

D.A.# D1 DC-09-900016/ MNI 7890299

331st

No. D1 DC-09-900016 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, II and III

Bond \$ \_\_\_\_\_  
In The 331st Judicial District Court of Travis County, Texas

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**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 4th day of May, A.D. 2005, 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 list and report all sources of occupational income, as required by Texas Government Code Sec. 572.023, omitting Dannenbaum Engineering, and Hidalgo County Abstract and Title Company, and Rhodes Enterprises, Inc., and Renegade Enterprises of South Texas, Inc., and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center under the heading "Sources of Occupational Income," and the heading "Retainers," when in truth and in fact the said Defendant had received income and retainers from Dannenbaum Engineering, and Hidalgo County Abstract and Title Company, and Rhodes Enterprises, Inc., and Renegade Enterprises of South Texas, Inc., and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during the calendar year 2004;

Filed In The District Court  
of Travis County, Texas

1

JUL 17 2009  
At 2.00 p.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 4th day of May, A.D. 2005, 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 list and report all sources of occupational income, as required by Texas Government Code Sec. 572.023, omitting Dannenbaum Engineering, and Hidalgo County Abstract and Title Company, and Rhodes Enterprises, Inc., and Renegade Enterprises of South Texas, Inc., and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center 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 Dannenbaum Engineering, and Hidalgo County Abstract and Title Company, and Rhodes Enterprises, Inc., and Renegade Enterprises of South Texas, Inc., and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during calendar year 2004;

## COUNT II

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, on or about the 4<sup>th</sup> day of May, A.D. 2005, 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 his interest in and ownership of the property at 1212 Guadalupe #204 (Penthouse Condominium) Austin, Travis County, Texas, and the property at 400 W. Champion, Mission, Hidalgo County, Texas and the property at 133 Colorado Drive, Cedar Creek, Bastrop County, Texas, and the property at 2301 Pebble Beach, Onion Creek Subdivision, Austin, Travis County, Texas, and the property at Blue Start #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 calendar year 2004,

## COUNT III

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, on or about the 4<sup>th</sup> day of May, A.D. 2005, 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 report an interest in a horse of value more than \$250.00, given to his dependent son Ismael "Kino" Flores, Jr. by Marc Rodriguez, under the heading "Gifts," when in truth and in fact, said Defendant's dependent son was given an interest in a horse of value more than \$250.00, by Marc Rodriguez during calendar year 2004,

#### TOLLING PARAGRAPH

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that, with the advice and consent of counsel, the defendant, Ismael "Kino" Flores, did heretofore knowingly, intelligently, and voluntarily waive the application of Articles 12.01 and 12.02 of the Texas Code of Criminal Procedure to the indictment presented herein. In particular, the Grand Jury present that with the advice and consent of counsel, the defendant did knowingly, intelligently, and voluntarily waive the requirement that an indictment for any felony may be presented within three years from the date of the commission of the offense, and that an indictment for any misdemeanor may be presented within two years from the date of the commission of the offense, and not afterward, insofar as such requirement pertains to the indictment presented herein,

against the peace and dignity of the State.

A handwritten signature in cursive script, appearing to read "E. J. McKeen".

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Foreperson of the Grand Jury