



Illinois Department of Revenue

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Illinois Supreme Court Upholds Prison Sentence for Tax Scofflaw

CHICAGO – The Illinois Department of Revenue and Attorney General Lisa Madigan’s office today announced that the Supreme Court has vacated a July order by the Circuit Court of Will County that would have allowed Mark Tomaska to be released from prison and restored to conditional release, in spite of an earlier finding that Tomaska did not comply with the conditions of his first sentencing in 2012 and should serve time in jail. The Supreme Court’s action of late last month will reinstate a sentence of six months in jail for Mark Tomaska. He is required to surrender on September 10, 2013.

“We appreciate that the courts understand and treat seriously the violation of trust resulting in Mr. Tomaska pocketing the money he collected on behalf the people of Illinois from his employees’ salaries,” said Director Brian Hamer, of the Illinois Department of Revenue.

In October, 2012 Tomaska had pleaded guilty to failure to pay more than \$40,000 in income tax withholdings for his employees and been sentenced to 24 months of conditional release, required to perform 200 hours of community service and pay the taxes he owed. Early in 2013, the State of Illinois, represented by the Attorney General’s office, argued that Tomaska had not complied with the terms of his conditional release and sought to have that conditional release revoked. After several hearings, and testimony disproving Tomaska’s assertions that he had done the community service ordered by the Court, Tomaska was sentenced to serve six months in jail and pay the back taxes he owed.