

D.A.# D1 DC-09-900191/ MNI 7890299

331st

No. 01 DC 09 900191 The State of Texas vs. Ismael Kino Flores

INDICTMENT:

Tampering with Governmental Record, Sec. 37.10(a)(1)(5), Penal Code, State Jail Felony, Counts I and II
Perjury, Sec. 37.02, Penal Code, Class A Misdemeanor involving Official Misconduct, Count III

Bond \$ _____

In The 331st Judicial District Court of Travis County, Texas

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

THE GRAND JURY, for the County of Travis, State of Texas duly selected, empaneled, sworn, charged, and organized as such at the January Term A.D. of 2009 of the 427th Judicial District Court for said County, upon its oath presents in and to said court that Ismael "Kino" Flores, the Defendant, on or about the 30th day of April, A.D. 2009, and before the presentment of this indictment, in the County of Travis and the State of Texas, did then and there, with intent to harm and defraud another, namely the State of Texas and the Texas Ethics Commission, intentionally and knowingly make a false entry in and false alteration of a governmental record, to wit: said Defendant submitted a Personal Financial Statement and did not list and report all sources of occupational income, as required by Texas Government Code Sec. 572.023, omitting the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and S & B Infrastructure under the heading "Sources of Occupational Income," and the heading "Retainers," when in truth and in fact said Defendant had received income and retainers from the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and S & B Infrastructure during the calendar year 2008;

Filed In The District Court
of Travis County, Texas

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At 2009 M.
Amalia Rodriguez-Mendoza, Clerk

COUNT I, PARAGRAPH II

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, the Defendant, on or about the 30th day of April, A.D. 2009, and before the presentment of this indictment, in the County of Travis and the State of Texas, did then and there, with intent to harm and defraud another, namely the State of Texas and the Texas Ethics Commission, intentionally and knowingly make and present and use a governmental record, to wit: a Personal Financial Statement, and said Defendant made and presented and used said governmental record with knowledge of its falsity, to wit: said Defendant submitted the Personal Financial Statement to the Texas Ethics Commission and did not list and report all sources of occupational income, as required by Texas Government Code Sec. 572.023, omitting, under the heading "Sources of Occupational Income," and the heading "Retainers," the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and S & B Infrastructure, when in truth and in fact, said Defendant had received income and retainers from the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and S & B Infrastructure during calendar year 2008;

COUNT II, PARAGRAPH I

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, the Defendant, on or about the 30th day of April, A.D. 2009, and before the presentment of this indictment, in the County of Travis and the State of Texas, did then and there, with intent to harm and defraud another, namely the State of Texas and the Texas Ethics

Commission, intentionally and knowingly make a false entry in and false alteration of a governmental record, to wit: said Defendant submitted a Personal Financial Statement to the Texas Ethics Commission and did not report all beneficial interests in real property, as required by Texas Government Code Sec. 572.023, omitting his interest in and ownership of the property at Blue Star #2, Lot 32, Hidalgo County, Texas under the heading "Interests in Real Property," when in truth and in fact said Defendant had an interest in said property during the calendar year 2008;

COUNT II, PARAGRAPH II

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, the Defendant, on or about the 30th day of April, A.D. 2009, and before the presentment of this indictment, in the County of Travis and the State of Texas, did then and there, with intent to harm and defraud another, namely the State of Texas and the Texas Ethics Commission, intentionally and knowingly make and present and use a governmental record, to wit: a Personal Financial Statement, and said Defendant made and presented and used said governmental record with knowledge of its falsity, to wit: said Defendant submitted a Personal Financial Statement to the Texas Ethics Commission and did not report all beneficial interests in real property, as required by Texas Government Code Sec. 572.023, omitting under the heading "Interests in Real Property," the property at Blue Star #2, Lot 32, Hidalgo County, Texas when in truth and in fact, said Defendant had an interest in said property during calendar year 2008;

COUNT III

The grand jury further presents in and to said court at said term that Ismael Kino Flores, the Defendant, on or about the 30th day of April, A.D. 2009, in Travis County, Texas, did then and there file a Personal Financial Statement with the State of Texas and the Texas Ethics Commission and therein made under oath a false statement, by representing to the State of Texas and the Texas Ethics Commission that the Personal Financial Statement was true and correct and included all information required to be reported by said Defendant under Chapter 572 of the Texas Government Code, whereas in truth and in fact, the said Personal Financial Statement was not true and correct and did not include all information required to be reported by said Defendant under Chapter 572 of the Texas Government Code, namely, said Defendant did not list and report the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and S & B Infrastructure under the heading "Sources of Occupational Income," and the heading "Retainers," when in truth and in fact he had received income and retainers from the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and S & B Infrastructure during the calendar year 2008, and said Defendant did not report the property at Blue Star #2, Lot 32, Hidalgo County, Texas, under the heading "Interests in Real Property," when in truth and in fact said Defendant had an interest in said property during the calendar year 2008, and said Defendant made said false statement with knowledge of the statement's meaning and with intent to deceive, and said statement was required by law, under Texas Government Code Chapter 572, to be made under oath, and said Defendant was then and there a public servant acting in an official capacity, namely a member of the Texas Legislature;

against the peace and dignity of the State.



Foreperson of the Grand Jury