

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

2011 APR -6 PM 4:54
US DISTRICT COURT
MIDDLE DISTRICT OF FL
ORLANDO FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 6:11-cr-114-ORL-28-KRS
18 U.S.C. § 286
18 U.S.C. § 287

JAMIE RUSS-WALLS
RICHARD WALLS
FREDDIE L. MITCHELL II

INDICTMENT

The Grand Jury charges that:

COUNT ONE

A. Introduction

1. **JAMIE RUSS-WALLS** held herself out to be an expert tax return preparer.
2. **RICHARD WALLS** was married to **JAMIE RUSS-WALLS**.
3. **FREDDIE L. MITCHELL II** was a retired professional football player who maintained contacts in the professional sports industry.
4. Chameleon Enterprises LLC was a Florida corporation whose sole manager at the time of incorporation was **FREDDIE L. MITCHELL II**. Chameleon Enterprises LLC was administratively dissolved by the State of Florida, for failure to file an annual report, in or about September 2007.

B. The Agreement

5. Beginning in or about January 2009, and continuing until in or about February 2010, in Orange County, Florida, in the Middle District of Florida, and elsewhere, the defendants,

**JAMIE RUSS-WALLS
RICHARD WALLS
and
FREDDIE L. MITCHELL II**

knowingly and willfully agreed, combined, and conspired with each other and with other individuals, both known and unknown to the Grand Jury, to defraud the Internal Revenue Service, an agency of the United States Department of the Treasury, by obtaining, and aiding to obtain, the payment and allowance of false, fictitious, and fraudulent claims that were based on false and fictitious material facts.

C. Manner and Means

The manner and means used to accomplish the objects of the conspiracy included, among others, the following:

6. It was a part of the conspiracy that the defendants would and did agree to participate in a scheme to falsely claim income tax refunds from the United States using electronically filed returns in the names of individuals who the defendants knew were not entitled to the refunds.

7. It was a further part of the conspiracy that **JAMIE RUSS-WALLS** or **RICHARD WALLS** would and did prepare Forms 1040 (Individual Income Tax Returns) that falsely claimed that the taxpayers were due significant refunds, in amounts ranging from about \$170,000.00 to \$1.9 million.

8. It was a further part of the conspiracy that **JAMIE RUSS-WALLS** or **RICHARD WALLS** would and did base the false claims for significant tax refunds on false information about, among other things, wages, withholdings, and business losses.

9. It was a further part of the conspiracy that **JAMIE RUSS-WALLS** or **RICHARD WALLS** would and did create false documents to support the false

information contained in the tax returns, including: (1) false Forms W-2 (Wage and Tax Statements) that purported to show that the taxpayers had earned wages in the millions of dollars and had millions of dollars in federal income taxes withheld; and (2) false Schedules C (Profit or Loss from Business) that purported to show that the taxpayers owned businesses that suffered losses, which amounts were deductible from income.

10. It was a further part of the conspiracy that **JAMIE RUSS-WALLS** and **RICHARD WALLS** would and did enlist **FREDDIE L. MITCHELL II** to recruit individuals, and, in particular, professional athletes, as clients for their tax return service.

11. It was a further part of the conspiracy that the defendants would and did agree that they would share any refunds that the United States issued as a result of the false tax returns.

12. It was a further part of the conspiracy that **FREDDIE L. MITCHELL II** would and did solicit A.G., a professional athlete, as a client, and, along with **JAMIE RUSS-WALLS** and **RICHARD WALLS**, would and did have a meeting with A.G., during which **JAMIE RUSS-WALLS** would and did hold herself out to be a tax return preparer who had specialized knowledge about tax laws that would enable professional athletes to obtain significant tax refunds.

13. It was a further part of the conspiracy that **FREDDIE L. MITCHELL II** would and did accept \$100,000.00 from A.G. as a down payment towards the fee for preparing and filing A.G.'s 2008 tax return and amendments to A.G.'s 2006 and 2007 returns, which fee the defendants would and did establish as twenty percent of the approximate \$1.2 million refund they anticipated.

14. It was a further part of the conspiracy that **JAMIE RUSS-WALLS** or **RICHARD WALLS**, without A.G.'s knowledge or authority, would and did present to the IRS a Form 1040 (Individual Income Tax Return) for 2008 in A.G.'s name, falsely claiming a refund of \$1,968,288.00.

15. It was a further part of the conspiracy that **JAMIE RUSS-WALLS** or **RICHARD WALLS** would and did submit, with the false tax return in A.G.'s name, a Form 8888 (Direct Deposit of Refund to More Than One Account), requesting that the tax refund be distributed as follows: (1) \$1,050,000.00 into an account owned by A.G.; (2) \$638,288.00 into an account owned by **JAMIE RUSS-WALLS**; and (3) \$280,000.00 into an account owned by **FREDDIE L. MITCHELL II**.

16. It was a further part of the conspiracy that, in addition to the tax return filed in A.G.'s name, **JAMIE RUSS-WALLS** or **RICHARD WALLS** would and did present additional false returns to the IRS, including five Forms 1040 (Individual Income Tax Returns) that falsely claimed refunds totaling approximately \$2,264,005.00 and that were submitted with false Forms W-2 (Wage and Tax Statements) purporting to show that the taxpayers had earned millions of dollars in wages from, and had millions of dollars in federal income taxes withheld by, Chameleon Enterprises LLC.

17. It was a further part of the conspiracy that the defendants would and did conduct these activities in a manner calculated to conceal and cover up the fraudulent nature of this scheme and artifice, and to mislead and deceive the IRS, A.G., and others.

All in violation of Title 18, United States Code, Section 286.

COUNT TWO

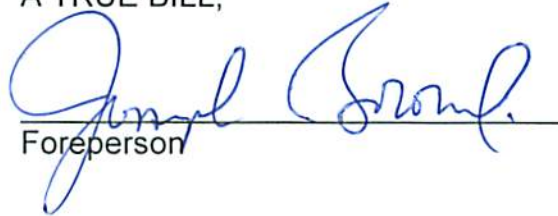
On or about September 16, 2009, in Orange County, Florida, in the Middle District of Florida, the defendants,

**JAMIE RUSS-WALLS
RICHARD WALLS
and
FREDDIE L. MITCHELL II**

knowingly made and presented to the Internal Revenue Service, an agency of the United States Department of the Treasury, a claim against the United States that they knew to be false, fictitious, and fraudulent and that was based on false and fraudulent material facts, by preparing and causing to be prepared, and filing and causing to be filed, a claim for a federal income tax refund for A.G. for the 2008 tax year, in the amount of \$1,968,288.00.


In violation of Title 18, United States Code, Sections 287 and 2.

A TRUE BILL,


Foreperson

ROBERT E. O'NEILL
United States Attorney

By: 
Katherine M. Ho
Assistant United States Attorney

By: 
Carlos A. Perez-Irizarry
Assistant United States Attorney
Chief, Orlando Division

No.

UNITED STATES DISTRICT COURT

Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

JAMIE RUSS-WALLS
RICHARD WALLS
FREDDIE L. MITCHELL II

INDICTMENT

Violations:

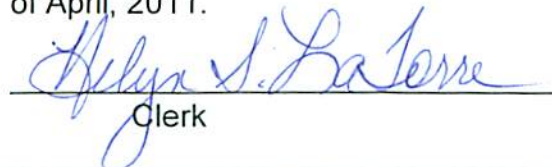
18 U.S.C. § 286
18 U.S.C. § 287

A true bill,


Foreperson

Filed in open court this 6th day

of April, 2011.


Clerk

Bail \$ _____