

ENTERED

September 23, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ramon Gonzalez a.k.a. Raymond
Gonzalez; Lorenzo Benavidez
individually and d.b.a. Benavidez
Tax Service,

Defendants.

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Case Number: 1:22-cv-00073

JUDGMENT AND PERMANENT INJUNCTION BY CONSENT

THIS MATTER is before the Court on the Motion for Entry of Judgment and Permanent Injunction by Consent made by the Plaintiff, United States of America and by Lorenzo Benavidez individually and d.b.a. Benavidez Tax Service (“Benavidez”). As such the United States and Benavidez hereby consent and stipulate to the terms described below in this Judgment and Permanent Injunction by Consent.

The Court having reviewed the pleadings, FINDS as follows:

A. The United States has filed a complaint seeking a permanent injunction against Benavidez under 26 U.S.C. §§ 7402(a), 7407, and 7408.

B. Benavidez admits for purposes of this injunction that the Court has personal jurisdiction over him and subject matter jurisdiction over this matter but without admitting any of the other allegations in the Complaint.

C. Benavidez waives the entry of findings of fact and conclusions of law under Federal Rules of Civil Procedure 52 and 65(d), consents to the entry of this permanent injunction without further notice and agrees to be bound by its terms.

D. Benavidez further understands and agrees that:

- a. This Permanent Injunction by Consent is entered under Federal Rules of Civil Procedure 65 and will result, without further notice, in entry of a Final Judgment against him in this matter;
- b. Benavidez waives any right he may have to appeal from this Permanent Injunction by Consent;
- c. The Court will retain jurisdiction over this matter for the purpose of implementing and enforcing this injunction;
- d. If Benavidez violates this injunction, he may be subject to civil and criminal sanctions for contempt of court.

Accordingly, IT IS ORDERED that the Motion for Entry of Judgment and Permanent Injunction by Consent is GRANTED.

IT IS FURTHER ORDERED that under Federal Rule of Civil Procedure 54(b), the Court enters this as a final judgment as to Benavidez since the Court finds that there is no just reason for delay.

IT IS FURTHER ORDERED that, under 26 U.S.C. §§ 7402(a), 7407, and 7408, Benavidez, any entity through which Benavidez conducts business, and all persons and entities in active concert or participation with Benavidez are permanently enjoined and PROHIBITED from directly or indirectly doing the following, as described in items 1–8 below (“Restrictions”):

1. Preparing, assisting in the preparation of, or directing the preparation of federal tax returns, amended returns, or other tax-related documents or forms, including any electronically submitted tax returns

or tax-related documents, for any entity or person other than themselves;

2. Filing, assisting in the filing of, or directing the filing of federal tax returns, amended returns, or other tax-related documents or forms, including any electronically submitted tax returns or tax-related documents, for any entity or person other than themselves;
3. Owning, managing, assisting, advertising for, providing capital or loans to, receiving fees or remunerations from, or working at a business that prepares or assists in the preparation of tax returns, amended returns, or other tax-related documents or forms, including any electronically submitted tax returns or tax-related documents;
4. Maintaining, assigning, holding, using, or obtaining a Preparer Tax Identification Number or an Electronic Filing Identification Number;
5. Training, advising, counselling, instructing, or teaching anyone about the preparation of federal tax returns;
6. Engaging in any other activity subject to penalty under 26 U.S.C. §§ 6694, 6695, 6701, or any other penalty provision in the Internal Revenue Code;
7. Assigning, transferring, or selling to any individual or entity: (1) a personal or business Preparer Tax Identification Number(s) (PTIN); (2) a personal or business Electronic Filing Identification Number(s) (EFIN); (3) any other federally issued identification number(s) to prepare or file federal income tax returns; (4) a list of customers or any other customer information; or (5) any proprietary information pertaining to their tax preparation businesses;
8. Engaging in any conduct that substantially interferes with the proper administration and enforcement of the internal revenue laws.

IT IS FURTHER ORDERED that Benavidez, at his own expense, within 30 days of this Court's Order SHALL do the following, as described in items 9–15 below ("Requirements"):

9. Send by email or certified mail, return receipt requested, and, if an email address is known also by email, a copy of this Final Judgment

and Permanent Injunction—as well as a copy of the Complaint setting forth the allegations as to how she negligently, recklessly, or fraudulently prepared federal income tax returns—to each person for whom Benavidez individually and d.b.a. Benavidez Tax Service (including tax returns prepared during Benavidez’s time working for B&B Tax Services) prepared federal tax returns, other tax forms, or claims for refund after January 1, 2018, with no other enclosures unless the enclosure is approved in writing by the Department of Justice;

10. Turn over to the United States copies of all returns, other tax forms, and claims for refund that Benavidez individually and d.b.a. Benavidez Tax Service (including tax returns prepared during Benavidez’s time working for B&B Tax Services) after January 1, 2018;
11. Disclose and surrender to the Secretary of the Treasury or his delegate any and all PTINs held by, assigned to, or used by Benavidez individually and d.b.a. Benavidez Tax Service pursuant to 26 U.S.C. § 6109, as well as any electronic filing identification numbers held by, assigned to, or used by him;
12. Provide the United States a list of the names, Social Security numbers, addresses, phone numbers, and email addresses of each person for whom Benavidez individually and d.b.a. Benavidez Tax Service (including tax returns prepared during Benavidez’s time working for B&B Tax Services) prepared tax returns, other tax forms, or claims for refund after January 1, 2018;
13. Prominently post a copy of the injunction in Benavidez’s places of business where tax returns were prepared by him or his employees, contractors, or franchisees, under any business name;
14. Prominently post for one year, on all social media accounts and websites used to advertise Benavidez’s individually and d.b.a. Benavidez Tax Service’s tax preparation services, a statement that they have been enjoined from the preparation of tax returns and a hyperlink to any press release regarding the injunction that the Department of Justice may issue; and
15. Deliver a copy of the injunction to Benavidez’s employees, contractors, franchisees, and vendors;

IT IS FURTHER ORDERED that Benavidez, at his own expense, SHALL do the following, as described in item 16 below (“Compliance Statement”):

16. File a sworn statement with the Court evidencing Benavidez’s compliance with the foregoing directives within forty-five days of entry of the final injunction in this action; and

IT IS FURTHER ORDERED that the United States and/or IRS is permitted, as described in items 17–19 below, to:


17. Monitor Benavidez’s compliance with the injunction as this Court retains jurisdiction over this case to ensure compliance with this Judgment and Permanent Injunction by Consent;
18. Engage in post-judgment discovery in accordance with the Federal Rules of Civil Procedure to monitor compliance with the injunction;
19. Cancel any Preparer Identification Number and any Electronic Filing Identification Number issued to Benavidez.

IT IS FURTHER ORDERED that Benavidez, at his own expense, SHALL do the following, as described in item 20 below (“Maintain-Records Obligation”):

20. Keep records of Benavidez’s compliance with the foregoing directives, which may be produced to the Court, if requested, or the United States pursuant to paragraphs 17 and 18; *supra*.

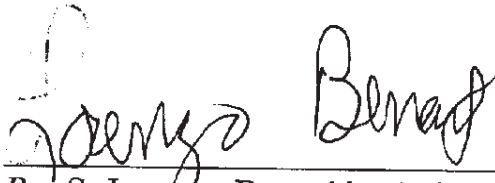
IT IS FINALLY ORDERED that the Court shall retain jurisdiction over this action to enforce this Judgment and Permanent Injunction by Consent and that Entry of this Judgment and Permanent Injunction by Consent resolves only this civil action, and does not preclude the United States, or any of its agencies, from pursuing any other current or future civil or criminal matters or proceedings and Benavidez retains the right to contest his liability in any other matter or proceeding.

Entered this 23rd day of September, 2022.



UNITED STATES DISTRICT JUDGE

This Judgment and Permanent Injunction by Consent is approved by:



Pro Se Lorenzo Benavidez individually
and d.b.a. Benavidez Tax Service

Date: 8-8-2022

DAVID A. HUBBERT
Deputy Assistant Attorney General

/s/ Christian A. Orozco

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Date: 08/10/2022