



DEPARTMENT OF TAXATION

**News Release**

**LINDA LINGLE**  
GOVERNOR

---

KURT KAWAFUCHI, DIRECTOR  
Phone: (808) 587-1510  
Fax: (808) 587-1560

---

For Immediate Release: April 29, 2009

**CRIMINAL COMPLAINT FILED IN TAX CASE**

HONOLULU — A criminal complaint has been filed against Frank Diaz. The six-count complaint charges Diaz with one count of filing a false and fraudulent tax return, three counts for failing to file his annual general excise tax returns for tax years 2003 through 2005, and two counts of failing to file his individual income tax returns for tax years 2004 and 2005.

This complaint was filed under the provisions where Diaz, through his attorney has agreed to plead guilty to the charges specified in the complaint. Filing a false return is a felony and in normal circumstances, all alleged felony violations are either filed via information or reported to a grand jury. In this case, this Plea via Complaint (PVC) was agreed upon between the defendant and the Attorney General.

The false and fraudulent statement count is for tax year 2006 which is a class "C felony subject to a maximum fine up to \$100,000 per violation and 3 years in prison. Failing to file a tax return is a misdemeanor subject to a fine up to \$25,000 per violation, one year in prison or both. Diaz will be arraigned in Circuit Court on Thursday, April 30, 2009.

###

For more information contact:  
Gary Sasamura  
Criminal Tax Investigator  
Phone: (808) 587-1798  
Email: Gary.H.Sasamura@hawaii.gov