

For Immediate Release
December 14, 2011

**TIJERAS MAN SENTENCED TO THREE YEARS
FOR FEDERAL TAX OFFENSE**

ALBUQUERQUE – This morning in federal court in Albuquerque, **Robert A. Fout**, 60, of Tijeras, N.M., was sentenced to a term of three years imprisonment for filing a false income tax return, followed by a term of year of supervised release, both of which are the maximum sentence imposed by law. U.S. Attorney Kenneth J. Gonzales said that Fout also is required to pay restitution \$153,416 to the Internal Revenue Service (IRS), and \$33,999.84 to the State of New Mexico Taxation and Revenue Department. On August 5, 2011, Fout entered a guilty plea to a criminal information charging him with making a false statement in a tax return.

According to Fout's plea agreement, from 2005 to 2008, Fout worked as a general and electrical contractor in Albuquerque and other locations in New Mexico. During this time, Fout did not hold a general contractor's license or a business license, but instead operated under the licenses of other contractors. Fout's general and electrical contracting work generated significant receipts during the years 2005, 2006, 2007, and 2008, and Fout admitted that he willfully concealed from the IRS the receipts generated from the work he performed as a general and electrical contractor.

When Fout entered his guilty plea, he admitted that, in calendar years 2005, 2006, 2007 and 2008, he filed false tax returns in which he failed to report taxable income in order to evade income taxes due to the IRS. More specifically, Fout admitted the following: (i) in 2005, he failed to report \$16,754 in taxable income to evade \$6,339 in taxes; (ii) in 2006, he failed to report \$66,961 in taxable income to evade \$21,828 in taxes; (iii) in 2007, he failed to report \$32,604 in taxable income to evade \$10,683 in taxes; and (iv) in 2008, he failed to report

\$322,195 in taxable income to evade \$114,566 in taxes.

The case was investigated by the United States Secret Service and the IRS, and was prosecuted by Assistant U.S. Attorney George C. Kraehe and Cynthia L. Weisman and U.S. Department of Justice Trial Attorney Jed Silversmith.

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