

JUN 11 2012

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA)
)
v.)
)
TEGA BURNS)
 a/k/a TEGA FOY)
)
)
)
_____)

DOCKET NO. 3:12-cr-198-FDW

BILL OF INFORMATION

Violations:
26 U.S.C. § 7202
18 U.S.C. § 1014

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

1. From approximately 2007 through 2011, TEGA BURNS, a/k/a TEGA FOY, was a resident of Charlotte, North Carolina and the owner of Family Homecare Services, a healthcare provider in Charlotte, NC.
2. From the third quarter of tax year 2007 through the third quarter of tax year 2011, TEGA BURNS filed employment tax returns, Forms 941, with the IRS for Family Homecare Services which reported tax liabilities due totaling \$185,475.15. However, for this same time period, TEGA BURNS made payments toward these tax liabilities totaling only \$43,213.23. Including interest and penalties, TEGA BURNS currently has outstanding tax liabilities totaling \$225,214.41 for the employment taxes of Family Homecare Services for the third quarter of tax year 2007 through the third quarter of tax year 2011.
3. In May 2007, TEGA BURNS purchased two homes in the name of an individual whose initials are "C.H." One home was located at 1412 Anderson Street in Charlotte, NC, and the second home was located at 1405 Langdon Terrace Drive in Indian Trail, NC. BURNS and C.H. obtained loans to purchase both homes through the use of false information including fake employment documentation from Family Homecare Services.

COUNT ONE

(Failure to Account For and Pay Over Employment Tax)

4. The United States Attorney realleges and incorporates by reference herein all of the allegations contained in paragraphs one through two of the Bill of Information, and further alleges that:
5. Beginning on or about January 1, 2008, and continuing up to and including on or about March 31, 2008, in the Western District of North Carolina, the defendant, Tega L. Burns, did willfully fail to truthfully account for and pay over to the Internal Revenue Service all of the federal income taxes withheld and Federal Insurance Contributions Act ("FICA") taxes due and owing to the United States on behalf of Family Homecare Services, Inc. and its employees, for the first quarter of 2008.

All in violation of Title 26, United States Code, Section 7202.

COUNT TWO

(False Statement on a Loan Application)

6. The United States Attorney realleges and incorporates by reference herein all of the allegations contained in paragraph one and paragraph three of the Bill of Information, and further alleges that:
7. At all times material to this indictment, CIT Group/Consumer Finance, Inc. was a financial institution headquartered in Livingston, New Jersey and a wholly owned subsidiary of CIT Bank. The deposits of CIT Bank were insured by Federal Deposit Insurance Corporation.
8. In or around May 2007, in the Western District of North Carolina, defendant TEGA L. BURNS knowingly made and caused the making of, and aided and abetted the making of, a false statement to CIT Group/Consumer Finance, Inc. for the purpose of influencing the actions of CIT Bank, a federally insured financial institution, upon a \$109,250 loan obtained to purchase 1412 Anderson Street, Charlotte, North Carolina 28205, to wit, defendant TEGA L. BURNS and others, both known and unknown to the United States Attorney, submitted and caused to be submitted, and aided in the submission of a false loan application as well as false and fraudulent supplemental materials.

All in violation of Title 18, United States Code, Sections 1014 and 2.

NOTICE OF FORFEITURE

9. Notice is hereby given of the provisions of 18 U.S.C. §982 and 28 U.S.C. §2461(c). Under §2461(c), criminal forfeiture is applicable to any offenses for which forfeiture is authorized by any other statute, including but not limited to 18 U.S.C. §981 and all specified unlawful activities listed or referenced in 18 U.S.C. §1956(c)(7), which are incorporated as to proceeds by §981(a)(1)(C). The defendant has or had a possessory or legal interest in the following property that is subject to forfeiture in accordance with §982 and/or §2461(c):
 - a. all property involved in the violations alleged in this bill of information;
 - b. all property which is proceeds of such violations; and,

c. in the event that any property described in (a) or (b) cannot be located or recovered or has been substantially diminished in value or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant, to the extent of the value of the property described in (a) and (b).

10. The United States Attorney alleges that the following property is subject to forfeiture on one or more of the grounds stated above: All currency and monetary instruments which were received during, involved in or used or intended to be used to facilitate the crimes alleged in this bill of information, including but not limited to the sum of approximately \$105,933 in proceeds.

ANNE TOMPKINS
UNITED STATES ATTORNEY



Jenny Grus Sugar

JENNY GRUS SUGAR
ASSISTANT UNITED STATES ATTORNEY