Case: 4:25-cv-00047-AGF Doc. #: 1-17 Filed: 01/13/25 Page: 1 of 7 PageID #: 506

JAN 1 3 2025

U. S. DISTRICT COURT EASTERN DISTRICT OF MO ST. LOUIS

#### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

In the Matter of

TERRY LEE HINDS,  Pro se & Suri Juris,  Real Party in Interest as Plaintiff/Petitioner, ("[P/P]")	} } }
-Vs-	} }
JOSEPH R. BIDEN, JR., in his official capacity &	} } } CIVIL ACTION
DANIEL WERFEL, in his official capacity &	} {FILE NUMBER:
JANET YELLEN, in her official capacity &	}   ILL NOWIBER.
MERRICK B. GARLAND, in his official capacity.	<i>}</i> } }
Defendants/Respondents/Interested Party. ("[D/R/I P]")	}

#### **EXHIBIT COVER SHEET**

Exhibit Name: IRS' Notice CP722A, dated October 28, 2024 - No OMB # on this doc.

Exhibit Number: Exhibit AA-16

Number of pages 6 and # total of sheets 3.

Title of document this Exhibit belongs with:

PETITION FOR JUDICAL REVIEW, JUDGMENT OR DECREE

Document filed date 1/13/23

with Exhibit Filed on Behalf of [P/P].

Submitted by:

TERRY LEE HINDS, [P/P] 438 Leicester Square Drive Ballwin, Missouri 63021

PH (636) 777-0397

Email address: alphaomega44@outlook.com

Doc. #: 1-17

Filed: 01/13/25





Department of the Treasury Internal Revenue Service Kansas City, MO 64999-0025

CP22A Notice Tax Year 2021 **Notice date** October 28, 2024 Social Security number XXX-XX-7855 800-829-0922 To contact us Your Caller ID 208447 Page 1 of 4 18H

012032.487640.312314.8038 1 AB 0.593 802 իդիդՈրոիգԱՈՌոիդիկդիիրիոհոյիիկիրըԱկել



**TERRY HINDS** 438 LEICESTER SQUARE DR

012032

BALLWIN MO 63021-7396

Changes to your 2021 Form 1040-SR

# Amount due: \$13,317.16

Based on the information you provided, we changed your 2021 Form 1040-SR to correct your:

- business income (or loss)
- taxable Social Security benefits
- other income

We changed the civil penalty amount that we previously charged.

As a result, you owe \$13,317.16. If you already have an installment or payment agreement in place for this tax year, then continue with that agreement.

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B	i	ĺ	li	ng	Summ	ary

AR16

\$13 317 16
2,133.16
1,864.00
\$9,320.00





TERRY HINDS 438 LEICESTER SQUARE DR BALLWIN MO 63021-7396

Notice	CP22A
Notice date	October 28, 2024
Social Socurity number	YYY-YY-7855

- Make your check or money order payable to the United States Treasury.
- Write your Social Security number (XXX-XX-7855), the tax year (2021), and the form number (1040-SR) on your payment and any correspondence.

Amount due by November 18, 2024

\$13,317.16

INTERNAL REVENUE SERVICE KANSAS CITY, MO 64999-0010

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Doc. #: 1-17 Filed: 01/13/25



Notice	CP22A
Tax Year	2021
Notice date	October 28, 2024
Social Security number	XXX-XX-7855
Page 2 of 4	18H

## What you need to do immediately

#### If you agree with the changes we made

- Pay the amount due of \$13,317.16 by November 18, 2024 to avoid additional interest and applicable penalty charges.
- Pay online or mail a check or money order with the attached payment stub. You can pay online now at www.irs.gov/payments.

#### If you don't agree with the changes

Call 800-829-0922 to review your account with a representative. Be sure you have your account information available when you call.

If we don't hear from you, we'll assume you agree with the information in this notice.

#### **Payment options**

Pay online, by phone, or with a mobile device. Visit IRS.gov/payments or the IRS2Go mobile app for all IRS payment options.

If you plan to mail a payment, consider the electronic options at IRS.gov/payments first. It's free to pay from a bank account (Direct Pay) or the Electronic Federal Tax Payment System (EFTPS). You can also schedule payments and receive email notifications.

If you pay by check, money order, or cashier's check, make sure it's payable to the U.S. Treasury.

Can't pay it all now?

- Apply for a payment plan (installment agreement) at IRS.gov/OPA
- Consider an offer in compromise at IRS.gov/OIC
- Request a temporary collection delay at IRS.gov/tempcollectiondelay

To view the amount you owe and your payment history visit IRS.gov/account.

# **Penalties**

We are required by law to charge any applicable penalties.

#### Examining officer's report

According to our records, your Examining Officer gave you a report that explained the reason for this penalty. (Internal Revenue Code section 6751(a))

#### Overstatement, understatement, or accuracy-related

#### Total overstatement, understatement, or accuracyrelated

\$1,864,00

For returns due before January 1, 1990, this penalty is one or more of the following: Valuation Overstatement, Valuation Understatement, or Substantial Understatement. For returns due after December 31, 1989, the accuracy-related penalty has been added. Refer to our Examining Officer's report for an explanation of the penalty. (Internal Revenue Code section 6662)

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Notice	CP22A
Tax Year	2021
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Social Security number	XXX-XX-7855
Page 3 of 4	18H

# Interest charges



012032

We are required by law to charge interest when you do not pay your liability on time. Generally, we calculate interest from the due date of your return (regardless of extensions) until you pay the amount you owe in full, including accrued interest and any penalty charges. Interest on some penalties accrues from the date we notify you of the penalty until it is paid in full. Interest on other penalties, such as failure to file a tax return, starts from the due date or extended due date of the return. Interest rates are variable and may change quarterly. (Internal Revenue Code section 6601)

Note: The interest amount shown here may differ from the amount shown on Page 1. The computation shown here may include interest charges on amounts due before the adjustment.

Period	Days	Interest rate	Interest factor	Amount due	Interest charge
04/15/2022 - 06/30/2022	76	4.0%	0.008363088	\$11,184.00	\$93.53
06/30/2022 - 09/30/2022	92	5.0%	0.012681615	11,277.53	143.02
09/30/2022 - 12/31/2022	92	6.0%	0.015236961	11,420.55	174.01
12/31/2022 - 06/30/2023	181	7.0%	0.035318388	11,594.56	409.50
06/30/2023 - 09/30/2023	92	7.0%	0.017798686	12,004.06	213.66
09/30/2023 - 12/31/2023	92	8.0%	0.020366804	12,217.72	248.84
12/31/2023 - 06/30/2024	182	8.0%	0.040578776	12,466.56	505.88
06/30/2024 - 10/28/2024	120	8.0%	0.026573587	12,972.44	344.72
Total interest	The state of the s				\$2,133.16

We multiply your unpaid tax, penalties, and interest (the amount due) by the interest rate factor to determine the interest due.

#### Additional information

- Visit www.irs.gov/cp22a
- For tax forms, instructions, and publications, visit www.irs.gov or call 800-TAX-FORM (800-829-3676).
- Paying online is convenient, secure, and ensures timely receipt of your payment. To pay your taxes online or for more information, go to www.irs.gov/payments.
- You can contact us by mail at the address at the top of this notice. Be sure to include your Social Security number, the tax year, and the form number you are writing about.
- If you have a power of attorney on file with us, a copy has been sent to him/her automatically.
- Keep this notice for your records.

#### Taxpayer rights and sources for assistance

The Internal Revenue Code (IRC) gives taxpayers specific rights. The Taxpayer Bill of Rights groups these into 10 fundamental rights. See IRC Section 7803(a)(3). IRS employees are responsible for being familiar with and following these rights. For additional information about your taxpayer rights, please see Publication 1, Your Rights as a Taxpayer, or visit irs.gov/taxpayer-bill-of-rights.

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Notice	CP22A
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Additional information --- continued

#### **Taxpayer Advocate Service**

The Taxpayer Advocate Service (TAS) is an independent organization within the IRS that helps taxpayers and protects taxpayers' rights. TAS can offer you help if your tax problem is causing a financial difficulty, you've tried but been unable to resolve your issue with the IRS, or you believe an IRS system, process, or procedure isn't working as it should. If you qualify for TAS assistance, which is always free, TAS will do everything possible to help you. Visit taxpayeradvocate.irs.gov or call 877-777-4778.

Tax professionals who are independent from the IRS may be able to help you.

Low Income Taxpayer Clinics (LITCs) can represent low-income persons before the IRS or in court. LITCs can also help persons who speak English as a second language. Any services provided by an LITC must be for free or a small fee. To find an LITC near you:

- Go to taxpayeradvocate.irs.gov/litcmap;
- Download IRS Publication 4134, Low Income Taxpayer Clinic List available at irs.gov/forms-pubs; or
- Call the IRS toll-free at 800-829-3676 and ask for a copy of Publication 4134. State bar associations, state or local society of accountants or enrolled agents, or other nonprofit tax professional organizations may also be able to provide referrals.

If you need assistance, please don't hesitate to contact us.



# Your Rights as a Taxpayer

Publication 1

This publication explains your rights as a taxpayer and the processes for examination, appeal, collection, and refunds. Also available in Spanish.

# The Taxpayer Bill of Rights

#### 1. The Right to Be Informed

Taxpayers have the right to know what they need to do to comply with the tax laws. They are entitled to clear explanations of the laws and IRS procedures in all tax forms, instructions, publications, notices, and correspondence. They have the right to be informed of IRS decisions about their tax accounts and to receive clear explanations of the outcomes.

#### 2. The Right to Quality Service

Taxpayers have the right to receive prompt, courteous, and professional assistance in their dealings with the IRS, to be spoken to in a way they can easily understand, to receive clear and easily understandable communications from the IRS, and to speak to a supervisor about inadequate service.

#### 3. The Right to Pay No More than the Correct Amount of Tax

Taxpayers have the right to pay only the amount of tax legally due, including interest and penalties, and to have the IRS apply all tax payments properly.

## 4. The Right to Challenge the IRS's Position and Be Heard

Taxpayers have the right to raise objections and provide additional documentation in response to formal IRS actions or proposed actions, to expect that the IRS will consider their timely objections and documentation promptly and fairly, and to receive a response if the IRS does not agree with their

## 5. The Right to Appeal an IRS Decision in an Independent Forum

Taxpayers are entitled to a fair and impartial administrative appeal of most IRS decisions, including many penalties, and have the right to receive a written response regarding the Office of Appeals' decision. Taxpayers generally have the right to take their cases to court.

#### 6. The Right to Finality

Taxpayers have the right to know the maximum amount of time they have to challenge the IRS's position as well as the maximum amount of time the IRS has to audit a particular tax year or collect a tax debt. Taxpayers have the right to know when the IRS has finished an audit.

#### 7. The Right to Privacy

Taxpavers have the right to expect that any IRS inquiry, examination, or enforcement action will comply with the law and be no more intrusive than necessary, and will respect all due process rights, including search and seizure protections, and will provide, where applicable, a collection due process hearing.

#### 8. The Right to Confidentiality

Taxpayers have the right to expect that any information they provide to the IRS will not be disclosed unless authorized by the taxpayer or by law. Taxpayers have the right to expect appropriate action will be taken against employees, return preparers, and others who wrongfully use or disclose taxpayer return information.

# 9. The Right to Retain Representation

Taxpayers have the right to retain an authorized representative of their choice to represent them in their dealings with the IRS. Taxpayers have the right to seek assistance from a Low Income Taxpayer Clinic if they cannot afford representation.

# 10. The Right to a Fair and Just Tax System

Taxpayers have the right to expect the tax system to consider facts and circumstances that might affect their underlying liabilities, ability to pay, or ability to provide information timely. Taxpayers have the right to receive assistance from the Taxpayer Advocate Service if they are experiencing financial difficulty or if the IRS has not resolved their tax issues properly and timely through its normal channels.

The IRS Mission

Provide America's taxpayers top-quality service by helping them understand and meet their tax responsibilities and enforce the law with integrity and fairness to all.

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# Examinations, Appeals, Collections, and Refunds

#### **Examinations (Audits)**

We accept most taxpayers' returns as filed. If we inquire about your return or select it for examination, it does not suggest that you are dishonest. The inquiry or examination may or may not result in more tax. We may close your case without change; or, you may receive a refund.

The process of selecting a return for examination usually begins in one of two ways. First, we use computer programs to identify returns that may have incorrect amounts. These programs may be based on information returns, such as Forms 1099 and W-2, on studies of past examinations, or on certain issues identified by compliance projects. Second, we use information from outside sources that indicates that a return may have incorrect amounts. These sources may include newspapers, public records, and individuals. If we determine that the information is accurate and reliable, we may use it to select a return for examination.

Publication 556, Examination of Returns, Appeal Rights, and Claims for Refund, explains the rules and procedures that we follow in examinations. The following sections give an overview of how we conduct examinations.

#### By Mail

We handle many examinations and inquiries by mail. We will send you a letter with either a request for more information or a reason why we believe a change to your return may be needed. You can respond by mail or you can request a personal interview with an examiner. If you mail us the requested information or provide an explanation, we may or may not agree with you, and we will explain the reasons for any changes. Please do not hesitate to write to us about anything you do not understand.

#### By Interview

If we notify you that we will conduct your examination through a personal interview, or you request such an interview, you have the right to ask that the examination take place at a reasonable time and place that is convenient for both you and the IRS. If our examiner proposes any changes to your return, he or she will explain the reasons for the changes. If you do not agree with these changes, you can meet with the examiner's supervisor.

# **Repeat Examinations**

If we examined your return for the same items in either of the 2 previous years and proposed no change to your tax liability, please contact us as soon as possible so we can see if we should discontinue the examination.

# **Appeals**

If you do not agree with the examiner's proposed changes, you can appeal them to

the Appeals Office of the IRS. Most differences can be settled without expensive and time-consuming court trials. Your appeal rights are explained in detail in both Publication 5, Your Appeal Rights and How To Prepare a Protest If You Don't Agree, and Publication 556, Examination of Returns, Appeal Rights, and Claims for Refund.

If you do not wish to use the Appeals Office or disagree with its findings, you may be able to take your case to the U.S. Tax Court, U.S. Court of Federal Claims, or the U.S. District Court where you live. If you take your case to court, the IRS will have the burden of proving certain facts if you kept adequate records to show your tax liability, cooperated with the IRS, and meet certain other conditions. If the court agrees with you on most issues in your case and finds that our position was largely unjustified, you may be able to recover some of your administrative and litigation costs. You will not be eligible to recover these costs unless you tried to resolve your case administratively, including going through the appeals system, and you gave us the information necessary to resolve the

#### Collections

Publication 594, The IRS Collection Process, explains your rights and responsibilities regarding payment of federal taxes. It describes:

- What to do when you owe taxes. It describes what to do if you get a tax bill and what to do if you think your bill is wrong. It also covers making installment payments, delaying collection action, and submitting an offer in compromise.
- IRS collection actions. It covers liens, releasing a lien, levies, releasing a levy, seizures and sales, and release of property.
- IRS certification to the State Department of a seriously delinquent tax debt, which will generally result in denial of a passport application and may lead to revocation of a passport.

Your collection appeal rights are explained in detail in Publication 1660, Collection Appeal Rights.

#### **Innocent Spouse Relief**

Generally, both you and your spouse are each responsible for paying the full amount of tax, interest, and penalties due on your joint return. However, if you qualify for innocent spouse relief, you may be relieved of part or all of the joint liability. To request relief, you must file Form 8857, Request for Innocent Spouse Relief. For more information on innocent spouse relief, see Publication 971, Innocent Spouse Relief, and Form 8857.

#### **Potential Third Party Contacts**

Generally, the IRS will deal directly with you or your duly authorized representative.

However, we sometimes talk with other persons if we need information that you have been unable to provide, or to verify information we have received. If we do contact other persons, such as a neighbor, bank, employer, or employees, we will generally need to tell them limited information, such as your name. The law prohibits us from disclosing any more information than is necessary to obtain or verify the information we are seeking. Our need to contact other persons may continue as long as there is activity in your case. If we do contact other persons, you have a right to request a list of those contacted. Your request can be made by telephone, in writing, or during a personal interview.

#### Refunds

You may file a claim for refund if you think you paid too much tax. You must generally file the claim within 3 years from the date you filed your original return or 2 years from the date you paid the tax, whichever is later. The law generally provides for interest on your refund if it is not paid within 45 days of the date you filed your return or claim for refund. Publication 556, Examination of Returns, Appeal Rights, and Claims for Refund, has more information on refunds.

If you were due a refund but you did not file a return, you generally must file your return within 3 years from the date the return was due (including extensions) to get that refund.

# **Taxpayer Advocate Service**

TAS is an *independent* organization within the IRS that can help protect your taxpayer rights. We can offer you help if your tax problem is causing a hardship, or you've tried but haven't been able to resolve your problem with the IRS. If you qualify for our assistance, which is always free, we will do everything possible to help you. Visit www.taxpayeradvocate.irs.gov or call 1-877-777-4778.

# Tax information

The IRS provides the following sources for forms, publications, and additional \* information.

- Tax Questions: 1-800-829-1040 (1-800-829-4059 for TTY/TDD)
- Forms and Publications: 1-800-829-3676 (1-800-829-4059 for TTY/TDD)
- Internet: www.irs.gov
- Small Business Ombudsman: A small business entity can participate in the regulatory process and comment on enforcement actions of the IRS by calling 1-888-REG-FAIR.
- Treasury Inspector General for Tax Administration: You can confidentially report misconduct, waste, fraud, or abuse by an IRS employee by calling 1-800-366-4484 (1-800-877-8339 for TTY/TDD). You can remain anonymous.