

CAPIAS - INDICTMENT

Cause No. 10-08-13119-CR

COPY

Amount of Bail: \$10,000.00

THE STATE OF TEXAS

To any Peace Officer of the State of Texas, Greeting:

YOU ARE HEREBY COMMANDED to arrest **Jose F. Garza a/k/a Joe Frank Garza** and bring him forthwith before the Honorable 79th District Court of Jim Wells County, Texas, at the Court House of said County, in Alice, Texas, then and there to answer the STATE OF TEXAS upon a (an) Indictment pending in said Court, charging **Jose F. Garza a/k/a Joe Frank Garza** with the offense of **32.45 Misapplication of Fiduciary Duty, 1st Degree Felony**, in violation of the Penal Laws of said State.

HEREIN FAIL NOT, and make due return hereof to this Court INSTANTER.

Witness my hand and seal of office, at Alice, Texas on August 18, 2010.

R. DAVID GUERRERO
Clerk, District Court, Jim Wells County



By: [Signature], Deputy

SHERIFF'S RETURN

Came to hand 18 day of AUGUST A.D. 2010, at 3:00 o'clock P.M., and executed on the _____ day of _____ 192010, at _____ o'clock _____ M. by arresting the within named JOSE F. GARZA at 600 E. 3RD ST ALICE in JIM WELLS County, Texas, and taking his bond, placing him in jail at JIM WELLS COUNTY. I actually and necessarily traveled _____ miles in the service of the Writ, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

FEES-Making Arrest-----\$ _____ Sheriff,
Mileage----- _____ County, Texas
Taking Bond----- _____
Commitment----- _____

By: [Signature]
TEXAS ATTORNEY GENERAL

(Clerk's Stamp)



AUG-18-2010 14:19

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Page:1/2

CERTIFIED

10-08-13/19-CP

FILED AT 11:15 O'CLOCK A.M.
R. DAVID GUERRERO
AUG 18 2010
CLERK DIST COURT JIM WELLS CO. TEXAS
BY: [Signature]

No. \$10,000⁰⁰

Bond \$ [Signature]

THE STATE OF TEXAS VS. JOSE F. GARZA

A/K/A JOE FRANK GARZA

Charge: 32.45 Misapplication of Fiduciary Duty 1st Degree Felony

Court: 79th Judicial District Court

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

THE GRAND JURY, for the County of Jim Wells, State of Texas, duly selected, impaneled, sworn, charged, and organized in April A.D., 2010, to inquire of offenses committed within the jurisdiction of the 79th Judicial District Court, Jim Wells County, Texas, upon their oaths present in and to said Court that:

JOSE F. GARZA A/K/A JOE FRANK GARZA

in the County of Jim Wells, State of Texas, did then and there, pursuant to one scheme and continuing course of conduct that began on or about January 1, 2002, and continued until on or about December 31, 2008, intentionally, knowingly, or recklessly misapply property, to wit: forfeited property, proceeds, or money that the said defendant held as a fiduciary, or as a person acting in a fiduciary capacity, contrary to a law prescribing the custody and disposition of said property, to wit: Article 59.06(d) of the Texas Code of Criminal Procedure, and in a manner that involved substantial risk of loss of the property to the 79th Judicial District Attorney's Office, the owner of said property, and the person for whose benefit the property was held, by doing one or more of the following:

- a) by paying such forfeited property, proceeds, or money to himself and employees of the 79th Judicial District Attorney's Office, in a manner that was not previously approved by the County Commissioners Courts of the counties of the 79th Judicial District, as required by law; or

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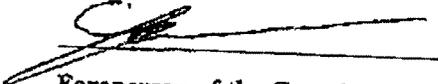
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Page: 2/2

b) by spending such forfeited property, proceeds, or money without submitting the statutorily required budget to the County Commissioners Courts of the 79th Judicial District Court,

and the aggregate value of the property was \$200,000 or more,

Against the peace and dignity of the State.


Foreperson of the Grand Jury

STATE OF TEXAS
COUNTY OF JIM WELLS

I, R. David Guerrero District Clerk of Jim Wells County, Texas do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession,

filed on 8/18/10 as appears
in file in my office

Witness my official hand and seal of office, this

8/18/10

R. DAVID GUERRERO, District Clerk
Jim Wells County, Texas

By [Signature] Deputy

