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# Judge sentences Snipes to 3 years for tax convictions

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Wesley Snipes walks into a federal courthouse in Ocala, Fla. Thursday for sentencing. A judge sentenced him to three years in prison on several tax convictions.

By Travis Reed, Associated Press Writer

OCALA, Fla. — Wesley Snipes called on famous friends to vouch for him, highlighted his clean criminal record and even wrote the government \$5 million in checks — all in an effort to convince a judge that his conviction on tax charges should cost him nothing more than home detention and some public service announcements.

None of it worked. The *Blade* actor is doing hard time.

Snipes was sentenced to three years in prison Thursday for failing to file tax returns, the maximum penalty — and a victory for prosecutors who sought to make an example of the action star.

Snipes' lawyers had spent much of the day in court offering dozens of letters from family members, friends — even fellow actors Woody Harrelson and Denzel Washington — attesting to his good character. His attorneys recommended he be given home detention and ordered to make public service announcements because his three convictions were all misdemeanors and the actor had no previous criminal record.

But U.S. District Judge William Terrell Hodges said Snipes exhibited a "history of contempt over a period of time" for U.S. tax laws, and granted prosecutors the three-year sentence they requested — one year for each of Snipes' convictions of willfully failing to file a tax return from 1999-2001.

"In my mind these are serious crimes, albeit misdemeanors," Hodges said.

Snipes apologized while reading from a written statement for his "costly mistakes," but never mentioned the word taxes.

"I am an idealistic, naive, passionate, truth-seeking, spiritually motivated artist, unschooled in the science of law and finance," Snipes said. He said his wealth and celebrity attracted "wolves and jackals like flies are attracted to meat." He called himself "well-intentioned, but miseducated."

Snipes surprised the court before Hodges handed down the sentence by offering the government three checks totaling \$5 million in unpaid taxes over several years, money the government first denied but then accepted. Prosecutors called it "grandstanding" to avoid jail time, and a mere down payment on the actor's still-undetermined multimillion dollar tax bill.

The action star of the *Blade* trilogy, *White Men Can't Jump*, *Jungle Fever* and other films hasn't filed a tax return since 1998, the government alleged. Snipes and the IRS will work in future civil proceedings to determine his full tax liability, plus interest and penalties.

Snipes was the highest-profile criminal tax target in years, and prosecutors called for a heavy sentence to deter others from trying to obstruct the IRS. The government alleged Snipes made at least \$13.8 million for the years in question and owed \$2.7 million in back taxes.

Snipes was acquitted in February of five additional charges, including felony tax fraud and conspiracy. Co-defendants Douglas P. Rosile and Eddie Ray Kahn were convicted on both those counts. Kahn, who refused to defend himself in court, was sentenced to 10 years, while Rosile received 54 months. Both will serve three years of supervised release. Snipes will serve one year of supervised release.

Snipes and Rosile remain free and will be notified when they are to surrender to authorities.

Kahn was the founder of American Rights Litigators, and a successor group, Guiding Light of God Ministries, that purported to help members legally avoid paying taxes. Rosile, a former accountant who lost his licenses in Ohio

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and Florida, prepared Snipes' paperwork.

Snipes maintained in a years-long battle with the IRS he did not have to pay taxes, using fringe arguments common to "tax protesters" who say the government has no legal right to collect. After joining Kahn's group, the government said Snipes instructed his employees to stop paying their own taxes and sought \$11 million in 1996 and 1997 taxes he legally paid.

Prosecutors sought to justify the maximum sentence by raising those and other details from the IRS investigation, as well as a tax loss even for years in which Snipes was acquitted of failing to file a return. Such "relevant conduct" is allowed by law for a judge's consideration at sentencing.

Criminal tax prosecutions are relatively rare — usually the cases are handled in civil court, where the government has a lower burden of proof. Prosecutors said Snipes' case was important to send a message to would-be tax protesters not to test the government.

Snipes' lawyers said he was no threat to society, and called four character witnesses Thursday, including television's Judge Joe Brown, who incited applause from the gallery by suggesting Snipes was no different than "mega-corporate entities" that legally avoid taxes.

Hodges twice halted the proceedings to quiet the crowd, threatening to clear everyone out if they made another outburst.

Defense attorneys Carmen Hernandez and Daniel Meachum said Snipes was unfairly targeted for prosecution because he's famous. Meachum called prosecutors "big game hunters," selectively prosecuting the actor while Kahn's 4,000 other clients remained free.

Hodges was not swayed.

"One of the main purposes which drives selective prosecution in tax cases is deterrence," the judge said, while denying it had anything to do with his sentence. "In some instances, that means those of celebrity stand greater risk of prosecution. But there's nothing unusual about it, nor is there anything unlawful about it. It's the way the system works."

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