

IN THE DISTRICT COURT OF TRAVIS COUNTY, TEXAS  
403RD JUDICIAL DISTRICT

THE STATE OF TEXAS	§
vs.	§
JOHN DOMINICK COLYANDRO,	§ CRIMINAL ACTION No. D1DC-05-_____
JAMES WALTER ELLIS, &	§ CRIMINAL ACTION No. D1DC-05-_____
THOMAS DALE DELAY	§ CRIMINAL ACTION No. D1DC-05-_____

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BILL OF INDICTMENT

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JOHN DOMINICK COLYANDRO	TRIAL COURT: 331ST
RE-INDICTMENT OF CRIMINAL ACTION Nos. D1DC-05-904150 & D1DC-05-904156	
PID #730883/MNI #1221697/TCDA-SPD #4403-03	BAIL: \$

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JAMES WALTER ELLIS	TRIAL COURT: 331ST
RE-INDICTMENT OF CRIMINAL ACTION Nos. D1DC-05-904151 & D1DC-05-904157	
PID #730881/MNI #1221680/TCDA-SPD #4403-03	BAIL: \$

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THOMAS DALE DELAY	TRIAL COURT: 331ST
RE-INDICTMENT OF CRIMINAL ACTION No. D1DC-05-900725	
PID # 376301 /TCDA-SPD #4403-03	BAIL: \$

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COUNT I: CRIMINAL CONSPIRACY  
TEXAS PENAL CODE § 15.02 (2<sup>ND</sup> DEGREE FELONY)  
COUNT II: MONEY LAUNDERING  
TEXAS PENAL CODE § 34.02 (1<sup>ST</sup> DEGREE FELONY)

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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 October term, A.D., 2005, of the 403rd Judicial District Court of said county, in said court at said term, upon their oaths do present that on or about and between the sixth day of September, A.D., 2002, and the fourth day of October, A.D., 2002, in the County of Travis and State

of Texas,

JOHN DOMINICK COLYANDRO,

JAMES WALTER ELLIS, &

THOMAS DALE DELAY,

the defendants herein, with intent that a felony be committed, to wit, with intent that the offense of knowingly making a political contribution to a candidate for the Texas House of Representatives in violation of Subchapter D of Chapter 253 of the Texas Election Code, a felony of the third degree, be committed, and with intent that the offense of money laundering of funds of the value of \$100,000 or more, a felony of the first degree, be committed, did agree with one or more persons, namely, John Dominick Colyandro, also known as "John Colyandro," James Walter Ellis, also known as "Jim Ellis," Thomas Dale DeLay, also known as "Tom DeLay," Texans for a Republican Majority PAC, also known as "TRMPAC," and the Republican National Committee, also known as "the RNC," that they or one or more of them engage in conduct that would constitute the aforesaid offense, and the defendant, John Dominick Colyandro, the defendant, James Walter Ellis, and the Republican National Committee, did perform an overt act in pursuance of the agreement, to wit:

- (1) on or about the tenth day of September, 2002, in Travis County, Texas, the defendant, John Dominick Colyandro, did sign the check reproduced at the conclusion of this count;
- (2) on or about the tenth day of September, 2002, in Travis County, Texas, the defendant, John Dominick Colyandro, did deliver the aforesaid check, and did cause the aforesaid check to be delivered, to Russell Anderson, an accountant for Texans for a Republican Majority PAC;
- (3) on or about the tenth day of September, 2002, in Travis County, Texas, the defendant, John Dominick Colyandro, did instruct the said Russell

Anderson to send the aforesaid check by overnight courier to the defendant, James Walter Ellis;

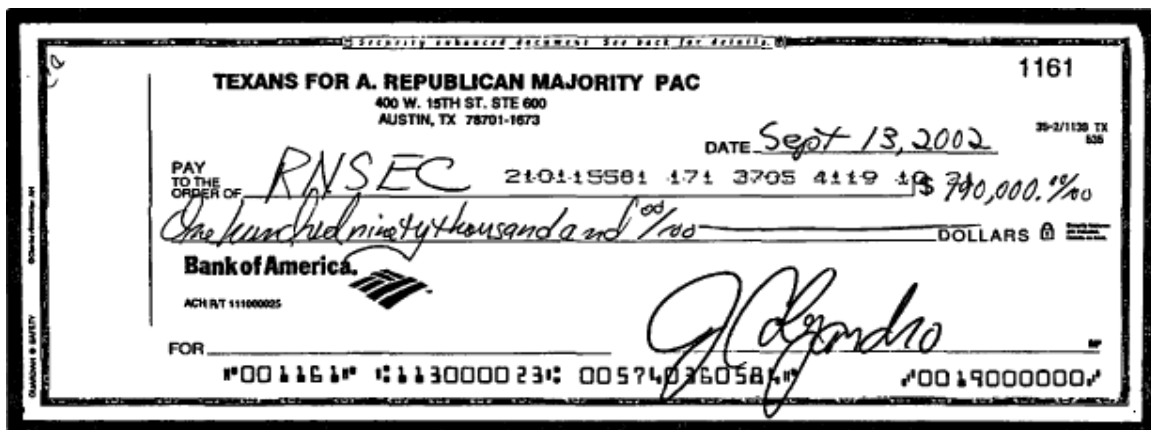
- (4) on or about the eleventh day of September, 2002, in Washington, D.C., the defendant, James Walter Ellis, did communicate with Terry Nelson, deputy chief of staff of the Republican National Committee, and did request and propose that, in exchange for their receipt of a contribution of a certain sum of money from Texans for a Republican Majority PAC, the Republican National Committee and the Republican National State Elections Committee, also known as "RNSEC," a nonfederal component and account of the Republican National Committee, make political contributions to several candidates for the Texas House of Representatives that were supported by Texans for a Republican Majority PAC;
- (5) on or about the thirteenth day of September, 2002, in Washington, D.C., the defendant, James Walter Ellis, did tender and deliver the aforesaid check, and did cause the aforesaid check to be tendered and delivered, to Terry Nelson and the Republican National Committee;
- (6) on or about the thirteenth day of September, 2002, in Washington, D.C., the defendant, James Walter Ellis, did provide the said Terry Nelson with a document that contained the names of several candidates for the Texas House of Representatives that were supported by Texans for a Republican Majority PAC, namely, Todd Baxter, Dwayne Bohac, Glenda Dawson, Dan Flynn, Rick Green, Jack Stick, and Larry Taylor, to whom the defendant, James Walter Ellis, requested and proposed that the Republican National Committee and the Republican National State Elections Committee make political contributions in exchange for the committees' receipt of the proceeds from the aforesaid check, and that contained amounts that the defendant, James Walter Ellis, and Texans for a Republican Majority PAC

suggested be contributed to each of the said candidates;

- (7) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State Elections Committee did issue a check payable to the order of Friends of Todd Baxter in the amount of \$35,000 and did cause the said check to be delivered to the address of the aforesaid Todd Baxter in Travis County, Texas;
- (8) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State Elections Committee did issue a check payable to the order of Bohac for Representative in the amount of \$20,000 and did cause the said check to be delivered to the address of the aforesaid Dwayne Bohac in Harris County, Texas;
- (9) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State Elections Committee did issue a check payable to the order of Glenda Dawson for State Representative in the amount of \$40,000 and did cause the said check to be delivered to the address of the aforesaid Glenda Dawson in Brazoria County, Texas;
- (10) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State Elections Committee did issue a check payable to the order of the Dan Flynn Campaign Fund in the amount of \$20,000 and did cause the said check to be delivered to the address of the aforesaid Dan Flynn in Van Zandt County, Texas;
- (11) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State

- Elections Committee did issue a check payable to the order of the Rick Green Team in the amount of \$20,000 and did cause the said check to be delivered to the address of the aforesaid Rick Green in Hays County, Texas;
- (12) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State Elections Committee did issue a check payable to the order of Jack Stick for State Representative in the amount of \$35,000 and did cause the said check to be delivered to the address of the aforesaid Jack Stick in Travis County, Texas; and
- (13) on or about the fourth day of October, 2002, in Washington, D.C., the Republican National Committee and the Republican National State Elections Committee did issue a check payable to the order of the Coalition to Elect Larry Taylor in the amount of \$20,000 and did cause the said check to be delivered to the address of the aforesaid Larry Taylor in Galveston County, Texas.

[INDICTMENT EXHIBIT]



{Count II}

THE GRAND JURY FURTHER PRESENT that on or about the fourth day of October, A.D., 2002, in the County of Travis and State of Texas, the defendants,

JOHN DOMINICK COLYANDRO,  
JAMES WALTER ELLIS, &  
THOMAS DALE DELAY,

did knowingly conduct, supervise, and facilitate a transaction involving the proceeds of criminal activity that constituted an offense classified as a felony under the laws of this state, to wit, the offense of knowingly making a political contribution in violation of Subchapter D of Chapter 253 of the Texas Election Code, a felony violation of Section 253.003 of the Election Code; that the aforesaid transaction consisted of the transfer of funds of the aggregate value of \$190,000 from the Republican National Committee and the Republican National State Elections Committee, a nonfederal component and account of the Republican National Committee, to several candidates for the Texas House of Representatives that were supported by Texans for a Republican Majority PAC, namely, Todd Baxter, Dwayne Bohac, Glenda Dawson, Dan Flynn, Rick Green, Jack Stick, and Larry Taylor; that the defendants conducted, supervised, and facilitated the aforesaid transaction by:

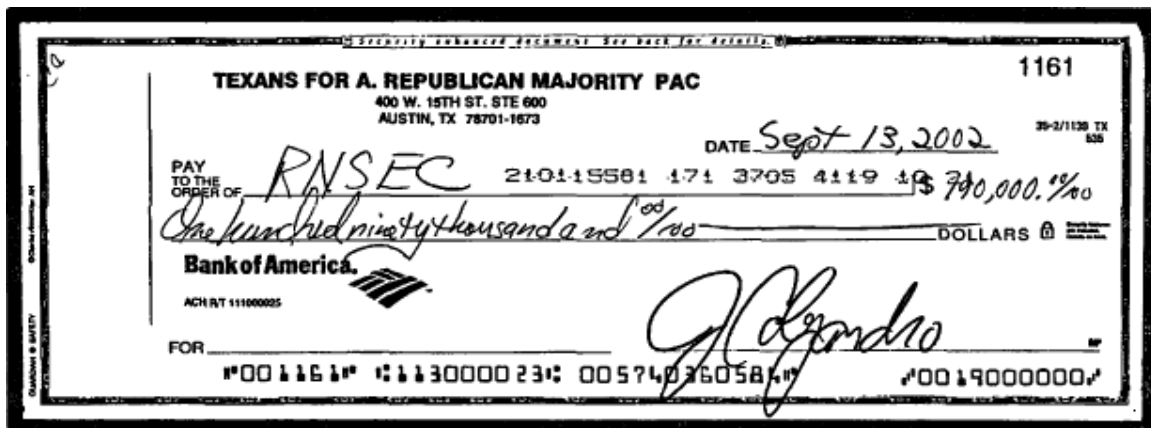
- (1) negotiating with Terry Nelson, deputy chief of staff of the Republican National Committee, for an agreement, arrangement, and understanding whereby Texans for a Republican Majority PAC would make a contribution of a certain sum of money to the Republican National Committee and its nonfederal component and account, the Republican National State Elections Committee, and whereby the Republican National Committee and the Republican National State Elections Committee would make contributions to the aforesaid candidates;
- (2) providing the said Terry Nelson with certain information concerning contributions to be made by the Republican National Committee and the Republican National State Elections Committee to the said candidates, to

wit, the names of the said candidates and amounts that Texans for a Republican Majority PAC suggested be contributed to each of the said candidates;

- (3) signing the check reproduced at the conclusion of this count; and
- (4) transferring funds of the value of \$190,000 from Texans for a Republican Majority PAC to the Republican National Committee and the Republican National State Elections Committee;

and that the value of the funds that constituted the aforesaid proceeds of criminal activity was \$100,000 or more.

[INDICTMENT EXHIBIT]



THE GRAND JURY FURTHER PRESENT that on or about the thirteenth day of September, A.D., 2005, in Criminal Action No. D1DC-05-904150, 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 did present an indictment charging the defendant, JOHN DOMINICK COLYANDRO, with the offense hereinbefore charged in Count I of this indictment, and the said indictment was pending in the 331st Judicial District Court of Travis County, Texas at the time of the presentment of this indictment.

THE GRAND JURY FURTHER PRESENT that on or about the thirteenth day of September, A.D., 2005, in Criminal Action No. D1DC-05-904151, 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 did present an indictment charging the defendant, JAMES WALTER ELLIS, with the offense hereinbefore charged in Count I of this indictment, and the said indictment was pending in the 331st Judicial District Court of Travis County, Texas at the time of the presentment of this indictment.

THE GRAND JURY FURTHER PRESENT that, with the advice and consent of counsel, the defendant, THOMAS DALE DELAY, did heretofore knowingly, intelligently, and voluntarily waive the application of Articles 12.01 and 12.03 of the Texas Code of Criminal Procedure to the indictment presented herein. In particular, the Grand Jury present that on or about the thirteenth day of September, A.D., 2005, with the advice and consent of counsel, the defendant, THOMAS DALE DELAY, did knowingly, intelligently, and voluntarily waive the requirement that an indictment for the felony offense of money laundering and the felony offense of criminal conspiracy, the object of which is a felony other than those listed in Subdivisions (1) through (5) of Article 12.01 of the Texas Code of Criminal Procedure, may be presented within three 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.

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Foreperson of the Grand Jury