

DEPARTMENT OF REVENUE  
445 EAST CAPITOL AVENUE  
PIERRE, SD 57501-3185

PHONE: (605) 773-3311  
FAX: (605) 773-5129

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***For more information:*** Andy Fergel, Chief Legal Counsel, Department of Revenue, 605.773.3311 or Sara Rabern, Office of the Attorney General, 605.773.3215

### **Rapid City Man Sentenced for Fraudulent Sales Tax Returns**

PIERRE, S.D. – Attorney General Marty Jackley and Department of Revenue Secretary Andy Gerlach announced today that Richard W. Guthmiller was sentenced for making false or fraudulent sales tax returns through his business located in Rapid City.

Guthmiller was convicted by a Pennington County jury in February 2013 of 8 counts of making false or fraudulent sales tax returns in attempting to defeat or evade sales tax in violation of SDCL 10-45-48.1(1). Each count is a class 6 felony. Guthmiller filed 8 returns between February 2008 and March 2011 stating he owed no sales tax.

The thirty-six year old owner and operator of 605 Collision & Custom Paint was sentenced by Seventh Circuit Court Judge Thomas L. Trimble. Per the conditions of the sentence, Guthmiller was ordered to pay restitution in the amount of \$9,169.82 in tax, penalty and interest to the State of South Dakota as well as fees and appropriate court costs. Additionally, Guthmiller was fined \$1,000.00 for each of the eight counts and sentenced to the State Penitentiary one year for each of the eight counts with the terms to run consecutively.

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