U.S. Department of Justice

United States Attorney
Western District of Tennessee

800 Federal Building
167 North Main Street
Memphis, Tennessee 38103

Telephone 901.544.4231
Fax 901.544.4230
TTY 901.544.3054

PRESS RELEASE

FOR IMMEDIATE RELEASE
DATE: May 23, 2002

FOR FURTHER INFORMATION:
CONTACT: Leigh Anne Jordon
(901) 544-4231

BRIGHTON MAN PLEADS GUILTY TO TAX & DEPARTMENT OF TRANSPORTATION CHARGES

Memphis, TN - Terrell L. Harris, U.S. Attorney for the Western District of Tennessee, announced that Bobby W. Allen, Sr., of Brighton, TN, pled guilty Monday, May 20, 2002 to five felony counts pertaining to indictments previously filed against him. According to a plea agreement filed in court today, Allen pled guilty to two counts of filing false tax returns with the Internal Revenue Service for 1994 and 1995, two counts of mail fraud, and one count of conspiracy to tamper with markings on Hazardous Material Containers.

According to the tax indictment, Allen filed his 1994 tax return on April 14, 1995, reporting total income of $91,826.00, even though he knew his total income for that year to be substantially greater than that amount. It also alleged that Allen reported total income of $128,953.00 on his 1995 tax return filed with the IRS, when his total income was substantially greater than $128,953.00.

MORE

According to the other indictment, Allen and others working in his companies, Bev Con International and BCI Industries, Inc. of Brighton, Tennessee, unlawfully marked or "stamped" CO cylinders, which are used to transport compressed gases, with "Retester Identification Numbers". By illegally marking the cylinders, Mr. Allen falsely certified to his customers that he had performed vital hydrostatically safety tests on these cylinders when he had not. Allen's customers included private businesses throughout the country including businesses in California and Massachusetts. The indictment alleges that Allen told inspectors that his companies sent those cylinders out to be retested; however, Allen could not provide the names of those facilities.

The plea agreement also states that Allen, as an Officer of BCI Industries, Inc., a Tennessee Corporation, agreed to submit a Corporate Resolution to the Court prior to his sentencing where in BCI Industries, Inc., agrees to plead guilty at sentencing and pay a fine of $5,000.

This investigation was conducted by Jim Jackson, IRS-Criminal Investigation, Joe Zschiesche, Department of Transportation, and Russell Gregory, Federal Bureau of Investigation. Assistant U.S. Attorneys Dan Newsom and Linda Nettles Harris handled the case for the government.

# # # #