Sworn Statement

Gerald J. Langwell and Vicki A. Langwell **Certified Mail Tracking Number:**
SSNs: [redacted]
Tax Year: 2023

Dear Madam or Sir,

The enclosed Form 4852 submitted with my 2023 1040 form is to rebut and correct information on a document known to have been submitted to the IRS by the party listed on line 5 of enclosed form 4852 referred to as "payer," who erroneously alleged that I, Gerald J. Langwell, received "wages" from them connected to a "trade or business."

At no time during the 2023 tax year did I, Gerald J. Langwell, work in an occupation that would meet the definition of an "employee" as defined in 26 USC 3401(c). I was also not involved in any privileged activities as defined in 7701(a)(26). Therefore, the payments made to me by this "Payer" did not result in "taxable income" or "wages" as defined in 26 USC 3401(a). These allegations are erroneous, as payments made to me by this "payer" did not result from any Federal taxable activity and did not constitute any taxable income under relevant tax law.

The withheld amount shown is correct and provided to me by the "payer" and should already be part of the IRS record as provided to you by the "payer."

There is no evidence whatsoever that "payer" was involved in any activities or a status what would consider payments made to me subject to Federal income excise tax. I do not know why these "payer" would report these payments as "income."

Social Security retirement benefit payments received by myself, Gerald J. Langwell and Vicki A. Langwell are included in the amount entered on Line 6a of Form 1040.

Under penalty of perjury, I declare these statements and accompanying documents 4852 true, correct, and complete, to the best of my knowledge.

Signed: [redacted] Date: 3/3/2024
Gerald J. Langwell, of my own right and without representation, with explicit reservation of all my rights and without prejudice.

Signed: [redacted] Date: 3/3/2024
Vicki A. Langwell (joint filer), of my own right and without representation, with explicit reservation of all my rights and without prejudice.

"wages" defined in 26 USC section 3401(a) and section 3121(a)
"trade or business" defined in 26 USC section 7701(26)
"employee" defined in 26 USC 3401(c)
" privileged activities" defined in 7701(a)(26)

Form 1040-SR U.S. Tax Return for Seniors

Department of the Treasury—Internal Revenue Service | 2023 | OMB No. 1545-0074 | IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2023, or other tax year beginning _____, 2023, ending _____, 20 _____ — See separate instructions.

Your first name and middle initial	Last name	Your social security number
Gerald J	Langwell	[redacted]
If joint return, spouse's first name and middle initial	Last name	Spouse's social security number
Vicki A	Langwell	[redacted]

Home address (number and street). If you have a P.O. box, see instructions. — Apt. no.
2517 Wisconsin ST NE

City, town, or post office. If you have a foreign address, also complete spaces below. — State — ZIP code
[redacted]

Foreign country name — Foreign province/state/county — Foreign postal code

Presidential Election Campaign
Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund.
☐ You ☐ Spouse

Filing Status Check only one box.
☐ Single ☒ Married filing jointly (even if only one had income) ☐ Married filing separately (MFS)
☐ Head of household (HOH) ☐ Qualifying surviving spouse (QSS)
If you checked the MFS box, enter the name of your spouse. If you checked the HOH or QSS box, enter the child's name if the qualifying person is a child but not your dependent: _____

Digital Assets
At any time during 2023, did you: (a) receive (as a reward, award, or payment for property or services); or (b) sell, exchange, or otherwise dispose of a digital asset (or a financial interest in a digital asset)? (See instructions.) . . . . . ☐ Yes ☒ No

Standard Deduction
Someone can claim: ☐ You as a dependent ☐ Your spouse as a dependent
☐ Spouse itemizes on a separate return or you were a dual-status alien

Age/Blindness
You: ☐ Were born before January 2, 1959 ☐ Are blind
Spouse: ☒ Was born before January 2, 1959 ☐ Is blind

Dependents (see instructions):

(1) First name Last name	(2) Social security number	(3) Relationship to you	(4) Check the box if qualifies for (see instructions): Child tax credit	Credit for other dependents
If more than four dependents, see instructions and check here ☐			☐	☐
			☐	☐
			☐	☐
			☐	☐

Income
Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.
If you did not get a Form W-2, see instructions.

1a	Total amount from Form(s) W-2, box 1 (see instructions)	1a	
b	Household employee wages not reported on Form(s) W-2	1b	
c	Tip income not reported on line 1a (see instructions)	1c	
d	Medicaid waiver payments not reported on Form(s) W-2 (see instructions)	1d	
e	Taxable dependent care benefits from Form 2441, line 26	1e	
f	Employer-provided adoption benefits from Form 8839, line 29	1f	
g	Wages from Form 8919, line 6	1g	
h	Other earned income (see instructions)	1h	
i	Nontaxable combat pay election (see instructions) 1i		
z	Add lines 1a through 1h	1z	

Attach Schedule B if required.

2a	Tax-exempt interest 2a		b	Taxable interest	2b 285
3a	Qualified dividends 3a		b	Ordinary dividends	3b
4a	IRA distributions 4a		b	Taxable amount	4b
5a	Pensions and annuities 5a	53,012.	b	Taxable amount	5b 0.
6a	Social security benefits 6a	49,595.	b	Taxable amount	6b 0.
c	If you elect to use the lump-sum election method, check here (see instructions) ☐				

	7	Capital gain or (loss). Attach Schedule D if required. If not required, check here ☐	7	
	8	Additional income from Schedule 1, line 10	8	0.
	9	Add lines 1z, 2b, 3b, 4b, 5b, 6b, 7, and 8. This is your **total income**	9	285.
	10	Adjustments to income from Schedule 1, line 26	10	
	11	Subtract line 10 from line 9. This is your **adjusted gross income**	11	285.
Standard Deduction See *Standard Deduction Chart* on the last page of this form.	12	**Standard deduction or itemized deductions** (from Schedule A)	12	29,200.
	13	Qualified business income deduction from Form 8995 or Form 8995-A	13	
	14	Add lines 12 and 13	14	29,200.
	15	Subtract line 14 from line 11. If zero or less, enter -0-. This is your **taxable income**	15	0.
Tax and Credits	16	**Tax** (see instructions). Check if any from: 1 ☐ Form(s) 8814 2 ☐ Form(s) 4972 3 ☐ _____	16	0.
	17	Amount from Schedule 2, line 3	17	
	18	Add lines 16 and 17	18	0.
	19	Child tax credit or credit for other dependents from Schedule 8812	19	
	20	Amount from Schedule 3, line 8	20	
	21	Add lines 19 and 20	21	
	22	Subtract line 21 from line 18. If zero or less, enter -0-	22	0.
	23	Other taxes, including self-employment tax, from Schedule 2, line 21	23	0.
	24	Add lines 22 and 23. This is your **total tax**	24	0.
Payments	25	Federal income tax withheld from:		
	a	Form(s) W-2 — 25a		
	b	Form(s) 1099 — 25b		
	c	Other forms (see instructions) — 25c		
	d	Add lines 25a through 25c	25d	
	26	2023 estimated tax payments and amount applied from 2022 return	26	
If you have a qualifying child, attach Sch. EIC.	27	Earned income credit (EIC) — No. 27		
	28	Additional child tax credit from Schedule 8812 — 28		
	29	American opportunity credit from Form 8863, line 8 — 29		
	30	Reserved for future use — 30		
	31	Amount from Schedule 3, line 15 — 31		
	32	Add lines 27, 28, 29, and 31. These are your **total other payments and refundable credits**	32	
	33	Add lines 25d, 26, and 32. These are your **total payments**	33	

Refund

34 If line 33 is more than line 24, subtract line 24 from line 33. This is the amount you **overpaid** 34

35a Amount of line 34 you want **refunded to you.** If Form 8888 is attached, check here . . . . . ☐ 35a

Direct deposit? See instructions.

b Routing number X X X X X X X X X c Type: ☐ Checking ☐ Savings

d Account number X X X X X X X X X X X X X X X X X

36 Amount of line 34 you want **applied to your 2024 estimated tax** 36

Amount You Owe

37 Subtract line 33 from line 24. This is the **amount you owe.** For details on how to pay, go to *www.irs.gov/Payments* or see instructions 37 0.

38 Estimated tax penalty (see instructions) 38

Third Party Designee

Do you want to allow another person to discuss this return with the IRS? See instructions . . . . . ☐ **Yes.** Complete below. ☒ **No**

Designee's name | Phone no. | Personal identification number (PIN)

Sign Here

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

Joint return? See instructions. Keep a copy for your records.

Your signature [redacted]	Date 3/3/24	Your occupation Retired	If the IRS sent you an Identity Protection PIN, enter it here (see inst.)
Spouse's signature. If a joint return, **both** must sign. [redacted]	Date 3/3/24	Spouse's occupation Retired	If the IRS sent your spouse an Identity Protection PIN, enter it here (see inst.)
Phone no. [redacted]	Email address		

Paid Preparer Use Only

Preparer's name	Preparer's signature	Date	PTIN	Check if: ☐ Self-employed
Firm's name Self-Prepared			Phone no.	
Firm's address			Firm's EIN	

Form **4852** (Rev. September 2020)

Department of the Treasury
Internal Revenue Service

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, 1040-SR, or 1040-X.

▶ Go to *www.irs.gov/Form4852* for the latest information.

OMB No. 1545-0074

Attachment Sequence No. 04

You must take the following steps before filing Form 4852

- Attempt to get your Form W-2, Form W-2c, or Form 1099-R (original or corrected) from your employer or payer before contacting the IRS or filing Form 4852.
- If you don't receive the missing or corrected form from your employer or payer by the end of February, you may call the IRS at 800-829-1040 for assistance. You must provide your name, address (including ZIP code), phone number, social security number, and dates of employment. You must also provide your employer's or payer's name, address (including ZIP code), and phone number. The IRS will contact your employer or payer and request the missing form. The IRS will also send you a Form 4852. If you don't receive the missing form in sufficient time to file your income tax return timely, you may use the Form 4852 that the IRS sent you to file with your return.

1 Name(s) shown on return

Gerald J Langwell

2 Your social security number [redacted]

3 Address

2517 Wisconsin St. NE, Albuquerque, NM 87110

4 Enter year in space provided and check one box. For the tax year ending December 31, 2022 ,

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

The Northern Trust Company, Benefit Payment Services WB-38
50 S. LaSalle St., Chicago, IL 60603 -- 6770 NTESP, Sandia, NTESS Retirement Income Plan

6 Employer's or payer's TIN (if known) [redacted]

7 Form W-2. Enter wages, tips, other compensation, and taxes withheld.

a Wages, tips, and other compensation		f State income tax withheld	
b Social security wages		(Name of state)	
c Medicare wages and tips		g Local income tax withheld	
d Social security tips		(Name of locality)	
e Federal income tax withheld		h Social security tax withheld	
		i Medicare tax withheld	

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

a Gross distribution	53012.28	f Federal income tax withheld	0
b Taxable amount	0	g State income tax withheld	0
c Taxable amount not determined	☐	(Name of state)	New Mexico
d Total distribution	☐	h Local income tax withheld	0
e Capital gain (included on line 8b)	0	(Name of locality)	
		i Employee contributions	0
		j Distribution codes	7

9 How did you determine the amounts on lines 7 and 8 above?

Line 8(b) is corrected as I did not receive any "wages" as defined in 3401(a) and 3121(a) in 26 USC. I was also not involved in any privileged activities as defined in 7701(a)(26). Lines 8(f)(g) and (i) were derived from the erroneous 1099-R provided by the payer listed on Line 5.

10 Explain your efforts to obtain Form W-2, Form 1099-R (original or corrected), or Form W-2c, Corrected Wage and Tax Statement.

None

General Instructions

Section references are to the Internal Revenue Code.

Future developments. For the latest information about developments related to Form 4852, such as legislation enacted after it was published, go to *www.irs.gov/Form4852*.

Purpose of form. Form 4852 serves as a substitute for Forms W-2, W-2c, and 1099-R (original or corrected) and is completed by you or your representatives when **(a)** your employer or payer doesn't issue you a Form W-2 or Form 1099-R, or **(b)** an employer or payer has issued an incorrect Form W-2 or Form 1099-R. Attach this form to the back of your income tax return before any supporting forms or schedules.

You should always attempt to get your Form W-2, Form W-2c, or Form 1099-R (original or corrected) from your employer or payer before contacting the IRS or filing Form 4852. If you don't receive the missing or corrected form from your employer or payer by the end of February, you may call the IRS at 800-829-1040 for assistance. You must provide your name, address (including ZIP code), phone number, social security number, and dates of employment. You must also provide your employer's or payer's name, address (including ZIP code), and phone number. The IRS will contact your employer or payer and request the missing form. The IRS will also send you a Form 4852. If you don't receive the missing form in sufficient time to file your income tax return timely, you may use the Form 4852 that the IRS sent you.