

Filed in The District Court
of Travis County, Texas

No. D1DC14 100139

AUG 15 2014

5:30 AM

AB

The State of Texas v. James Richard "Rick" Perry

Rodriguez-Mendoza, Clerk

INDICTMENT

Count I - Abuse of Official Capacity 39.02 DPS 23990064
Count II - Coercion of Public Servant 36.03 DPS 13990027

In the 390th 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, empanelled, sworn, charged, and organized as such at the January 2014 Term, A.D., of the 390th Judicial District Court for said County, upon its oath presents in and to said Court at said term, that in Travis County, Texas, and anterior to the presentment of this indictment, James Richard "Rick" Perry, committed the following offenses:

Count I

On or about June 14, 2013, in the County of Travis, Texas, James Richard "Rick" Perry, with intent to harm another, to-wit, Rosemary Lehmberg and the Public Integrity Unit of the Travis County District Attorney's Office, intentionally or knowingly misused government property by dealing with such property contrary to an agreement under which defendant held such property or contrary to the oath of office he took as a public servant, such government property being monies having a value of in excess of \$200,000 which were approved and authorized by the Legislature of the State of Texas to fund the continued operation of the Public Integrity Unit of the Travis County District Attorney's



Office, and which had come into defendant's custody or possession by virtue of the defendant's office as a public servant, namely, Governor of the State of Texas.

Count II

Beginning on or about June 10, 2013, and continuing through June 14, 2013, in the County of Travis, Texas, by means of coercion, to-wit: threatening to veto legislation that had been approved and authorized by the Legislature of the State of Texas to provide funding for the continued operation of the Public Integrity Unit of the Travis County District Attorney's Office unless Travis County District Attorney Rosemary Lehmberg resigned from her official position as elected District Attorney, James Richard "Rick" Perry, intentionally or knowingly influenced or attempted to influence Rosemary Lehmberg, a public servant, namely, the elected District Attorney for Travis County, Texas, in the specific performance of her official duty, to-wit: the duty to continue to carry out her responsibilities as the elected District Attorney for the County of Travis, Texas through the completion of her elected term of office, and the defendant and Rosemary Lehmberg were not members of the same governing body of a governmental entity, such offense having been committed by defendant, a public servant, while acting in an official capacity as a public servant.

AGAINST THE PEACE AND DIGNITY OF THE STATE OF TEXAS.


Foreperson of the Grand Jury



THE STATE OF TEXAS

**TO: JAMES RICHARD PERRY
C/O: DAVID BOTSFORD
1307 WEST AVE
AUSTIN, TEXAS 78701**

WHEREAS, in that certain cause pending on the docket of the **390TH JUDICIAL DISTRICT COURT** of Travis County, Texas, being Cause No. **D-1-DC-14-100139** wherein The State of Texas is Plaintiff, and **JAMES RICHARD PERRY** is Defendant: in said suit an indictment has been filed, charging the defendant with the offense of **COUNT I: ABUSE OF OFFICIAL CAPACITY >=\$200K**
COUNT II: COERCION OF PUBLIC SERVANT/VOTER THREAT OF FELONY a copy of which is hereto attached,

AND WHEREAS, said indictment has been set for hearing; **1ST DESIGNATION**

THESE ARE THEREFORE to Notify you, the said, **JAMES RICHARD PERRY** and you are hereby notified to be and appear before the Honorable **BERT RICHARDSON**, Judge of said Court, at the Courthouse, in the City of Austin, Travis County, Texas, on **AUGUST 22, 2014 AT 9:00AM** and be in attendance at aforesaid hearing.

Issued and Given under my hand and seal of office, at Austin, Texas, this the **August 18, 2014**,

AMALIA RODRIGUEZ-MENDOZA
CLERK OF THE DISTRICT COURTS
TRAVIS COUNTY, TEXAS

BY _____

Siler Holli

SILER HOLLI, Deputy



Came to hand the _____ day of _____, A.D., 20____, at _____ o'clock _____ .M., by delivering to the within named _____ at _____ in Travis County, Texas, in person, a true copy of the Summons and the accompanying copy attached thereto.

Sheriff, Greg Hamilton
Travis County, Texas

By _____
Deputy



C37 - 000000188

Filed in The District Court
of Travis County, Texas

AUG 19 2014
449P M.

NO. D1DC14-100139

THE STATE OF TEXAS

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§
§
§
§

IN THE DISTRICT COURT

At
Andria Rodriguez-Mendoza, Clerk

vs.

OF TRAVIS COUNTY

JAMES RICHARD "RICK" PERRY

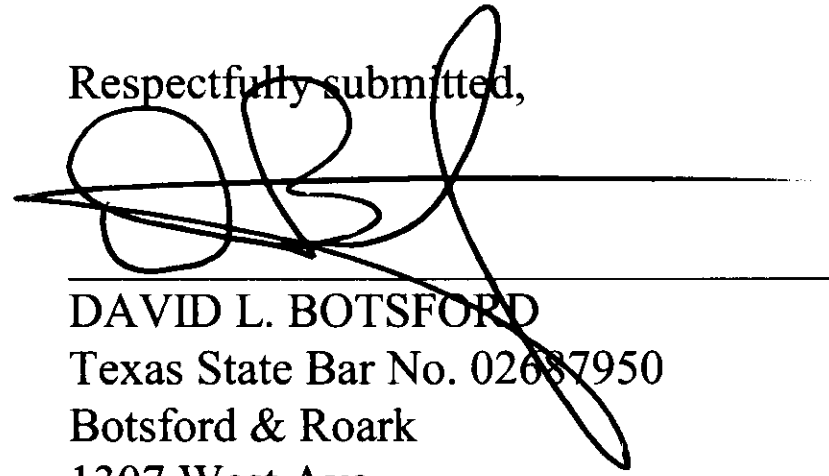
390TH JUDICIAL DISTRICT

WAIVER OF ARRAIGNMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW JAMES RICHARD "RICK" PERRY, and pursuant to Article 26.01 of the Texas Code of Criminal Procedure, presents this his waiver of arraignment. JAMES RICHARD "RICK" PERRY admits that he his the same individual who has been indicted in this case, admits that he has received a copy of the indictment, and hereby enters a plea of "NOT GUILTY."

Respectfully submitted,



DAVID L. BOTSFORD
Texas State Bar No. 02687950
Botsford & Roark
1307 West Ave.
Austin, Texas 78701
512/479-8030 (phone)
512/479-8040 (fax)

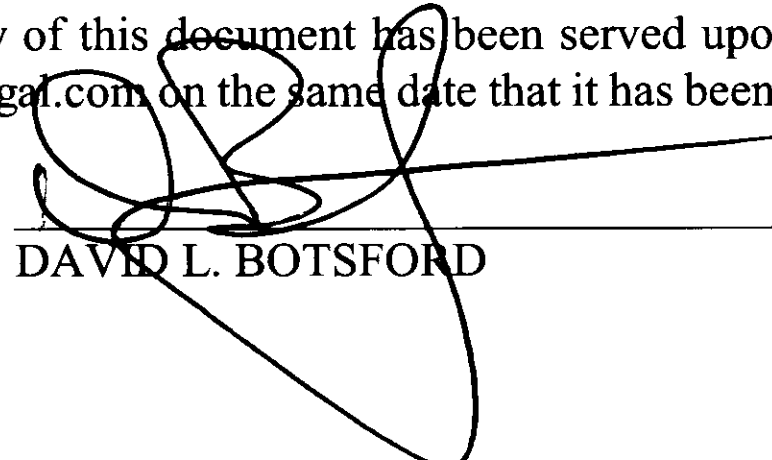
Agreed To And Authorized By:



JAMES RICHARD "RICK" PERRY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document has been served upon Mr. Michael McCrum, via email at Michael@mccrumlegal.com on the same date that it has been filed.



DAVID L. BOTSFORD



**ORDER OF COMMITMENT
TO THE SHERIFF OF TRAVIS COUNTY, GREETINGS:**

James Richard "Rick" Perry who having been brought before me this

(Name of Defendant)
August 19, 2014 day at 10:15 AM M.

charged with the offense Officer Dinsmore / coercion

Is COMMITTED to the CUSTODY of the SHERIFF of Travis County, Texas, to be detained unless he/she complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Defendant is ordered to appear in: Justice Court Precinct Number _____
Austin Municipal Court, 700 E. 7th Street

BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER
509 W. 11th St.

Court Administration Office, Room 2.700
County Court 4 (Domestic Violence Court) Room 4A202
 District Court Number 390M

on 10/5/2014 at _____ M.

2. If defendant is in custody on the above date, the SHERIFF is hereby ordered to present said defendant in the above Court on said appearance date and at all times said charge(s) or accusation(s) are called before said Court.

3. Bail is hereby set as follows: 25,000 Personal

4. Defendant _____ is/ not ordered to install a vehicle ignition interlock within 30 days of release.

5. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.

The undersigned hereby certifies that the defendant has been warned of his/her rights under Art. 15.1 of the Texas Code of Criminal Procedure.

HEREIN FAIL NOT but of this ORDER make due return showing how you have executed same.

Attorney David Betsch RETAINED APPOINTED _____
David Betsch
Judge Herb Evans JPS
of Travis County, Texas (Acting as Magistrate)
Bea Richardson, Judge
390M

White _____ Green _____ Yellow _____ Pink _____ Gold _____
the Court

D11C14-100139

Cause No. _____ Bond 25,000

Control No. _____

The State of Texas

Name James Richard Perry vs. _____

Address 1010 Columbia

City Austin State TX Zip 78701

DOB 4/23/56 Sex M Race C PCS _____

ORDER OF COMMITMENT

Issued August 19, 2014

Justice of the Peace Precinct Number _____
County Court at Law Number _____

District Court Number D11C14-100139
Austin Municipal Court 10390M

Travis County, Texas

SHERIFF'S RETURN

CAME TO HAND THIS _____ day of _____,

20 _____, at _____ o'clock _____ M and executed

this _____ day of _____, 20 _____, at _____ o'clock _____ M., by placing the accused

in jail in Travis County, Texas.

Filed in The Justice Court of Travis County, Texas
SHERIFF OF TRAVIS COUNTY, TEXAS
AUG 20 2014

by Deputy Amalia Rodriguez-Mendoza, Clerk
At 11:00 AM

THE STATE OF TEXAS

**TO: JAMES RICHARD PERRY
IN CARE OF: DAVID BOTSFORD
1307 WEST AVE
AUSTIN, TEXAS 78701**

WHEREAS, in that certain cause pending on the docket of the **390TH JUDICIAL DISTRICT COURT** of Travis County, Texas, being Cause No. **D-1-DC-14-100139** wherein The State of Texas is Plaintiff, and **JAMES RICHARD PERRY** is Defendant: in said suit an indictment has been filed, charging the defendant with the offense of **COUNT I: ABUSE OF OFFICIAL CAPACITY >=\$200K**
COUNT II: COERCION OF PUBLIC SERVANT/VOTER THREAT OF FELONY
a copy of which is hereto attached,

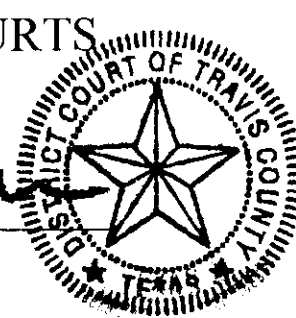
AND WHEREAS, said indictment has been set for hearing; **1ST DESIGNATION**

THESE ARE THEREFORE to Notify you, the said, **JAMES RICHARD PERRY** and you are hereby notified to be and appear before the Honorable **BERT RICHARDSON**, Judge of said Court, at the Courthouse, in the City of Austin, Travis County, Texas, on **AUGUST 22, 2014 AT 9:00AM** and be in attendance at aforesaid hearing.

Issued and Given under my hand and seal of office, at Austin, Texas, this the **August 18, 2014**,

AMALIA RODRIGUEZ-MENDOZA
CLERK OF THE DISTRICT COURTS
TRAVIS COUNTY, TEXAS

BY Siler Holli
SILER HOLLI, Deputy



Came to hand the 19 day of Aug, A.D., 2014, at 11:12 o'clock P. M., by delivering to the within named Perry, James at Austin in Travis County, Texas, in person, a true copy of the Summons and the accompanying copy attached thereto.

Sheriff, Greg Hamilton
Travis County, Texas

By [Signature]
Deputy

Filed in the District Court
of Travis County, Texas

AUG 20 2014

At 11:00 a. M. w
Amalia Rodriguez-Mendoza, Clerk



Name: PERRY James Richard "RICK" Date: 8/18/14

Last: PERRY First: James Middle: Richard "RICK"

Address: 1010 Colorado Cause No. DIDC14 / 100139

City/State: Austin Zip: 78701 Charge: Abuse of Police Capacity/Coercion

Phone: 512-463-2000 Type: Phone 2: Type: Bond: 25,000

DOB: 4/13/80 POB: CZ

How Long: 14 years County: Travis Race: W Sex: M Age: 64

Mailing Address: City/State/Zip: Hair: Brown Eyes: Brown

Nearest Relative: WIFE - Anita Perry Relationship: Phone: Height: 6" Weight: 180

Address: City/State/Zip: SS No. 451-96-5106

Employer: State of Texas Position: GOVERNOR How Long: 14 years DL No. 00000001 St. TX

Address: City/State/Zip: Record No. /

Phone: Cellular: Bkg Date:

Interviewed by: Recommendation: Other Charges:

Attorney of Record: David Botsford Phone: 512-479-2030

Filed in The District Court of Travis County, Texas
TRAVIS COUNTY PRETRIAL SERVICES
 P.O. BOX 1748
 AUSTIN, TX 78767
 (512)854-9381

3015659 / 390th
 CAUSE NO. DIDC14 / 100139

THE STATE OF TEXAS
 COUNTY OF TRAVIS
 AUG 20 2014
 I/A
 Anaalia Rodriguez-Mendoza, Clerk
PERSONAL BOND
 KNOWN ALL MEN BY THESE PRESENTS

THAT I, James Richard "Rick" Perry charged with the offense of a (Misdemeanor, (Felony) to wit,
OFFICER INSULT & COERCION

am held and firmly bound unto the State of Texas in the penal sum stated below for the payment of which sum well and truly to be made, and in addition all necessary and reasonable fees and expenses that may be incurred by peace officers in rearresting me in the event the conditions of this bond are violated, I do bind myself, executors and administrators, jointly and severally by these presents.

The condition of the above obligation is that I swear that I will appear before the 390th Judicial Dist Court at the
 Blackwell - Thurman Criminal Justice Center, 509 W. 11th Street, Austin, Travis County, Texas, on the 20th day of August
 2014, at 9:00 A M, or pay to the Court the principal sum of \$ 25,000 plus all necessary and reasonable expenses incurred in any arrest for failure to appear.

I further swear that I will appear before any court or magistrate court before whom this cause may hereinafter be pending at any time and place as may be required.
 Now if I shall well and truly make said appearance before the said Court, and there remain from day to day and term to term of said Court, until discharged by due course of law, then and there to answer said accusation against me, and further shall well and truly make my personal appearance in any and all subsequent proceedings that may be had relative to said charge in the course of the criminal action based on said charges, this obligation shall become void; Otherwise to remain in full force and effect.

I further understand that all or part of the information collected in the Pretrial Services Report is available to persons associated with law enforcement, criminal justice, and other agencies including, but not limited to, the Judge or Magistrate hearing the case, the District Attorney's Office, and the defense attorney of record in this case.
 Fee=\$20/\$ (3% of bond fee if Ignition Interlock Required)

See attached Conditions Order form

NOTE: PR granted by agreement between State and Defense.

James Perry
 Signature of Defendant
 SWORN TO AND SUBSCRIBED BEFORE ME,

this _____ day of _____, 20____
POSTED
 82999
 NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS

THIS PERSONAL BOND IS APPROVED, effective only after arresting agency has completed its booking process, and the defendant at such time is ordered released on the conditions of this bond.

I certify that I am the attorney of record representing this defendant in this matter:
David L. Botsford TX 02687950
 Signature / Print SBN

APPROVED this 18 day of August, 2014
Judge Bert Richardson by assignment
 Magistrate/Judge

