

IN THE DISTRICT COURT OF TRAVIS COUNTY, TEXAS
147TH JUDICIAL DISTRICT

THE STATE OF TEXAS
VS.
JOHN DOMINICK COLYANDRO
&
JAMES WALTER ELLIS

§
§
§ CRIMINAL ACTION No. _____
§
§
§



BILL OF INDICTMENT

RE-INDICTMENT OF CRIMINAL ACTION NOS. 9-04-0573 & D1DC-05-904121 331ST
JOHN DOMINICK COLYANDRO: PID #730883/MNI #1221697
BAIL: \$

RE-INDICTMENT OF CRIMINAL ACTION NOS. 9-04-0564 & D1DC-05-904122 331ST
JAMES WALTER ELLIS: PID #730881/MNI #1221680
BAIL: \$

COUNT I: MONEY LAUNDERING
TEXAS PENAL CODE § 34.02 (1ST DEGREE FELONY)
COUNT II: UNLAWFULLY MAKING CONTRIBUTION
TEXAS ELECTION CODE § 253.003 (3RD DEGREE FELONY)
COUNT III: CRIMINAL CONSPIRACY
TEXAS PENAL CODE § 15.02 (STATE JAIL FELONY)

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

{COUNT I}

THE GRAND JURY OF THE COUNTY OF TRAVIS, STATE OF TEXAS, duly selected, organized, sworn, and charged as such at the April term, A.D., 2005, of the 147th Judicial District Court of said county, in said court at said term, upon their oaths do present that on or about the thirteenth day of September, A.D., 2002, in the County of Travis and State of Texas,

JOHN DOMINICK COLYANDRO and JAMES WALTER ELLIS,

the defendants herein, did knowingly facilitate a transaction involving the proceeds of criminal activity that constituted violations of Section 253.094 of the Election Code, captioned "Contributions and Expenditures Prohibited," and Section 253.003 of the Election Code, captioned "Unlawfully Making or Accepting Contribution," offenses classified as felonies under the laws of this state, and the value of the funds that constituted the aforesaid proceeds of criminal activity was \$100,000 or more.

THE GRAND JURY FURTHER PRESENT THAT the aforesaid transaction consisted of the transfer of funds of the value of \$190,000 from Texans for a Republican Majority PAC to the Republican National State Elections Committee and the resultant transfer of funds of the aggregate value of \$190,000 from the Republican National State Elections Committee to several candidates for the Texas House of Representatives, namely, Todd Baxter, Dwayne Bohac, Glenda Dawson, Dan Flynn, Rick Green, Jack Stick, and Larry Taylor; and that the defendant, JAMES WALTER ELLIS, facilitated the aforesaid transaction by negotiating with Terry Nelson, deputy chief of staff of the Republican National Committee, for an agreement, arrangement, and understanding whereby Texans for a Republican Majority PAC would contribute a certain amount of money to the Republican National State Elections Committee (a nonfederal component of the Republican National Committee), and the Republican National State Elections Committee would subsequently make contributions totaling that same amount to several Texas candidates supported by Texans for a Republican Majority PAC—conduct for which the defendant, JOHN DOMINICK COLYANDRO, is criminally responsible; by providing the said Terry Nelson with certain information concerning contributions to be made by the Republican National State Elections Committee, to wit, the names of the intended recipients and the respective amounts to be contributed to each of the intended recipients; and by

transferring funds of the value of \$190,000 from Texans for a Republican Majority PAC to the Republican National State Elections Committee.

THE GRAND JURY FURTHER PRESENT that the aforesaid transaction involved the following funds that constituted proceeds of criminal activity: \$50,000 derived from a political contribution from Diversified Collection Services, Inc. that was unlawfully made to and unlawfully accepted by Texans for a Republican Majority PAC; \$25,000 derived from a political contribution from Sears, Roebuck and Co. that was unlawfully made to and unlawfully accepted by Texans for a Republican Majority PAC; \$25,000 derived from a political contribution from the Williams Companies, Inc. that was unlawfully made to and unlawfully accepted by Texans for a Republican Majority PAC; \$10,000 derived from a political contribution from Cornell Companies, Inc. that was unlawfully made to and unlawfully accepted by Texans for a Republican Majority PAC; \$20,000 derived from a political contribution from Bacardi U.S.A., Inc. that was unlawfully made to and unlawfully accepted by Texans for a Republican Majority PAC; and \$25,000 derived from a political contribution from Questerra Corporation that was unlawfully made to and unlawfully accepted by Texans for a Republican Majority PAC.

{COUNT II}

THE GRAND JURY FURTHER PRESENT THAT on or about the thirteenth day of September, A.D., 2002, in the County of Travis and State of Texas, the defendant, JOHN DOMINICK COLYANDRO, whose residence was situated in the County of Travis and State of Texas, and the defendant, JAMES WALTER ELLIS, who was not a Texas resident, did unlawfully, knowingly make a political contribution in violation of Subchapter D of Chapter 253 of the Texas Election Code, to wit, the defendants did knowingly make a political contribution in the amount of \$190,000 directly to the Republican National State Elections Committee and

indirectly to several candidates for the Texas House of Representatives, namely, Todd Baxter, Dwayne Bohac, Glenda Dawson, Dan Flynn, Rick Green, Jack Stick, and Larry Taylor, in violation of Section 253.003(a) and Section 253.094(a) of the Texas Election Code, and the defendants did make the said political contribution by making a contribution of corporate funds that was not authorized by Subchapter D of Chapter 253.

THE GRAND JURY FURTHER PRESENT THAT on or about the thirteenth day of September, A.D., 2002, in the County of Travis and State of Texas, the defendant, JOHN DOMINICK COLYANDRO, whose residence was situated in the County of Travis and State of Texas, and the defendant, JAMES WALTER ELLIS, who was not a Texas resident, did unlawfully, knowingly make a political contribution in violation of Subchapter D of Chapter 253 of the Texas Election Code, to wit, the defendants did knowingly make a political contribution in the amount of \$190,000 to a political party, namely, the Republican National Committee, in violation of Section 253.104 of the Texas Election Code, and the defendants did make the said political contribution by making a contribution of corporate funds to a political party during a period beginning on the sixtieth day before the date of the 2002 general election for state and county officers and continuing through the day of the election.

{COUNT III}

THE GRAND JURY FURTHER PRESENT THAT on or about the thirteenth day of September, A.D., 2002, in the County of Travis and State of Texas, the defendants, JOHN DOMINICK COLYANDRO and JAMES WALTER ELLIS, with intent that a felony, namely, unlawfully making a political contribution in violation of Section 253.003(a) and Section 253.094(a) of the Texas Election Code, be committed, did agree that they or one of them engage in conduct that would constitute the aforesaid offense.

THE GRAND JURY FURTHER PRESENT THAT on or about the thirteenth day of September, A.D., 2002, in the County of Travis and State of Texas, the defendants, JOHN DOMINICK COLYANDRO and JAMES WALTER ELLIS, with intent that a felony, namely, unlawfully making a political contribution in violation of Section 253.104 of the Texas Election Code, be committed, did agree that they engage in conduct that would constitute the aforesaid offense, and the defendants did intend to make the said political contribution by making a contribution of corporate funds to a political party, namely, the Republican National Committee, during a period beginning on the sixtieth day before the date of the 2002 general election for state and county officers and continuing through the day of the election.

THE GRAND JURY FURTHER PRESENT THAT the defendant, JAMES WALTER ELLIS, did perform an overt act in pursuance of the agreement, to wit, the said defendant did tender, deliver, and cause to be tendered and delivered to the Republican National Committee and Terry Nelson, deputy chief of staff of the Republican National Committee, the check hereinafter reproduced and marked "Exhibit No. 1," payable to RNSEC (the Republican National State Elections Committee, a nonfederal component of the Republican National Committee) in the amount of \$190,000; the defendant, JAMES WALTER ELLIS, did provide the said Terry Nelson with the names of several candidates for the Texas House of Representatives, namely, Todd Baxter, Dwayne Bohac, Glenda Dawson, Dan Flynn, Rick Green, Jack Stick, and Larry Taylor, to whom the said defendant requested, solicited, and proposed that the Republican National Committee and the Republican National State Elections Committee make political contributions in exchange for the committee's receipt of the funds paid by the aforesaid check, hereinafter reproduced and marked "Exhibit No. 1"; and the defendant, JAMES WALTER ELLIS, did provide the Republican National Committee and the said

Terry Nelson with specific amounts of political contributions that he requested, solicited, and proposed that the Republican National Committee and the Republican National State Elections Committee make to the aforesaid candidates.

THE GRAND JURY FURTHER PRESENT THAT the defendant, JOHN DOMINICK COLYANDRO, did perform an overt act in pursuance of the agreement, to wit, the said defendant did sign the aforesaid check, hereinafter reproduced and marked "Exhibit No. 1," and the said defendant did cause the said check to be delivered to the defendant, JAMES WALTER ELLIS,
AGAINST THE PEACE AND DIGNITY OF THE STATE.

Foreperson of the Grand Jury

