electronically filed her 2014 State of Wisconsin income tax returns with "Tax Act." In that tax return, the defendant claimed that she had State of Wisconsin withholdings in the amount of \$3,600. She claimed a tax refund of \$3,030 was deposited into her Wells Fargo bank account ending in 2829. Documents from Rockwell Automation showed that her withholding was actually \$79, not \$3600.00. Therefore \$2951 of the \$3030 refund she received had not been withheld, contrary to her return. If she had correctly filed her return, she would have owed \$872.00 (which includes a \$79.00 credit towards her tax liability for actual withholding). She therefore owes the State of Wisconsin \$3902.00 for her 2014 tax return.

AS TO COUNT 2:

On February 2, 2016, Tavaréz electronically filed her 2015 State of Wisconsin income tax returns with "Tax Act" in which she claimed that she had State of Wisconsin withholdings in the amount of \$1,800. Records from Rockwell Automation show that the defendant had filed a claim with her employer that she was exempt from withholdings, and had nothing withheld for Wisconsin Taxes for 2015. The defendant received a tax refund of \$1,247 from the 2015 tax return which was deposited into her Wells Fargo bank account ending in 2829. If properly filed, she would have not received a state tax refund, and in fact would have owed \$977.00. She therefore owes the State of Wisconsin \$2224.00 for her 2015 tax return.

AS TO COUNT 3:

On February 28, 2017, Tavaréz electronically filed her 2016 State of Wisconsin income tax returns by using "Tax Act" claiming that she had State of Wisconsin withholdings in the amount of \$3,000. The defendant had previously filed a form with Rockwell Automation claiming that she was exempt from withholdings. The \$2,980 from this fraudulent claim was directed to be deposited into her Wells Fargo bank account ending in 0729, but the claim was stopped by the Wisconsin Department of Revenue.

AS TO ALL COUNTS:

On June 16, 2017, Special Agent Austin did interviewed Lamyra Tavaréz. The defendant admitted that she intentionally falsified her 2013-2016 State of Wisconsin income tax returns in order to obtain refunds from the State of Wisconsin Department of Revenue because she needed the money. She said that she was separated at the time with 3 dependent children. She said a friend told her that if she

inflated her withholdings, she would get money back and not owe anything the State or Federal Governments.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Ronald S. Dague.

Subscribed and sworn to before me on 03/26/18

Electronically Signed By:

Ronald S. Dague

Assistant District Attorney

State Bar #: 1015746

Electronically Signed By:

Special Agent Michael Austin

Complainant