

Defendant: TOMMIE CARTER JR  
JN #: 1908006-1



CLERK'S ORIGINAL

Address: 1610 HOUSTON ST B, AUSTIN, TX 78756-1323

Complainant:

CoDefendants: DERRICK TRUSSELL

Offense Code/Charge: 269915/SECURITIES FRAUD OVER \$100,000

GJ: 689934

PH Court:

MAG NO:

Court #: 176 SID #: 1117364

Cause #:

2019 - CR - 5767A

Witness: State's Attorney

FILED

O'CLOCK \_\_\_\_\_ M

MAY 22 2019

MARY ANGIE GARCIA  
DISTRICT CLERK  
BEXAR COUNTY, TEXAS

*Gilbert Campos*  
DEPUTY

TRUE BILL OF INDICTMENT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS, the Grand Jury of Bexar County, State of Texas, duly organized, empaneled and sworn as such at the May term, A.D., 2019, of the <sup>144th</sup> Judicial District Court of said County, in said Court, at said term, do present in and to said Court that in the County and State aforesaid, and anterior to the presentation of this indictment:

COUNT I

(Vernon's Ann. Civ. St. Article 581-29 Securities Fraud)

Paragraph A

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

| DATE     | NAME                          | AMOUNT    |
|----------|-------------------------------|-----------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000  |
| 08/06/13 | COLEMAN, RANDY                | \$35,000  |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000  |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000  |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000  |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000  |
| 11/29/13 | LEITMAN, MARC                 | \$10,000  |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000  |
| 01/07/14 | STILLER, LYNNE                | \$4,000   |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000  |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000  |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000  |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000 |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000  |

INDICTMENT - CLERK'S ORIGINAL

**Defendant:** TOMMIE CARTER JR

**JN #:** 1908006-1

|          |                               |             |
|----------|-------------------------------|-------------|
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500    |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000    |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/16/14 | JACKSON, DONNA                | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
| 10/02/14 | EWING, WENDY                  | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |
| 12/19/14 | LEITMAN, MARC                 | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE   | \$25,000    |
| 01/26/15 | LEITMAN, MARC                 | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE               | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE               | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA                | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO     | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME                | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: knowingly or intentionally representing funds invested in the Tom Carter Investment Program would be used for the purpose of buying and selling real property or buying and selling distressed business equipment, said information being a misrepresentation of a relevant fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**Paragraph B**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

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| 08/06/13 | COLEMAN, RANDY                | \$35,000 |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000 |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000 |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000 |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000 |
| 11/29/13 | LEITMAN, MARC                 | \$10,000 |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000 |

**Defendant:** TOMMIE CARTER JR

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|          |                               |             |
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| 01/07/14 | STILLER, LYNNE                | \$4,000     |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000    |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000    |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000    |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000   |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
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| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
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| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |
| 12/19/14 | LEITMAN, MARC                 | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE   | \$25,000    |
| 01/26/15 | LEITMAN, MARC                 | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE               | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE               | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA                | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO     | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME                | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: intentionally failing to disclose that funds invested in the Tom Carter Investment Program were used for purposes other than buying and selling real property or buying and selling distressed business equipment, said information being a material fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**Paragraph C**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

| DATE     | NAME           | AMOUNT   |
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| 08/21/13 | BOYKINS, RASHAKA              | \$50,000    |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000    |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000    |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000    |
| 11/29/13 | LEITMAN, MARC                 | \$10,000    |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000    |
| 01/07/14 | STILLER, LYNNE                | \$4,000     |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000    |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000    |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000    |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000   |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
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| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
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| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: knowingly or intentionally representing funds invested in the Tom Carter Investment Program were secured, fully protected or guaranteed, said information being a misrepresentation of a relevant fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**Paragraph D**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being

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securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

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| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: knowingly or intentionally representing that no one had ever lost money investing with the Defendant, said information being a misrepresentation of a relevant fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

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**Paragraph E**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

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and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: intentionally failing to disclose that prior investment programs sold by the Defendant, had not performed as promised, said information being a material fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**Paragraph F**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

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| 04/01/15 | ADAMS - CHANTWELL, STACY L | \$8,000  |
| 05/14/15 | PERRY, ANTHONY             | \$44,000 |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: intentionally failing to disclose that the Defendant used new investor money to pay money owed to earlier investors in the Carter Investment Program, said information being a material fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**Paragraph G**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

| DATE     | NAME                          | AMOUNT      |
|----------|-------------------------------|-------------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000    |
| 08/06/13 | COLEMAN, RANDY                | \$35,000    |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000    |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000    |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000    |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000    |
| 11/29/13 | LEITMAN, MARC                 | \$10,000    |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000    |
| 01/07/14 | STILLER, LYNNE                | \$4,000     |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000    |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000    |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000    |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000   |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500    |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000    |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/16/14 | JACKSON, DONNA                | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
| 10/02/14 | EWING, WENDY                  | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |

**Defendant:** TOMMIE CARTER JR

**JN #:** 1908006-1

|          |                             |             |
|----------|-----------------------------|-------------|
| 12/19/14 | LEITMAN, MARC               | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE | \$25,000    |
| 01/26/15 | LEITMAN, MARC               | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE             | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE             | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA              | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO   | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME              | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L  | \$8,000     |
| 05/14/15 | PERRY, ANTHONY              | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: intentionally failing to disclose that business projects managed by Defendant were not generating sufficient revenue to cover the monthly business expenses, said information being a material fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

#### **Paragraph H**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

| DATE     | NAME                          | AMOUNT    |
|----------|-------------------------------|-----------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000  |
| 08/06/13 | COLEMAN, RANDY                | \$35,000  |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000  |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000  |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000  |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000  |
| 11/29/13 | LEITMAN, MARC                 | \$10,000  |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000  |
| 01/07/14 | STILLER, LYNNE                | \$4,000   |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000  |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000  |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000  |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000 |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000  |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400  |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000  |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000   |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000   |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000  |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500  |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000  |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000   |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000   |

**Defendant:** TOMMIE CARTER JR

**JN #:** 1908006-1

|          |                             |             |
|----------|-----------------------------|-------------|
| 09/16/14 | JACKSON, DONNA              | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO               | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.        | \$11,800    |
| 10/02/14 | EWING, WENDY                | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME              | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME              | \$9,000     |
| 12/19/14 | LEITMAN, MARC               | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE | \$25,000    |
| 01/26/15 | LEITMAN, MARC               | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE             | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE             | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA              | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO   | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME              | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L  | \$8,000     |
| 05/14/15 | PERRY, ANTHONY              | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: intentionally failing to disclose that on or about August 9, 2013, the Defendant entered into an Agreed Cease and Desist Order with the Texas Securities Commissioner (Order No. ENF-13-CDO-1728), styled *In The Matter of Tristar Equity and Tom Carter*, ordering the Defendant to cease and desist from the offer and sale in or from Texas of unregistered securities, said information being a material fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**Paragraph I**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did directly or indirectly through agents, sell or offer for sale investments issued by Sync One Holdings, Tom Carter Trust, Tom Carter Foundation, Tri-Star Equity, or FBP Leon, Inc. (hereinafter referred to as the "Tom Carter Investment Program"), said investments being securities, to-wit: investment contracts, evidences of indebtedness, or notes to each of the persons listed below, and in the following amounts:

| DATE     | NAME                          | AMOUNT    |
|----------|-------------------------------|-----------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000  |
| 08/06/13 | COLEMAN, RANDY                | \$35,000  |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000  |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000  |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000  |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000  |
| 11/29/13 | LEITMAN, MARC                 | \$10,000  |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000  |
| 01/07/14 | STILLER, LYNNE                | \$4,000   |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000  |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000  |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000  |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000 |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000  |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400  |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000  |

**Defendant:** TOMMIE CARTER JR  
**JN #:** 1908006-1

|          |                               |             |
|----------|-------------------------------|-------------|
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500    |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000    |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/16/14 | JACKSON, DONNA                | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
| 10/02/14 | EWING, WENDY                  | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |
| 12/19/14 | LEITMAN, MARC                 | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE   | \$25,000    |
| 01/26/15 | LEITMAN, MARC                 | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE               | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE               | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA                | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO     | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME                | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

and said Defendant committed fraud in connection with the sales or offers for sale of said securities by: intentionally failing to disclose that on or about September 22, 2014, the Defendant was the subject of a judgment in Case No. D-1-GN-12-003619, styled Meltzer Pub I, LLC vs. Tom Carter, et al in the 419<sup>th</sup> Judicial District Court, Travis County, Texas, in the amount of \$426,045.19, said information being a material fact, and all of the alleged amounts were obtained pursuant to one scheme or continuing course of conduct having an aggregate value of One Hundred Thousand Dollars (\$100,000.00) or more;

**COUNT II**

(TPC § 31.03 Theft)

**Paragraph A**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, with intent to deprive the owners of property, namely: lawful currency of the United States of America, from the following owners in the following amounts:

| DATE     | NAME                          | AMOUNT   |
|----------|-------------------------------|----------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000 |
| 08/06/13 | COLEMAN, RANDY                | \$35,000 |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000 |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000 |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000 |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000 |
| 11/29/13 | LEITMAN, MARC                 | \$10,000 |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000 |
| 01/07/14 | STILLER, LYNNE                | \$4,000  |

**Defendant:** TOMMIE CARTER JR  
**JN #:** 1908006-1

|          |                               |             |
|----------|-------------------------------|-------------|
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000    |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000    |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000    |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000   |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500    |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000    |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/16/14 | JACKSON, DONNA                | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
| 10/02/14 | EWING, WENDY                  | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |
| 12/19/14 | LEITMAN, MARC                 | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE   | \$25,000    |
| 01/26/15 | LEITMAN, MARC                 | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE               | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE               | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA                | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO     | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME                | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

did unlawfully appropriate property by acquiring or exercising control over said property other than real property by withholding said property permanently and for so extended a period of time that a major portion of the value and enjoyment of said property was lost to said owners or by disposing of said property in a manner that made recovery of said property by said owners unlikely, without the effective consent of the owners by deception, to-wit: creating or confirming by words or conduct false impressions of fact that were likely to affect the judgment of said owners in the transactions and that Defendant did not believe to be true, said property having an aggregate value of Two Hundred Thousand Dollars (\$200,000.00) or more and all amounts alleged were appropriated pursuant to one scheme or continuing course of conduct;

**Paragraph B**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, with intent to deprive the owners of property, namely: lawful currency of the United States of America, from the following owners in the following amounts:

| DATE     | NAME                          | AMOUNT   |
|----------|-------------------------------|----------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000 |
| 08/06/13 | COLEMAN, RANDY                | \$35,000 |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000 |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000 |

**Defendant:** TOMMIE CARTER JR

**JN #:** 1908006-1

|          |                               |             |
|----------|-------------------------------|-------------|
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000    |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000    |
| 11/29/13 | LEITMAN, MARC                 | \$10,000    |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000    |
| 01/07/14 | STILLER, LYNNE                | \$4,000     |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000    |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000    |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000    |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000   |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500    |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000    |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/16/14 | JACKSON, DONNA                | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
| 10/02/14 | EWING, WENDY                  | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |
| 12/19/14 | LEITMAN, MARC                 | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE   | \$25,000    |
| 01/26/15 | LEITMAN, MARC                 | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE               | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE               | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA                | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO     | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME                | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

did unlawfully appropriate property by acquiring or exercising control over said property other than real property by withholding said property permanently and for so extended a period of time that a major portion of the value and enjoyment of said property was lost to said owners or by disposing of said property in a manner that made recovery of said property by said owners unlikely, without the effective consent of the owners by deception, to-wit: failing to correct false impressions of fact that were likely to affect the judgment of said owners in the transactions, that said Defendant previously created or confirmed by words or conduct, and that said Defendant did not at the time believe to be true, said property having an aggregate value of Two Hundred Thousand Dollars (\$200,000.00) or more and all amounts alleged were appropriated pursuant to one scheme or continuing course of conduct;

**Defendant:** TOMMIE CARTER JR

**JN #:** 1908006-1

**COUNT III**

(TPC § 32.45 Misapplication of Fiduciary Property – Elderly)

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did intentionally, knowingly or recklessly misapply property, namely: lawful currency of the United States of America, from the following owners and in the following amounts:

| DATE     | NAME                          | AMOUNT      |
|----------|-------------------------------|-------------|
| 06/05/13 | MUNGUIA, JAIME                | \$10,000    |
| 08/06/13 | COLEMAN, RANDY                | \$35,000    |
| 08/21/13 | BOYKINS, RASHAKA              | \$50,000    |
| 10/10/13 | RINGSTAFF, AZUCENA & RODERICK | \$15,000    |
| 10/28/13 | RINGSTAFF, AZUCENA & RODERICK | \$10,000    |
| 11/01/13 | RINGSTAFF, AZUCENA & RODERICK | \$20,000    |
| 11/29/13 | LEITMAN, MARC                 | \$10,000    |
| 12/09/13 | MUNGUIA, JAIME                | \$10,000    |
| 01/07/14 | STILLER, LYNNE                | \$4,000     |
| 01/24/14 | BELL JR, DR. GERALD           | \$50,000    |
| 03/04/14 | TAYLOR, LONNIE                | \$20,000    |
| 03/21/14 | THOMAS, ALPATRICK             | \$50,000    |
| 04/07/14 | ADAMS, VICKIE L               | \$125,000   |
| 04/16/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 04/28/14 | OGLESBY, DOROTHY              | \$68,400    |
| 04/28/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/09/14 | MUNGUIA, JAIME                | \$8,000     |
| 06/19/14 | RINGSTAFF, AZUCENA & RODERICK | \$25,000    |
| 08/04/14 | THOMPSON, CHARLES             | \$30,500    |
| 08/08/14 | OGLESBY, DOROTHY              | \$60,000    |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/15/14 | RINGSTAFF, AZUCENA & RODERICK | \$5,000     |
| 09/16/14 | JACKSON, DONNA                | \$10,235.05 |
| 09/23/14 | BEATTY, MARIO                 | \$100,000   |
| 09/26/14 | HAIRE, LESTER J. SR.          | \$11,800    |
| 10/02/14 | EWING, WENDY                  | \$80,000    |
| 12/18/14 | MUNGUIA, JAIME                | \$5,000     |
| 12/18/14 | MUNGUIA, JAIME                | \$9,000     |
| 12/19/14 | LEITMAN, MARC                 | \$30,000    |
| 12/26/14 | FULLER, JONATHAN & ADRIENNE   | \$25,000    |
| 01/26/15 | LEITMAN, MARC                 | \$20,000    |
| 02/27/15 | MASSEY, JEANNIE               | \$58,129.75 |
| 02/27/15 | MASSEY, JEANNIE               | \$51,841.54 |
| 03/18/15 | JACKSON, DONNA                | \$20,000    |
| 03/18/15 | MCPHERSON, DARRYL ROBERTO     | \$10,500    |
| 03/18/15 | MUNGUIA, JAIME                | \$15,000    |
| 04/01/15 | ADAMS - CHANTWELL, STACY L    | \$8,000     |
| 05/14/15 | PERRY, ANTHONY                | \$44,000    |

**Defendant:** TOMMIE CARTER JR  
**JN #:** 1908006-1

and said Defendant held said property as a fiduciary or as a person acting in a fiduciary capacity, but not as a commercial bailee, contrary to an agreement under which the property was to be held, to-wit: an agreement whereby said Defendant would invest the owners' funds in an investment opportunity to provide each of the aforementioned owners a profit, and in a manner that involved a substantial risk of loss to the owners of said property or the persons for whose benefit the property was held, and all of the alleged amounts were misapplied pursuant to one scheme or continuing course of conduct having an aggregate value of Two Hundred Thousand Dollars (\$200,000.00) or more;

**COUNT IV**

(TPC §34.02 Money Laundering \$200,000 or More)

**Paragraph A**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did knowingly acquire, maintain an interest in, conceal, possess, transfer, or transport, the proceeds of criminal activity, to-wit: fraud in connection with the sale or offer for sale of securities in the aggregated amount of \$100,000 or more under the laws of the State of Texas, and the aggregate value of the funds is Two Hundred Thousand Dollars (\$200,000.00) or more and all of the proceeds alleged are related to one scheme or continuing course of conduct;

**Paragraph B**

on or about the 5<sup>th</sup> day of June, 2013, through on or about the 14<sup>th</sup> day of May, 2015, TOMMIE CARTER JR., hereinafter referred to as Defendant, did knowingly conduct, supervise, or facilitate a transaction involving the proceeds of criminal activity, to-wit: fraud in connection with the sale or offer for sale of securities in the aggregated amount of \$100,000 or more under the laws of the State of Texas, and the aggregate value of the funds is Two Hundred Thousand Dollars (\$200,000.00) or more and all of the proceeds alleged are related to one scheme or continuing course of conduct;

AGAINST THE PEACE AND DIGNITY OF THE STATE.

  
Foreman of the Grand Jury