

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

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 21st day of February, A.D. 2006, 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 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 the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during the calendar year 2005;

**Filed in The District Court
of Travis County, Texas**

JUL 17 2009

At 2:00 PM
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 21st day of February, A.D. 2006, 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 the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, 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 the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during calendar year 2005;

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 21st day of February, A.D. 2006, 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 for his dependent, as required by Texas Government Code Sec. 572.023, omitting Hillco Partners under the heading "Sources of Occupational Income," when in truth and in fact said Defendant's dependent son, Ismael "Kino" Flores, Jr. had received income from Hillco Partners during the calendar year 2005;

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 21st day of February, A.D. 2006, 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 for his dependent, as required by Texas Government Code Sec. 572.023,

omitting Hillco Partners under the heading "Sources of Occupational Income," when in truth and in fact, said Defendant's dependent son, Ismael "Kino" Flores, Jr. had received income from Hillco Partners during calendar year 2005;

COUNT III, PARAGRAPH I

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, the Defendant, on or about the 21st day of February, A.D. 2006, 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 report all beneficial interests in real property, as required by Texas Government Code Sec. 572.023, omitting his interest in and ownership of and sale of the property at 1212 Guadalupe #204 (Penthouse Condominium) Austin, Travis County, Texas, and the property at Blue Star #2, Lot 32, Hidalgo County, Texas, under the heading "Interests in Real Property," when in truth and in fact the said Ismael Kino Flores had an interest in and/or sold said property during the calendar year 2005;

COUNT III, PARAGRAPH II

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, the Defendant, on or about the 21st day of February, A.D. 2006, 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 all beneficial interests in real property, as required by Texas Government Code Sec. 572.023, omitting his interest in and ownership and sale of the property at 1212 Guadalupe #204 (Penthouse Condominium) Austin, Travis County, Texas, and 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 and/or sale of said property during calendar year 2005;

COUNT IV

The grand jury further presents in and to said court at said term that Ismael "Kino" Flores, the Defendant, on or about the 21st day of February, A.D. 2006, 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 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 he had received income and retainers from the City of McAllen, Texas and Rio Grande Steel and D. Wilson Construction and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during the calendar year 2005, and said Defendant did not list and report Hillco Partners under the heading "Sources of Occupational Income," when in truth and in fact his dependent son, Ismael "Kino" Flores, Jr. had received income from Hillco Partners during the calendar year 2005, and said Defendant did not report the property at 1212 Guadalupe #204 (Penthouse Condominium) Austin, Travis County, Texas, and 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 2005, 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;

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.



Foreperson of the Grand Jury