



*United States Attorney
Southern District of New York*

**FOR IMMEDIATE RELEASE
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**FORMER OWNER AND OPERATOR OF QUEENS PAINTING COMPANY
PLEADS GUILTY TO EVADING ALMOST \$400,000 IN TAXES**

PREET BHARARA, the United States Attorney for the Southern District of New York, and PATRICIA J. HAYNES, the Special Agent-in-Charge of the New York Field Office of the Internal Revenue Service, Criminal Investigation Division ("IRS-CID"), announced that TOMA TSEN, the former owner and operator of Tomo Painting Contractor Co. (Tomo Painting), pleaded guilty today before United States Magistrate Judge GEORGE YANTHIS in White Plains federal court to tax evasion charges.

According to the Indictment filed in this case, statements made during the defendant's guilty plea, and prior proceedings:

TSEN owned, operated, and controlled Tomo Painting, a Queens-based company in the business of providing residential and commercial painting services throughout the New York Metropolitan area, including Westchester County, Manhattan, and New Jersey. Between 1996 and 1998, rather than depositing all of the checks received from the customers of Tomo Painting into the company's bank account in Queens, TSEN cashed more than \$1 million worth of those checks at check-cashing establishments located in Manhattan.

TSEN, who reported the profits and losses of Tomo Painting on his individual U.S. income tax returns, then knowingly failed to inform his accountant and tax preparer of the Tomo Painting checks that he cashed, resulting in the preparation by that accountant, and the signing and filing by TSEN, of false and fraudulent tax returns for each of the 1996-1998 tax years. In total, TSEN's tax evasion scheme resulted in more than \$390,000 of additional taxes due and owing by TSEN.

TSEN, age 65, a resident of Woodside, Queens, left the United States during the course of the criminal investigation. He was taken into custody at John F. Kennedy International Airport on November 24, 2009, when he stepped off a flight from Taiwan. He faces a maximum sentence of 5 years in prison on the single tax evasion count in the Indictment. He also faces a maximum fine of \$250,000, or twice the gross gain or loss from the offense.

TSEN is scheduled to be sentenced by United States District Judge COLLEEN MCMAHON on March 5, 2010.

Mr. BHARARA extended his appreciation to IRS-CID, which investigated the case.

Assistant United States Attorney STANLEY J. OKULA is in charge of this prosecution.

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