

IRS NEWS & INQUIRER

What's the Answer?

Q: The IRS just seized my wife's bank account for taxes that only I owe. How can they do this?

A: The IRS is entitled to seize funds from any bank account which has your name attached as an owner of that account. If your name is listed on the account as a convenience to your wife then the IRS assumes you also own the account. If you do not have any ownership in the account and your name does not appear on the signature card, then your wife has grounds to make the IRS release all funds they've levied from her bank account. TIP: If you have IRS problems, it is not a good idea to share ownership of any bank accounts with others who do not have IRS problems. Isn't my return simple? Isn't it pretty much cut and dried?

GET FREE TAX HELP

Whether you'd like to avoid the IRS, contact the IRS, or settle with the IRS. Call us for FREE tax analysis.

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What's Happening?

North Augusta Man Claims Immunity from US Income Tax

Douglas Ray, age 51, had previously warned authorities he was immune from U. S. law and he would use deadly force to keep law officers off his property.

But, after a seven hour standoff he surrendered peacefully to Aiken County Sheriff deputies at his North Augusta home. Ray, a truck driver at the Savannah River Site, was arrested for probation violations of his tax evasion conviction,

Ray claims immunity as a Moorish American and that his name is Jalil Bey. The Nation of Moorish Americans believes they are not citizens of the United States. The founder of the group is minister Louis Bey.

Over-the-Road Truck Driver Had No Tax Home.

Mr. McNeil was a self-employed owner/operator of a long-haul truck. He was on the road 360 days in 1998 and approximately 345 days in 1999. The IRS disallowed his claimed travel expenses while away from home. "If a taxpayer is constantly on the move due to his work, he is never 'away' from home." Lacking a tax home, a taxpayer is entitled to no business deductions for meals and lodging expenses under IRC162.

IRS Lost: Brother Caring For Siblings Can Claim EIC.

Rafael lived with his mother and younger siblings, all of whom he supported. His use of the head-of-household status and the dependency exemptions were not questioned. However, the IRS said that the siblings were not "qualifying children" for EIC purposes because Rafael did not care for them as if they were his own.

The Tax Court disagreed and allowed Rafael's EIC. Apart from his financial support, he shared parenting duties with his mother, assuming the role of a father figure. The mother was disabled and did not speak English. Rafael helped his siblings with their homework and enforced disciplinary rules, such as curfews set by the mother. He filled a parental void by helping to "guide" the younger children in ways that their mother could not.