

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**BRIAN G. KOLFAGE**  
\_\_\_\_\_ /

**SUPERSEDING  
INDICTMENT  
3:21cr29/MCR**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

On or about July 15, 2020, in the Northern District of Florida, the defendant,

**BRIAN G. KOLFAGE,**

a resident of Miramar Beach, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the tax year 2019, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income of \$63,574, and a total tax of \$4,173 for the tax year 2019 when, in truth and fact and as the defendant then well knew, the total income and total tax for the tax year 2019 were materially in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1) and Title 18, United States Code, Section 2.

## **COUNT TWO**

### **A. THE CHARGE**

Between on or about January 1, 2019, and on or about July 15, 2020, in the Northern District of Florida, the defendant,

**BRIAN G. KOLFAGE,**

did knowingly and willfully devise, and intend to devise, a scheme to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme, did cause a wire communication to be transmitted in interstate commerce.

### **B. SCHEME TO DEFRAUD**

It was part of the scheme to defraud that:

1. During the tax year 2019, **BRIAN G. KOLFAGE** received hundreds of thousands of dollars from WEBUILDTHEWALL, Inc., and other organizations, corporations, entities, and persons.

2. The hundreds of thousands of dollars were deposited into a personal bank account **BRIAN G. KOLFAGE** maintained at Pentagon Federal Credit Union.

3. Oftentimes, the deposits were obscured by passing through multiple organizations, corporations, entities, and persons before being deposited into the personal bank account **BRIAN G. KOLFAGE** maintained.

4. **BRIAN G. KOLFAGE** did not report the hundreds of thousands of dollars on his United States Individual Income Tax Return, Form 1040, for the tax year 2019.

5. **BRIAN G. KOLFAGE** transmitted his false and fraudulent United States Individual Income Tax Return, Form 1040, for the tax year 2019, via the Internet.

### **C. WIRE COMMUNICATION**

On or about July 15, 2020, for the purpose of executing the scheme to defraud, the defendant,

**BRIAN G. KOLFAGE,**

knowingly did cause a wire communication, namely a United States Individual Income Tax Return, Form 1040, for the tax year 2019, to be transmitted in interstate commerce.

In violation of Title 18, United States Code, Sections 1343 and 2.

**COUNT THREE**

On or about December 1, 2020, in the Northern District of Florida, the defendant,

**BRIAN G. KOLFAGE,**

a resident of Miramar Beach, Florida, did willfully make and subscribe an Amended United States Individual Income Tax Return, Form 1040-X, for the tax year 2019, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income of \$300,000, and a total tax of \$72,308 for the tax year 2019 when, in truth and fact and as the defendant then well knew, the total income and total tax for the tax year 2019 were materially in excess of that amount.


In violation of Title 26, United States Code, Section 7206(1) and Title 18,  
United States Code, Section 2.

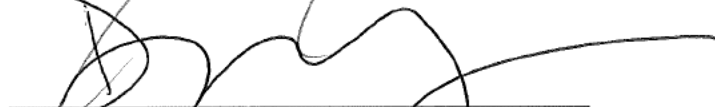
A TRUE BILL:



FOREPERSON

7/6/2021  
DATE

  
\_\_\_\_\_  
JASON R. COODY  
Acting United States Attorney

  
\_\_\_\_\_  
DAVID L. GOLDBERG  
Assistant United States Attorney

  
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LAZARO P. FIELDS  
Assistant United States Attorney