

**INDICTMENT**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN OPEN COURT  
10-12-83  
Ben H. Carter, Clerk  
By: *J. Hume*  
Deputy Clerk

UNITED STATES OF AMERICA :  
 :  
 v. : CRIMINAL INDICTMENT  
 :  
 ALMON GLENN BRASWELL : NO. \_\_\_\_\_ -A

**CR83-267A**

THE GRAND JURY CHARGES:

COUNT ONE

On or about April 16, 1979, in the Northern District of Georgia, the defendant, ALMON GLENN BRASWELL, did knowingly and willfully make and subscribe a Federal Individual Income Tax Return, Form 1040, for tax year 1978, which contained a written declaration that the Return was made under the penalties of perjury; which Return the defendant, ALMON GLENN BRASWELL, did not then believe was true and correct as to every material matter, in that, the defendant, ALMON GLENN BRASWELL, knowingly and willfully did not report substantial personal income in the form of cash payments received by him in 1978, in violation of 26 U.S.C. § 7206(1).

COUNT TWO

On or about April 9, 1979, in the Northern District of Georgia, the defendant, ALMON GLENN BRASWELL, did knowingly

and willfully aid, assist, procure, and advise the preparation of a Federal Corporation Income Tax Return, Form 1120, for Cosvetic Laboratories, Inc., for the taxable year beginning July 1, 1977, and ending June 30, 1978, which Return was false as to a material matter, in that, a deduction for "bad debts" was overstated in the Return, in violation of 26 U.S.C. § 7206(2).

COUNT THREE

On or about September 16, 1980, in the Northern District of Georgia, the defendant, ALMON GLENN BRASWELL, did knowingly and willfully make and subscribe a Federal Individual Income Tax Return, Form 1040, for tax year 1979, which contained a written declaration that the Return was made under the penalties of perjury; which Return the defendant, ALMON GLENN BRASWELL, did not then believe was true and correct as to every material matter, in that, the defendant, ALMON GLENN BRASWELL, knowingly and willfully did not report substantial personal income in the form of cash payments received by him in 1979, in violation of 26 U.S.C. § 7206(1).

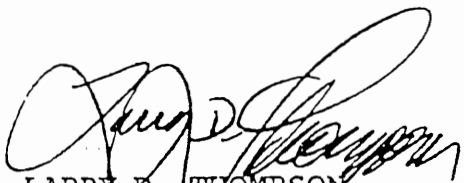
COUNT FOUR

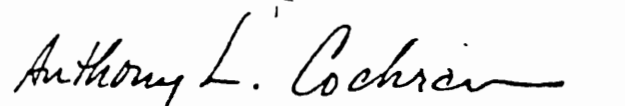
On or about March 16, 1980, in the Northern District of

Georgia, the defendant, ALMON GLENN BRASWELL, did knowingly and willfully aid, assist, procure, and advise the preparation of a Federal Corporation Income Tax Return, Form 1120, for Braswell, Inc. and its subsidiaries, for the taxable year beginning July 1, 1978, and ending June 30, 1979, which Return was false as to material matters, in that, deductions for postage, and depreciation on automobiles and video equipment were overstated, and investment tax credits for the automobiles and video equipment were also overstated, in violation of 26 U.S.C. § 7206(2).

A True BILL

Almond  
FOREPERSON

  
LARRY D. THOMPSON  
UNITED STATES ATTORNEY

  
ANTHONY L. COCHRAN  
ASSISTANT UNITED STATES ATTORNEY

# United States District Court for

vs.

ALMON GLENN BRASWELL

North District of Georgia

DOCKET NO.

CR 83-267 A

## JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH	DAY	YEAR
December	5	1983

WITNESS

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

Mark Kadish

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

NOT GUILTY

FINDING & SENTENCE

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of knowingly & willfully making & subscribing a Federal Individual Income Tax Return which contained a written declaration that the Return was made under the penalties of perjury, which Return the defendant did not then believe was true & correct as to every material matter, in that the defendant did not report substantial personal income in the form of cash payments received by him in 1978, in violation of Title 26, United States Code, Section 7206(1).

SENTENCE

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of three (3) years on Count One of the indictment in the above-entitled cause.

IT IS FURTHER ORDERED that the defendant surrender voluntarily to the institution designated by the Attorney General as directed by the United States Marshal within thirty (30) days.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT INFORMATION

The court orders commitment to the custody of the Attorney General and recommends that the institution at Lexington, Kentucky be designated as the place of service of this sentence so that the defendant can receive treatment for his drug abuse and alcohol abuse problems. After the defendant has received this treatment, the Court recommends that the defendant be transferred to a minimum security institution nearest Atlanta, Georgia.

It is ordered that the Clerk of Court file a certified copy of this judgment and sentence with the United States Marshal at the institution designated for the defendant's confinement.

**FILED IN CLERK'S OFFICE**

DECEMBER 6 1983

DEC 6 1983

BY

U.S. District Court

Magistrate

*Magistrate*

Magistrate

By: *B. J. ...*

By:

Deputy Clerk

December 5 1983

**GENERAL  
CONDITIONS  
OF  
PROBATION**

Where probation has been ordered the defendant shall, during the period of probation, conduct himself as a law-abiding, industrious citizen and observe all conditions of probation prescribed by the court. **TO THE DEFENDANT** - You shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. In the event of work notify your probation officer at once, and consult him prior to job changes;
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any change in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

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**RETURN**

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I have executed the within Judgment and Commitment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

Defendant noted appeal on \_\_\_\_\_

Defendant released on \_\_\_\_\_

Mandate issued on \_\_\_\_\_

Defendant's appeal determined on \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, the institution designated by the Attorney General, with a certified copy of the within Judgment and Commitment.

United States Marshal

By: \_\_\_\_\_

Deputy Marshal

ORIGINAL

FILED IN CLERK'S OFFICE  
U.S.D.C. - Atlanta

SEP 1 1987

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

LUTHER D. THOMAS, Clerk  
By: *[Signature]* Deputy Clerk

UNITED STATES OF AMERICA,	:	CRIMINAL ACTIONS
Plaintiff,	:	CR83-126A
v.	:	CR83-127A
ALMON GLENN BRASWELL,	:	CR83-267A
Defendant	:	

ORDER

For the reasons stated in the government's response to defendant's pending motion, the Court DENIES defendant's motion to terminate or modify the terms of probation.

IT IS SO ORDERED, this 31<sup>st</sup> day of August, 1987.

*[Signature]*  
 \_\_\_\_\_  
 Marvin H. Shoop, Judge  
 United States District Court  
 Northern District of Georgia