



DEPARTMENT OF TAXATION

News Release

LINDA LINGLE
GOVERNOR

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

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MAN CHARGED WITH SPENDING ERRONEOUS REFUND

HONOLULU — Tarry Limakade was charged with one count of theft in the first degree and pled no contest to the charge before the Honorable Derrick Chan in Circuit Court.

Limakade filed his 2006 income tax return and received a refund of \$27,904, which was deposited electronically into his bank account. When he discovered the large refund amount in his bank account, he contacted his tax preparer who discovered a typographical error on the tax return. The preparer immediately prepared an amended return and told Limakade to file the amended return showing the correct refund of \$77 and to send back the initial refund of \$27,904 to the Tax Department. Instead of correcting the mistake, Limakade went on a spending spree by moving to a better apartment and purchasing an Xbox 360, a 2002 Kia and a Suzuki XL-7 (both used automobiles) and clothing.

This is the department's second tax case prosecuted for refunds deposited electronically into a person's bank account. In each case the money was spent instead of returned and each defendant knew the returns were filed incorrectly.

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In the prior case, Christopher Burns was extradited from Florida and was unable to post \$10,000 bail. He spent over seven months in prison until he was sentenced this past February and has to repay over \$71,000.

The State Attorney General's Office filed a motion opposing the no contest plea stating, "The nolo contendere plea would not be appropriate because of the serious nature of the crime".

The theft charge is a Class B felony. Due to the amount of the refund Limakade could be sent to prison for 10 years and fined \$25,000, or both. He will be sentenced on June 9, 2008 before Judge Chan.

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For more information contact:
Stephen Hironaka
Criminal Tax Investigator
Phone: (808) 587-1795
Email: Stephen.T.Hironaka@hawaii.gov