



NEWS RELEASE

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FOR IMMEDIATE RELEASE
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Former Burke County State's Attorney Sentenced
on Tax Evasion and Mail Fraud Charges

BISMARCK - United States Attorney Drew H. Wrigley announced today that

Richard C. Wilkes of Bowbells, North Dakota, was sentenced before United States District Court Chief Judge Daniel L. Hovland on charges of tax evasion and mail fraud. **Wilkes**, 60, pleaded guilty to the charges in September 2004.

Wilkes served as the Burke County State's Attorney from 1993 until his suspension from practice by the North Dakota Supreme Court on January 15, 2004, which was continued by order issued January 26, 2004. During his years of practice, **Wilkes** also conducted a private law practice in Bowbells and Kenmare, ND.

Wilkes admitted attempting to evade and defeat the assessment of income tax he owed to the United States for the year 2001 by filing a fraudulent Individual Income Tax Return, which claimed \$41,747 in taxable income for 2001 and a tax due of \$10,344. In fact, **Wilkes's** 2001 income was approximately \$599,662 and the tax due was \$222,321.

Wilkes also pleaded guilty to one count of mail fraud, based upon his admission that he had devised and carried out a scheme to fraudulently obtain money and property from the estates of Magdalena and Hulda Jordy by arranging for his own appointment as personal representative and attorney for both estates without making full and proper disclosure to the heirs of the estates. While acting as attorney and personal representative of the estates, **Wilkes** immediately began withdrawing

large amounts of cash from both estates for his own use. **Wilkes** used that cash to provide large amounts of money and goods, including cars, jewelry, airline tickets, and hotel rooms to at least six exotic dancers in various bars in the state of North Dakota.

Wilkes mailed partial distribution checks from the estates to the heirs of the estates, but made no mention of, and provided no accounting for, the amounts of money he had paid himself. As part of the scheme, **Wilkes** prepared promissory notes to the Jordy estates, however, the heirs were never advised of the claimed notes and did not agree to any such loan amounts or loan terms.

Judge Hovland sentenced **Wilkes** to 3 years and 5 months of imprisonment, to be followed by 3 years of supervised release. **Wilkes** was ordered to pay restitution of \$439,026.72 to the heirs of the Jordy estates and \$269,078 to the Internal Revenue Service and to pay a \$200 special assessment to the Crime Victim's Fund.

The case was investigated by Internal Revenue Service Criminal Investigations.

Assistant United States Attorney David Peterson prosecuted the case.

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