

Amended U.S. Individual Income Tax Return

▶ See separate instructions.

Your first name and middle initial Gregory	Your last name Davis	Your social security number
If a joint return, your spouse's first name and middle initial	Your spouse's last name	Your spouse's social security number
Your current home address (number and street). If you have a P.O. box, see page 5 of the instructions. ██████████	Apt. no. ██	Your phone number ██████████
Your city, town or post office, state, and ZIP code. If you have a foreign address, see page 5 of instructions. ██████ AZ ██████		

All filers must complete lines A, B, and C.

A Amended return filing status. You must check one box even if you are not changing your filing status. **Caution.** You cannot change your filing status from joint to separate returns after the due date.

- Single
- Married filing jointly
- Married filing separately
- Qualifying widow(er)
- Head of household (If the qualifying person is a child but not your dependent, see page 5 of instructions.)

B This return is for calendar year 2009 2008 2007 2006

Other year. Enter one: calendar year or fiscal year (month and year ended):

C Explanation of changes. In the space provided below, tell us why you are filing Form 1040X.

Form 4852 to correct pay erroneously characterized as privileged wages to unprivileged pay pursuant to IRC 3401 & 3221. Forms K-1, C-EZ, D, E, SE, 4797, 6251 & 6781 were a result of private sector activities and not as a result of the performance of the functions of a public office pursuant to Title 26 which is found at Sec. 7701(a)(26). No funds were paid or received by the Federal Government and hence no privilege. Consequently no taxable events occurred. The amount on line 11 is the Federal income tax withheld plus the erroneously withheld medicare and social security taxes as listed on form 4852. Schedule A has been eliminated as it is not needed.

Income and Deductions		Correct Amount
1	Adjusted gross income (see page 6 of instructions). If net operating loss (NOL) carryback is included, check here <input type="checkbox"/>	1 (3,679)
2	Itemized deductions or standard deduction (see page 6 of instructions)	2
3	Subtract line 2 from line 1	3 (3,679)
4	Exemptions. If changing, complete the Exemptions section on the back and enter the amount from line 30 (see page 6 of instructions)	4 (3,300)
5	Taxable income. Subtract line 4 from line 3	5 (6,979)
Tax Liability		
6	Tax (see page 7 of instructions). Enter method used to figure tax:	6 0.00
7	Credits (see page 8 of instructions). If general business credit carryback is included, check here <input type="checkbox"/>	7
8	Subtract line 7 from line 6. If the result is zero or less, enter -0-	8
9	Other taxes (see page 8 of instructions)	9 0.00
10	Total tax. Add lines 8 and 9	10 0.00
Payments		
11	Federal income tax withheld and excess social security and tier 1 RRTA tax withheld (if changing, see page 8 of instructions)	11 5,664
12	Estimated tax payments, including amount applied from prior year's return (see page 8 of instructions)	12 3,716
13	Earned income credit (EIC) (see page 8 of instructions)	13
14	Refundable credits from <input type="checkbox"/> Schedule M or Form(s) <input type="checkbox"/> 2439 <input type="checkbox"/> 4136 <input type="checkbox"/> 5405 <input type="checkbox"/> 8801 <input type="checkbox"/> 8812 <input type="checkbox"/> 8863 <input type="checkbox"/> 8885 or <input checked="" type="checkbox"/> other (specify): Telephone Excise Tax Paid	14 30
15	Total amount paid with request for extension of time to file, tax paid with original return, and additional tax paid after return was filed (see page 9 of instructions)	15 47,142
16	Total payments. Add lines 11 through 15	16 56,552
Refund or Amount You Owe (Note. Allow 8-12 weeks to process Form 1040X.)		
17	Overpayment, if any, as shown on original return or as previously adjusted by the IRS (see page 9 of instructions)	17
18	Subtract line 17 from line 16 (If less than zero, see page 9 of instructions)	18 56,552
19	Amount you owe. If line 10 is more than line 18, enter the difference (see page 9 of instructions)	19 0.00
20	If line 10 is less than line 18, enter the difference. This is the amount overpaid on this return	20 56,552
21	Amount of line 20 you want refunded to you	21 56,552
22	Amount of line 20 you want applied to your (enter year): estimated tax 22	

Complete and sign this form on Page 2.

Exemptions

Complete this part **only** if you are:

- Increasing or decreasing the number of exemptions (personal and dependents) claimed on line 6d of the return you are amending, or
- Increasing or decreasing the exemption amount for housing individuals displaced by Hurricane Katrina or a Midwestern disaster.

See Form 1040 or Form 1040A instructions and page 10 of Form 1040X instructions.

	Correct Number or Amount
23 Yourself and spouse. <i>Caution.</i> If someone can claim you as a dependent, you cannot claim an exemption for yourself	23
24 Your dependent children who lived with you	24
25 Your dependent children who did not live with you due to divorce or separation	25
26 Other dependents	26
27 Total number of exemptions. Add lines 23 through 26	27
28 Multiply the number of exemptions claimed on line 27 by the exemption amount shown in the instructions for line 28 for the year you are amending (see page 10 of instructions)	28
29 If you are claiming an exemption amount for housing individuals displaced by Hurricane Katrina, enter the amount from Form 8914, line 6 for 2006. If you are claiming an exemption amount for housing individuals displaced by a Midwestern disaster, enter the amount from Form 8914, line 2 for 2008, or line 6 for 2009	29
30 Add lines 28 and 29. Enter the result here and on line 4 on page 1 of this form	30
31 List ALL dependents (children and others) claimed on this amended return. If more than 4 dependents, see page 10 instructions.	

(a) First name	Last name	(b) Dependent's social security number	(c) Dependent's relationship to you	(d) Check box if qualifying child for child tax credit (see page 10 of instructions)
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

Presidential Election Campaign Fund

Checking below will not increase your tax or reduce your refund.

- Check here if you did not previously want \$3 to go to the fund, but now do.
- Check here if this is a joint return and your spouse did not previously want \$3 to go to the fund, but now does.

Checklist

Before mailing this form, remember to

- Complete name, address, and social security number
- Complete lines A, B, and C on page 1
- Complete lines 1 through 22 on page 1
- Complete lines 23 through 31 on page 2, if required
- Attach any supporting documents and new or changed forms and schedules
- Sign and date this form

Sign Here

Remember to keep a copy of this form for your records.

Under penalties of perjury, I declare that I have filed an original return and that I have examined this amended return, including accompanying schedules and statements, and to the best of my knowledge and belief, this amended return is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information about which the preparer has any knowledge.

_____ Date _____
 _____ Date _____
 Your signature Date Spouse's signature. If a joint return, **both** must sign. Date

Paid Preparer's Use Only

_____ Date _____

Firm's name (or yours if self-employed), address, and ZIP code

Check if self-employed

Preparer's SSN or PTIN Phone number EIN

Substitute for Form W-2, Wage and Tax Statement, or Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
▶ Attach to Form 1040, 1040A, 1040-EZ, or 1040X.

1 Type or print your first name and middle initial. GREGORY	Last name DAVIS	2 Social security number (SSN) [REDACTED]
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3 Address
[REDACTED] AZ [REDACTED]

4 Enter year in space provided and check one box. For the tax year ending December 31, **2006**,
I have been unable to obtain (or have received an incorrect) Form W-2 OR Form 1099-R.

I have notified the IRS of this fact. The amounts shown on line 7 or line 8 are my best estimates for all wages or payments made to me and tax withheld by my employer or payer named on line 5.

5 Employer's or payer's name, address, and ZIP code [REDACTED]	6 Employer's or payer's identification number (if known) [REDACTED]
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7 Form W-2. Enter wages, tips, other compensation, and taxes withheld.

a Wages, tips, and other compensation <u>-0-</u>	g State income tax withheld <u>1,771</u>
b Social security wages. <u>-0-</u>	(Name of state) <u>Arizona</u>
c Medicare wages and tips <u>-0-</u>	h Local income tax withheld _____
d Advance EIC payment <u>-0-</u>	(Name of locality) _____
e Social security tips <u>-0-</u>	i Social security tax withheld <u>713</u>
f Federal income tax withheld <u>4,784</u>	j Medicare tax withheld <u>167</u>

8 Form 1099-R. Enter distributions from pensions, annuities, retirement/profit-sharing plans, IRAs, insurance contracts, etc.

a Gross distribution _____	f Federal income tax withheld _____
b Taxable amount _____	g State income tax withheld _____
c Taxable amount not determined <input type="checkbox"/>	h Local income tax withheld _____
d Total distribution <input type="checkbox"/>	i Employee contributions _____
e Capital gain (included in 8b) _____	j Distribution codes _____

9 How did you determine the amounts on lines 7 and 8 above?
My unprivileged pay was incorrectly characterized as privileged wages to an employee pursuant to IRC 3401 & 3121

10 Explain your efforts to obtain Form W-2, Form 1099-R, or Form W-2c, Corrected Wage and Tax Statement.
None

Sign Here	Under penalties of perjury, I declare that I have examined this statement, and to the best of my knowledge and belief, it is true, correct, and complete.
	Signature ▶ _____ Date ▶ _____

Purpose of form. Form 4852 serves as a substitute for Forms W-2, W-2c, and 1099-R and is completed by taxpayers or their representatives when (a) their employer or payer does not give them a Form W-2 or Form 1099-R, or (b) when an employer or payer has issued an incorrect Form W-2 or Form 1099-R. Attach this form to your income tax return.

You should always attempt to get Form W-2 or Form 1099-R from your employer or payer before contacting the IRS or filing Form 4852. After February 14, you may call the IRS at 1-800-829-1040 if you still have not received Form W-2 or Form 1099-R. Generally, do not file Form 4852 before April 15.

If you received an incorrect Form W-2 or Form 1099-R, you should always attempt to have your employer or payer issue a corrected form before filing Form 4852.

Note. Retain a copy of Form 4852 for your records. Check your Social Security Statement (received at least a full year after the date shown on line 4) against Form 4852. If the earnings you reported on Form 4852 are not shown in the statement, you should contact the Social Security Administration (SSA) at the telephone number shown on the statement. Alternatively, after

September 30 following the date shown on line 4, you may contact your local SSA office to verify wages reported by your employers.

Will I need to amend my return? If you receive a Form W-2, Form W-2c, or Form 1099-R, after your return is filed with Form 4852, and the information differs from the information reported on your return, you must amend your return by filing Form 1040X, Amended U.S. Individual Income Tax Return.

Penalties. The IRS will challenge the claims of individuals who attempt to avoid or evade their federal tax liability by using Form 4852 in a manner other than as prescribed. Potential penalties for the improper use of Form 4852 include:

- Accuracy-related penalties equal to 20 percent of the amount of taxes that should have been paid,
- Civil fraud penalties equal to 75 percent of the amount of taxes that should have been paid, and
- A \$5,000 civil penalty for filing a frivolous return or submitting a specified frivolous submission as described by section 6702 of the Internal Revenue Code.