



## Five Long Island Businessmen Face Tax Charges Tax Scofflaws Repeatedly Failed To File Sales Tax Returns

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FOR RELEASE:  
IMMEDIATE, Thursday  
November 20, 2008

New York State Department of Taxation and Finance Commissioner Robert L. Megna today announced that five Long Island business owners - two in Nassau County and three in Suffolk County - were recently charged in separate cases for failing to file sales tax returns and thus failing to report thousands of dollars in taxable sales between 2005 and 2008.

Each defendant was served with a summons charging multiple counts of Willful Failure to File a Return or Report under the Tax Law. They each face up to two years in jail if convicted.

The defendants, authorized to collect sales taxes, knew of their obligation to collect and remit those taxes to the State of New York. Instead, according to the charges filed in these cases, they chose to stop filing, while they continued to collect sales taxes from customers and failed to remit those taxes to the State.

Those charged include:

Jaime DeGuzman, 45, of 492 Pierce St., Oceanside, the operator of Abigail's Cuisine & Coffee Shop, Inc., a restaurant located at 230 Merrick Rd. in Rockville Centre, is charged with six misdemeanor counts of failing to file sales tax returns for tax periods from March 1, 2007 to August 31, 2008.

Russell Vandeinse, 69, of 241-16 Linden Blvd., Elmont, the owner and operator of Van's Nursery Florist, located at the same address, is charged with six misdemeanor counts of failing to file sales tax returns for tax periods from March 1, 2007 to August 31, 2008.

Both DeGuzman and Vandeinse are scheduled to appear in Nassau County District Court on December 2 to answer the charges.

George Melton, 52, of 51 Graham Street, Farmingdale, the owner of Seacoast Services, Inc., a marine services business located at 262 S. Ketcham Avenue in Amityville, is charged with six misdemeanor counts of failing to file sales tax returns for tax periods from March 1, 2007 to May 31, 2008.

John Yandolli, 58, of 12 Woodland Lane, Smithtown, the owner of 770 D.P. Enterprise, Inc., an auto body shop located at 770 Deer Park Avenue in North Babylon, is charged with nine misdemeanor counts of failing to file sales tax returns for tax periods from June 1, 2006 to August 31, 2008.

Bryan Gordon, 43, of 51 Valley Lane East, Valley Stream, the owner of Tasti D-Lite of Commack, Inc., a frozen dessert store located at 215 Commack Road, Commack, is charged with nine misdemeanor counts of failing to file sales tax returns for tax periods from June 1, 2006 to August 31, 2008.

Melton, Yandolli and Gordon are scheduled to appear in Suffolk County District Court on December 2 to answer the charges.

Commissioner Megna said, "Retail businesses are obligated to collect sales taxes, file tax returns, and pay the sales taxes they collect from their customers to New York State. Business owners who knowingly persist in failing to file returns and pay the taxes they collect are committing a crime. Those who pocket collected sales tax revenues are cheating their customers and depriving state and local governments of revenues that are needed to deliver crucial services."

"The Tax Department, with support of prosecutors around the State, is committed to pursuing tax scofflaws such as those charged. I thank Nassau County District Attorney Kathleen M. Rice and Suffolk County District Attorney Thomas J. Spota for their aggressive prosecution of these cases."

The cases were investigated by staff from the Department's Special Investigations Unit offices in Nassau and Suffolk. The Special Investigation Unit, which was created in 2007, is a multi-disciplinary investigative unit of attorneys, investigators and forensic auditors dedicated to investigating and prosecuting tax fraud.

All of the defendants are presumed to be innocent unless and until proven guilty.

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Last Modified: November 20, 2008