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Ipswich Man Sentenced on Tax Charges

PIERRE, S.D. – Jeffrey Alan Fossum of Ipswich, SD was sentenced on Aug. 28, 2013, after pleading guilty to one Class 6 felony charge of making a false or fraudulent return in attempting to defeat or evade sales tax in violation of SDCL 10-45-48.1(1).

The forty-year-old owner and operator of Burger's Place in Ipswich received a suspended imposition of sentence from Circuit Court Judge Scott P. Myren after spending 30 days in jail and paying restitution to the state.

Per the conditions of the suspended sentence, Fossum has paid restitution in the amount of \$59,444.10 in tax, penalty and interest to the State of South Dakota as well as \$3,000 for prosecution costs. In addition, Fossum was ordered to spend 30 days in jail, fined \$1,000 and ordered to pay court costs of \$104. He received credit for the 30 days already served. Fossum was also placed on probation for a period of two years.

Fossum was originally charged with two Class 1 misdemeanors and six Class 6 felonies. An investigation conducted by the Department revealed Fossum substantially underreported the gross receipts from his business operation.

The case was investigated by the South Dakota Department of Revenue Investigative Services Bureau, audited by the Department's Audit Division and prosecuted by Special Assistant Attorney General Donald N. Srstka.