

D.A.# D1 DC-09-900019/ MNI 7890299

331st

No. D1 DC-09-900019 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;
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 13th day of February, A.D. 2008, 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, 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 Gignac and Associates, and S & B Infrastructure, and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during the calendar year 2007;

Filed In The District Court
of Travis County, Texas

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 13th day of February, A.D. 2008, 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, and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center, 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, and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during calendar year 2007;

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 13th day of February, A.D. 2008, 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 the property at the North 5 and 6 acres of the South 18.94 acres, Lot 54-5, West Addition Sharyland, Hidalgo County, Texas, and the property at Cabin #1517, Intercoastal Waterway, Cameron 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 2007;

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 13th day of February, A.D. 2008, 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, under the heading

“Interests in Real Property,” the property at the North 5 and 6 acres of the South 18.94 acres, Lot 54-5, West Addition Sharyland, Hidalgo County, Texas, and the property at Cabin #1517, Intercoastal Waterway, Cameron County, Texas, and 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 2007;

COUNT III

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael “Kino” Flores, on or about the 13th day of February, A.D. 2008, 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 airplane transportation of value more than \$250.00, from Greg Lamantia and L & F Distributors and L & F Arrow, under the heading “Gifts,” when in truth and in fact, said Defendant was provided airplane transportation of value more than \$250.00 by Greg Lamantia and L & F Distributors and L & F Arrow during calendar year 2007,

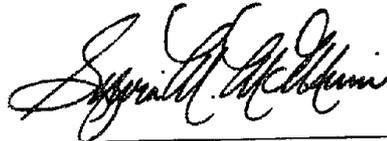
COUNT IV

The grand jury further presents in and to said court at said term that Ismael Kino Flores, the Defendant, on or about the 11th day of February, A.D. 2008, 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 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 Gignac and Associates and S & B Infrastructure and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during the calendar year 2007, and said Defendant did not report the property at the North 5 and 6 acres of the South 18.94 acres, Lot 54-5, West Addition Sharyland, Hidalgo County, Texas, and the property at Cabin #1517, Intercoastal Waterway, Cameron 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 2007, and said Defendant did not report airplane transportation of value more than \$250.00 from Greg Lamantia and L & F Distributors and L & F Arrow under the heading "Gifts," when in truth and in fact he had been provided transportation of value more than \$250.00 on the airplane owned by Greg Lamantia and

L & F Distributors and L & F Arrow during the calendar year 2007, 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.

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

Foreperson of the Grand Jury