

## Ashland doctor sentenced to 10 months for failing to file tax returns

by Bend\_Weekly\_News\_Sources

An Ashland physician was sentenced this week to ten months' imprisonment for willfully failing to file income tax returns. U.S. District Judge Anna J. Brown imposed the sentence on Franklin H. Ross, Jr., M.D., 63, following his plea of guilty in August to willfully failing to file a federal income tax return for 2003. He will begin serving his sentence in late January 2008.

In April 2007, a federal grand jury returned a four-count indictment charging Dr. Ross with failing to timely file federal income tax returns for the years 2000 through 2003. As part of a plea agreement with the government, Dr. Ross pled guilty to only the 2003 count, although he agreed to pay full restitution to the Internal Revenue Service for all taxes due and owing for each of those four years. Dr. Ross also agreed to cooperate with the IRS in the assessment and collection of income taxes due and owing for each of those four years.

Dr. Ross will be on supervised release for one year following his term of imprisonment. As conditions of his supervised release, Dr. Ross must timely file true and accurate income tax returns, and must pay all back taxes due and owing for tax years 2000, 2001, 2002, and 2003, as determined by the Internal Revenue Service.

The maximum penalty provided by law for failing to file income tax returns is imprisonment for one year, a \$25,000 fine, or both. In imposing the ten-month sentence, Judge Brown noted that Dr. Ross had considerable education and experience, and found "no excuse" for his failure to file income tax returns. She rejected as "not credible" Dr. Ross's claims that he had simply fallen victim to bad advice from others, and that he was acting with altruistic motives. Judge Brown imposed the ten-month sentence to deter Dr. Ross and others like him, and to promote respect for the law.

United States Attorney Karin Immergut said that the sentence imposed on Dr. Ross sends a strong message about the importance of each citizen filing income tax returns. "Every citizen is responsible for filing returns and paying their fair share of taxes, regardless of their level of education, their occupation, or their social status," she said. "Nobody is above the law."

This case was investigated by the Internal Revenue Service Criminal Investigation Division, and was prosecuted by Assistant United States Attorney Gary Sussman.

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