D.A.# D1 DC-09-900018/ MNI 7890299 331st
No. D1DC09-900018 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

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. 2007, 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 Broaddus and Associates, and the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and Health Systems Resources, 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 Broaddus and Associates, and the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and Health Systems Resources, Inc., and UHS of Delaware, Inc./McAllen

Filed in The District Court
of Travis County, Texas
JUL 17 2009
At 2:00 P.M.
Amalia Rodriguez-Mendoza, Clerk

Hospital/McAllen Medical Center during the calendar year 2006;

COUNT I, PARAGRAPH II

And the Grand Jury aforesaid, upon their oaths aforesaid, does further present that Ismael "Kino" Flores, on or about the 30th day of April, A.D.2007, 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, under the heading "Sources of Occupational Income," and the heading "Retainers," Broaddus and Associates, and the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and Health Systems Resources, Inc., and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center, when in truth and in fact, said Defendant had received income and retainers from Broaddus and Associates and the City of McAllen, Texas, and Rio Grande Steel, and D. Wilson Construction, and Gignac and Associates, and Health Systems Resources, Inc., and UHS of Delaware, Inc./McAllen Hospital/McAllen Medical Center during calendar year 2006;

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. 2007, 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 2006;

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. 2007, 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 2006;

COUNT III

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. 2007, 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 interest in real property, as required by Texas Government Code Sec. 572.023, omitting his interest in and ownership and sale of the property at 400 W. Champion Lane, Mission, 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 the said Ismael Kino Flores had an interest in and/or sold said property during the calendar year 2006;

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 30th day of April, A.D. 2007, 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," his interest in and ownership and sale of the property at 400 W. Champion, Mission, 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 and/or sale of said property during calendar year 2006;

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