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CLEK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
A. JESSEN
DEPUTY CLERK

APR 09 2009

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CASE NO. 09 CR 00142 JLB
VIOLATIONS: 18 U.S.C. § 371 -
Conspiracy;
26 U.S.C. § 7201 and 18 U.S.C.
§ 2 - Tax Evasion and Aiding
and Abetting (3 Counts);
18 U.S.C. §§ 514 and 2 -
Presenting Fictitious
Instrument Purporting to be
Actual Security of the United
States and Aiding and Abetting
(4 Counts)

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINCENT STEVEN BOOTH,
LOUISE O. BOOTH, and
MICHAEL S. IOANE,

Defendants.

COUNT ONE: [18 U.S.C. § 371 - Conspiracy]

The grand jury charges:

VINCENT STEVEN BOOTH,
LOUISE O. BOOTH, and
MICHAEL S. IOANE,

defendants herein, as follows:

INDICEMENT

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1. At all times relevant herein, defendants VINCENT STEVEN

BOOTH and LOUISE Q. BOOTH were husband and wife, and resided in

Bakersfield, California, within the State and Eastern District of

California.

2. At all times relevant herein, defendant VINCENT STEVEN BOOTH

owned and operated San Joaquin Wellness and Medical Group, located in

Bakersfield, California.

3. At all times relevant herein, defendant MICHAEL S. IOANE did

business and had post office boxes throughout the United States,

including, but not limited to, the State and Eastern District of

California, and did business as Acacia Business Solutions, First

Amendment Publishers and other entities.

II.

THE CONSPIRACY

4. Beginning on a date not known to the Grand Jury, but no

later than on or about January 6, 1999, and continuing until on or

about April 9, 2009, in the State and Eastern District of California,

and elsewhere, defendants VINCENT STEVEN BOOTH, LOUISE Q. BOOTH and

MICHAEL S. IOANE knowingly and intentionally agreed, combined and

conspired with each other, and with others both known and unknown to

the Grand Jury, to defraud the United States, and a department or

agency thereof, by willfully attempting to evade or defeat any income

tax, or the payment thereof, due and payable to the Internal Revenue

Service.

MANNER AND MEANS OF THE CONSPIRACY

5. In furtherance of the conspiracy, defendants VINCENT STEVEN BOOTH, LOUISE Q. BOOTH and MICHAEL S. IOANE, employed, among others, the following manner and means:

A. The defendants used, and caused to be used, invalid trusts, corporations and nominees to evade their taxes and the payment of prior year assessments, while maintaining control and benefitting from the trusts, corporations and nominee bank accounts.

B. The defendants filed, and cause to be filed, bogus liabilities against their properties to create the appearance of no equity in those properties to further impede the Internal Revenue Service in its duty to collect taxes due and owing.

C. The defendants submitted, and cause to be submitted, false "Bills of Exchange" which would purport to extinguish all or part of the defendants' tax liabilities.

D. The defendants created, and caused to be created, frivolous deed transfers of their property for little or no consideration in an effort to keep the property out of the reach of the Internal Revenue Service.

E. As a result of the defendants' conduct, over \$1.3 million in back taxes has been evaded to date.

OVERT ACTS

6. In furtherance of that conspiracy and to effect the object thereof, defendants VINCENT STEVEN BOOTH, LOUISE Q. BOOTH and MICHAEL S. IOANE performed the following overt acts in the State and Eastern District of California:

A. On or about June 2, 2004, defendant MICHAEL S. IOANE

wrote a memo to defendant VINCENT STEVEN BOOTH.

1 On or about May 5, 2005, defendant VINCENT STEVEN
 2 BOOTH submitted to the Internal Revenue Service three "Bills of
 3 Exchange" in the total amount of \$1,618,658.09.
 4 C. On or about October 4, 2005, defendant VINCENT STEVEN
 5 BOOTH gave a deposition in the case of United States of America v.
 6 Steven Booth and Louise Q. Booth, Case No. 1:05-cv-290 REC-DLB.
 7 D. On or about October 22, 2005, defendant VINCENT STEVEN
 8 BOOTH wrote a memo to Internal Revenue Service Agent Fred
 9 Chynoweth.
 10 E. On or about January 15, 2006, defendants VINCENT STEVEN
 11 BOOTH and LOUISE Q. BOOTH mailed a letter to the District Director,
 12 Internal Revenue Service, Lien Desk.
 13 All in violation of Title 18, United States Code, Section 371
 14 and Title 26, United States Code, Section 7201.
 15 COUNT TWO: [26 U.S.C. § 7201 and 18 U.S.C. § 2 - Attempt to
 16 Evade and Defeat the Payment of Tax and Aiding and
 17 Abetting]

18 The Grand Jury further charges:

19 VINCENT STEVEN BOOTH and
 20 LOUISE Q. BOOTH,

21 defendants herein, between on or about June 6, 1996 and continuing to
 22 on or about April 9, 2009, within the County of Fresno, State and
 23 Eastern District of California, did willfully attempt to evade and
 24 defeat the payment of a large part of the income tax due and owing by
 25 them to the United States of America for the calendar year 1995, in
 26 the approximate amount of \$322,879, by submitting "Bills of Exchange"
 27 and other documents in lieu of payment, by concealing and attempting to
 28 conceal from the Internal Revenue Service the nature and extent of
 their assets and the location thereof, by attempting to place funds

28 Eastern District of California, did willfully attempt to evade and
27 to on or about April 9, 2009, within the County of Fresno, State and
26 defendants herein, between on or about August 17, 1998 and continuing

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24 VINCENT STEVEN BOOTH and
LOUISE Q. BOOTH,

23 The Grand Jury further charges:

22 [26 U.S.C. § 7201 and 18 U.S.C. § 2 - Attempt to
21 Evade and Defeat the Payment of Tax and Aiding and
Abetting]

20 COUNT FOUR: All in violation of Title 26, United States Code, Section 7201.

19 placing funds and property in the names of nominees.
18 and property beyond the reach of service of process, and/or by
17 their assets and the location thereof, by attempting to place funds
16 to conceal from the Internal Revenue Service the nature and extent of
15 and other documents in lieu of payment, by concealing and attempting
14 the approximate amount of \$332,737, by submitting "Bills of Exchange"
13 them to the United States of America for the calendar year 1996, in
12 defeat the payment of a large part of the income tax due and owing by
11 Eastern District of California, did willfully attempt to evade and
10 to on or about April 9, 2009, within the County of Fresno, State and
9 defendants herein, between on or about August 15, 1997 and continuing

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7 VINCENT STEVEN BOOTH and
LOUISE Q. BOOTH,

6 The Grand Jury further charges:

5 [26 U.S.C. § 7201 and 18 U.S.C. § 2 - Attempt to
4 Evade and Defeat the Payment of Tax and Aiding and
Abetting]

3 COUNT THREE: All in violation of Title 26, United States Code, Section 7201.

2 placing funds and property in the names of nominees.
1 and property beyond the reach of service of process, and/or by

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defeat the payment of a large part of the income tax due and owing by
 them to the United States of America for the calendar year 1997, in
 the approximate amount of \$702,414, by submitting "Bills of Exchange"
 and other documents in lieu of payment, by concealing and attempting
 to conceal from the Internal Revenue Service the nature and extent of
 their assets and the location thereof, by attempting to place funds
 and property beyond the reach of service of process, and/or by
 placing funds and property in the names of nominees.
 All in violation of Title 26, United States Code, Section 7201.
COUNT FIVE: [18 U.S.C. §§ 514(a) (2) and 2 - Presenting False or
 Fictitious Instrument or Document Purporting to be
 Actual Security or Financial Instrument of the
 United States and Aiding and Abetting]
 The Grand Jury further charges:
 VINCENT STEVEN BOOTH and
 MICHAEL S. IOANE,
 defendants herein, on or about May 5, 2005, within the State and
 Eastern District of California, with the intent to defraud, did pass,
 utter, present or offer, within the United States, a false or
 fictitious instrument, document, or other item appearing,
 representing, purporting, or contriving through scheme or artifice,
 to be an actual security or financial instrument issued under the
 authority of the United States, to wit, a "Bill of Exchange" dated
 April 8, 2005, in the approximate amount of \$910,00 to the Internal
 Revenue Service, Fresno, California.
 All in violation of Title 18, United States Code, Sections
 514(a) (2) and 2.

28 representing, purporting, or contriving through scheme or artifice,
27 fictitious instrument, document, or other item appearing,
26 utter, present or offer, within the United States, a false or
25 Eastern District of California, with the intent to defraud, did pass,
24 defendants herein, on or about May 5, 2005, within the state and

23
22 VINCENT STEVEN BOOTH and
MICHAEL S. IOANE,

21 The Grand Jury further charges:

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19 United States and Aiding and Abetting]
18 Actual Security or Financial Instrument of the
17 Fictitious Instrument or Document Purporting to be
16 [18 U.S.C. §§ 514(a) (2) and 2 - Presenting False or
15 COUNT SEVEN:

14 514(a) (2) and 2.

13 All in violation of Title 18, United States Code, Sections
12 Internal Revenue Service, Fresno, California.

11 April 8, 2005, in the approximate amount of \$842,896.80 to the
10 authority of the United States, to wit, a "Bill of Exchange" dated
9 to be an actual security or financial instrument issued under the
8 representing, purporting, or contriving through scheme or artifice,
7 fictitious instrument, document, or other item appearing,
6 utter, present or offer, within the United States, a false or
5 Eastern District of California, with the intent to defraud, did pass,
4 defendants herein, on or about May 5, 2005, within the state and

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2 VINCENT STEVEN BOOTH and
1 MICHAEL S. IOANE,

1 The Grand Jury further charges:

1 [18 U.S.C. §§ 514(a) (2) and 2 - Presenting False or
2 Fictitious Instrument or Document Purporting to be
3 Actual Security or Financial Instrument of the
4 United States and Aiding and Abetting]

1 COUNT SIX:

1 to be an actual security or financial instrument issued under the
 2 authority of the United States, to wit, a "Bill of Exchange" dated
 3 April 8, 2005, in the approximate amount of \$774,851.29 to the
 4 Internal Revenue Service, Fresno, California.
 5 All in violation of Title 18, United States Code, Sections
 6 514(a) (2) and 2.
 7 COUNT EIGHT: [18 U.S.C. §§ 514(a) (2) and 2 - Presenting False or
 8 Fictitious Instrument or Document Purporting to be
 9 Actual Security or Financial Instrument of the
 10 United States and Aiding and Abetting]
 11 The Grand Jury further charges:
 12 VINCENT STEVEN BOOTH and
 13 MICHAEL S. IOANE,
 14 defendants herein, on or about December 19, 2005, within the State
 15 and Eastern District of California, with the intent to defraud, did
 16 pass, utter, present or offer, within the United States, a false or
 17 fictitious instrument, document, or other item appearing,
 18 representing, purporting, or contriving through scheme or artifice,
 19 to be an actual security or financial instrument issued under the
 20 authority of the United States, to wit, a "Bill of Exchange" dated
 21 April 8, 2005, in the approximate amount of \$802,694.64 to the
 22 Internal Revenue Service, Fresno, California.
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All in violation of Title 18, United States Code, Sections 514(a) (2) and 2.

A TRUE BILL.

/s/ Signature on file w/AUSA

FOREPPERSON

LAWRENCE G. BROWN
Acting United States Attorney
By Shella K. Obero
MARK E. CULLERS,
Assistant U.S. Attorney
Chief, Fresno Office

Acceptance # 7004 1160 0001 1102 1621 Department of Treasury Foreign Letters of Credit Division

\$774,851.29

BILL OF EXCHANGE

Date: April 8, 2005

Bill of Acceptance/Bond - Time Draft

Vincent S. Booth, Principal/Drawer

C/O 5717 Roundup Way

Bakersfield, CA 93306

To: Secretary of the Treasury, Department of the Treasury Bank - Ledger #000030079

On or By June 11, 2005 Credit the account of UNITED STATES TREASURY, Invoice/Notice number. F

Fsc. Ids (REQUEST FOR PAYMENT) dated April 4, 2005 addressed to VINCENT STEVEN BOOTH, SS#

261-25-7668. Tax Period: December 31, 1996.

Credit Account of UNITED STATES TREASURY and Invoice/Reply No. Fsc. Ids in the amount of: \$774,851.29 Seven Hundred Seventy Four Thousand Eight Hundred Fifty One 29/100.

Personal Direct Treasury/Resource (UCC Contract) account 7004 1160 0001 1102 1461; additional references 261257668, which are the accounts for access to the resources account, i.e. treasury exempt account of VINCENT STEVEN BOOTH

The obligation of the Drawee (acceptor), Secretary of the Treasury, through the bailee (authorized agent) of Claimant's Financial institution, hereof arises out of consideration for the pledge and by the redemption of the pledge under Public Resolution HJR-192, now Public Law 73-10 and 59 S. Ct. 847 (FN3), represented by the attached claim Accepted for Value (All Communication) and bearing the account/resource number 261257668 and registrations numbers 7004 1160 0001 1102 1461.

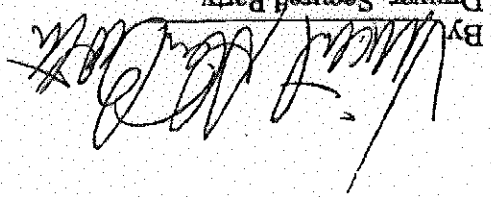
This claim document is hereby surrendered as said pledge is redeemed (discharged) by drawer through the attached document of acceptance for value and exempt from levy. The Claimant's institution (U. S. TREASURY) is to accept this bill, sign and present directly via Certified or Registered mail, Return Receipt to the Secretary of Treasury - Department of the Treasury. Unless the original Negotiable Instrument is dishonored in writing within 15 days of receipt by the Secretary of the Treasury, Claimant's institution (U. S. TREASURY) is to release the credit to the payee within the time stipulated by Regulation "Z", Truth in Lending Act or on the date designated, whichever is later. The amount of this accepted draft is to be credited by Claimant's institution (U. S. TREASURY) to the designated account and the discharge of this claim fifteen (15) days after receipt by the Federal Window (Regulation Z).

Notice : The law relating to principal and agent applies.

By:

Bailee's signature (U.S. Treasury)

Accepted at () on _____

By:  Vincent S. Booth
Drawer, Secured Party
Without Recourse

\$774,851.29

\$774,851.29