Submit by Email

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT ☐ SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

FILED
08 SEP 29 AM 10:
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OFFENSE CHARGED

E-Filing

26 USC § 7206(1) - Filing False Tax Returns

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:
26 USC § 7206(1) - 3 yrs impris., $250,000 fine, 1 yrs sup. release, $100 spec. assess.;

DEFENDANT - U.S.

DIGNA ROLDAN GARRETT

CR 08 0678 DLJ

DISTRICT COURT NUMBER

PROCEEDING

Name of Complaintant Agency, or Person (&Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

SHOW DOCKET NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM: JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned): THOMAS MOORE, AUSA, TAX DIV. Moore

DEFENDANT

IS *NOT* IN CUSTODY

1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction
6) ☐ Awaiting trial on other charges
☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No — If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

**Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Defendant Address:

Date/Time:

Before Judge:

Comments:

JOSEPH P. RUSSONIELLO
United States Attorney

FILED
08 SEP 29 AM 11:34
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-Filing

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DLJ

CR 08 0678

UNITED STATES OF AMERICA, Plaintiff, v. DIGNA ROLDAN GARRETT, Defendant.	NO. CR- VIOLATIONS: 26 U.S.C. § 7206(1)-Filing False Tax Returns (Five Counts) OAKLAND VENUE

INFORMATION

The United States Attorney charges:

COUNT ONE: (26 U.S.C. § 7206(1))

On or about March 15, 2003, in the Northern District of California, the defendant,

DIGNA ROLDAN GARRETT,

then resident of Hayward, California, did willfully and knowingly make and subscribe a U.S. Corporate Income Tax Return Form 1120 for the calendar year 2002, which was filed with the Internal Revenue Service and verified by the defendant in a written declaration that it was made under the penalties of perjury, which income tax return she did not believe to be true and correct as to every material matter in that said defendant reported gross receipts from Friendly Available Service Today Corporation ("FAST") of $48,137 whereas, defendant then and there well knew and believed, the gross receipts of FAST were substantially in excess of that reported on the

corporate tax return.

In violation of Title 26, United States Code, Section 7206(1).

COUNT TWO: (26 U.S.C. § 7206(1))

On or about May 5, 2004, in the Northern District of California, the defendant,

DIGNA ROLDAN GARRETT,

then resident of Hayward, California, did willfully and knowingly make and subscribe a U.S. Corporate Income Tax Return Form 1120S for the calendar year 2003, which was filed with the Internal Revenue Service and verified by the defendant in a written declaration that it was made under the penalties of perjury, which income tax return she did not believe to be true and correct as to every material matter in that said defendant reported gross receipts from FAST of $102,622 whereas, defendant then and there well knew and believed, the gross receipts of FAST were substantially in excess of that reported on the corporate tax return.

In violation of Title 26, United States Code, Section 7206(1).

COUNT THREE: (26 U.S.C. § 7206(1))

On or about September 15, 2005 in the Northern District of California, the defendant,

DIGNA ROLDAN GARRETT,

then resident of Hayward, California, did willfully and knowingly make and subscribe a U.S. Corporate Income Tax Return Form 1120S for the calendar year 2004, which was filed with the Internal Revenue Service and verified by the defendant in a written declaration that it was made under the penalties of perjury, which income tax return she did not believe to be true and correct as to every material matter in that said defendant reported gross receipts from FAST of $122,312 whereas, defendant then and there well knew and believed, the gross receipts of FAST were substantially in excess of that reported on the corporate tax return.

In violation of Title 26, United States Code, Section 7206(1).

COUNT FOUR: (26 U.S.C. § 7206(1))

On or about May 11, 2004, in the Northern District of California, the defendant,

DIGNA ROLDAN GARRETT,

then resident of Hayward, California, did willfully and knowingly make and subscribe a U.S.

Individual Income Tax Return Form 1040 for the calendar year 2003, which was filed with the Internal Revenue Service and verified by the defendant in a written declaration that it was made under the penalties of perjury, which income tax return she did not believe to be true and correct as to every material matter in that said defendant reported income of $15,523 whereas, defendant then and there well knew and believed her income was substantially in excess of that reported on the individual tax return.

In violation of Title 26, United States Code, Section 7206(1).

COUNT FIVE: (26 U.S.C. § 7206(1))

On or about October 12, 2005, in the Northern District of California, the defendant,

DIGNA ROLDAN GARRETT,

then resident of Hayward, California, did willfully and knowingly make and subscribe a U.S. Individual Income Tax Return Form 1040 for the calendar year 2004, which was filed with the Internal Revenue Service and verified by the defendant in a written declaration that it was made under the penalties of perjury, which income tax return she did not believe to be true and correct as to every material matter in that said defendant reported income of $8,605 whereas, defendant then and there well knew and believed her income was substantially in excess of that reported on the individual tax return.

In violation of Title 26, United States Code, Section 7206(1).

JOSEPH P. RUSSONIELLO
UNITED STATES ATTORNEY

Dated: 6-24-08

BRIAN STRETCH
Chief, Criminal Division

Approved as to Form

THOMAS MOORE
Assistant United States Attorney