

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
Nashville Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES L. WRAY

Defendant.

No. 3:02-cv-360

**PERMANENT INJUNCTION**

The Court has considered the United States of America's complaint for injunctive relief and the evidence in support of that complaint. The Court, having entered judgment by default in favor of the United States in light of defendant's failure to respond to the complaint, now grants the injunctive relief sought by the United States.

The Court finds that, since 1996, and continuing to the present time, defendant James L. Wray has been preparing Federal individual income tax returns and amended returns for taxpayers, and has been doing so for money, in the form of a flat fee and/or a percentage of any refund recovered. The Court further finds that defendant James L. Wray, in preparing returns, has engaged in conduct subject to penalty under 26 U.S.C. §§ 6694, 6695: he has completed a Schedule C for taxpayers, even though those taxpayers have not been engaged in a sole proprietorship or business activity generating information reportable on Schedule C; he has listed deductions which are not supported, or are not deductible under the Internal Revenue Code; and he has failed to provide a copy of the return to the taxpayer for whom it was prepared.

Accordingly, the Court, pursuant to 26 U.S.C. §§ 7402(a), 7407(b), hereby orders that defendant James L. Wray be, and therefore is, ENJOINED from acting as an income tax return preparer, and is specifically enjoined from:

This document was entered on  
the docket in compliance with  
Rule 58 and/or Rule 79(a).

FRCP, on 7/29/02 by vh

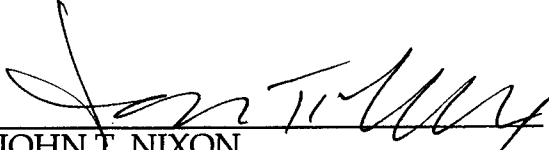
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- 1) preparing any part of a return or claim for refund that includes an unrealistic position;
- 2) failing to provide clients with copies of the return or claim for refund he has prepared for them; and
- 3) engaging in any conduct that interferes with the administration and enforcement of the internal revenue laws by the Internal Revenue Service; and it is further

ORDERED that defendant James L. Wray notify any current clients that he has been enjoined from preparing tax returns and instruct them to make alternative arrangements for the preparation of their returns; and it is further

ORDERED that defendant James L. Wray produce a list of his clients to the Internal Revenue Service by mailing the list to government counsel within twenty (20) days of the date of this order.

Dated this 25<sup>th</sup> day of July, 2002.

  
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JOHN T. NIXON  
Senior United States District Judge