

DEFENDANT Robert James Nelson

CHARGE *Alunapp* Securities Fraud > \$100K,
Art. 581 Sec. 29(c) Texas
Securities Act

20143263 - 102229

ADDRESS 1901 Cedar Springs Drive, Prosper, Texas, 75078

CAUSE# 199-80608-2014

DESCRIPTION W/M/DOB: 03/29/1963/ [REDACTED] TX DL
#00758647

AGENCY/# State Securities Board

ARREST INFORMATION GJR

C/C Garry B. Smith

Witness: Eliza Lujan

TRUE BILL OF INDICTMENT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Collin

County, State of Texas, duly organized at the January Term, A.D., 2014 of the 296th

District Court of said county, in said court at said term, do present that

ROBERT JAMES NELSON, hereinafter referred to as "defendant"

on or about the dates listed below, and before the presentment of this indictment, in Collin County, Texas, did then and there directly and through agents, sell and offer for sale units of interest in the Acorn Energy, Inc., Hamilton 6-Well Joint Venture, being a security, to wit: investment contracts, to each of the persons listed below, and in the following amounts:

<u>PERSON</u>	<u>DATE</u>	<u>AMOUNT</u>
Daniel Crowley	June 14, 2010	\$131,250.00
Wade Decker	June 15, 2010	\$175,000.00
Wade Decker	July 15, 2010	\$87,500.00
Scott Wormser	August 13, 2010	\$21,875.00
Wesley Zmolek	August 24, 2010	\$21,875.00
Scott Wormser	August 25, 2010	\$43,750.00
Paul Mabile	August 31, 2010	\$21,875.00
Wade Decker	September 2, 2010	\$87,500.00
Scott Wormser	October 10, 2010	\$21,875.00

And said Defendant committed fraud in connection with the sales and offers for sale of said securities by:

PARAGRAPH ONE

Knowingly and intentionally representing that funds invested by investors in the Hamilton 6-Well Joint Venture would be used to drill, test, complete and equip six oil wells to be drilled in Archer County, Texas, said information being a misrepresentation of a relevant fact; and

PARAGRAPH TWO

Intentionally failing to disclose that funds invested by investors in the Hamilton 6-Well Joint Venture would be used to pay for costs associated with oil and/or gas wells that were not part of the Acorn Energy, Inc., Hamilton 6-Well Joint Venture offering, said information being material fact; and

PARAGRAPH THREE

Intentionally failing to disclose that funds invested by investors in the Hamilton 6-Well Joint Venture would be used for purposes unrelated to the drilling, testing, completing and equipping six oil and gas wells in Archer County, Texas, said information being material fact; and

PARAGRAPH FOUR

Intentionally failing to disclose that in August of 2010, the defendant was the subject of an investigation being conducted by the United States Securities & Exchange Commission (the "S.E.C.") in regards to his involvement as a principle of Overland Energy, Inc., to determine whether the defendant violated certain provisions of the federal securities laws, and that on or about August 11, 2010, the defendant was deposed by members of the staff of the Enforcement Division of the Fort Worth Regional Office of the S.E.C., said information being material fact;


And all of said amounts were obtained pursuant to one scheme and continuing course of conduct, and the aggregate amount that was obtained was \$100,000.00 or more;

Against the peace and dignity of the State.


FOREPERSON OF THE GRAND JURY

FILED

14 MAR 25 PM 2:45

ANDREA STROH THOMPSON
DISTRICT CLERK
COLLIN COUNTY, TEXAS
BY  DEPUTY

DEFENDANT Robert James Nelson 2014-3264-102229 CHARGE Money Laundering > \$200K, TPC 34.02, F1
ADDRESS 1901 Cedar Springs Drive, Prosper, Texas, 75078 CAUSE# 199-80607-2014
DESCRIPTION W/M/DOB: 03/29/1963/ [REDACTED] TX DL #00758647 AGENCY/# State Securities Board
ARREST INFORMATION GJR
C/C Garry B. Smith Witness: Eliza Lujan

TRUE BILL OF INDICTMENT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Collin County, State of Texas, duly organized at the January Term, A.D., 2014 of the 296th

District Court of said county, in said court at said term, do present that _____

ROBERT JAMES NELSON, hereinafter referred to as "defendant"

on or about and between the dates of June 1, 2010, and October 31, 2010, and before the presentment of this indictment, in Collin County, Texas, and elsewhere, did then and there

knowingly acquire an interest in, and possess, and transfer the proceeds of criminal activity, to wit: current money of the United States of America, in the aggregated amount of two hundred thousand dollars (\$200,000.00) or more, and said proceeds were generated from the commission of the offense of Theft of Property in the amount of two hundred thousand dollars (\$200,000.00) or more, a felony under the laws of the State of Texas; and the commission of fraud in connection with the sale of securities in an amount of \$100,000.00 or more, a felony under the laws of the State of Texas;

Against the peace and dignity of the State.

Allen M. Felton

Foreperson of the Grand Jury

FILED

14 MAR 25 PM 2:45

ANDREA STROH THOMPSON
DISTRICT CLERK
COLLIN COUNTY, TEXAS
BY *[Signature]* DEPUTY

KUNAPP

DEFENDANT Robert James Nelson 2014-3265-10229 CHARGE Theft PC 31.03 F1
 ADDRESS 1901 Cedar Springs Drive, Prosper, Texas, 75078 CAUSE# Spolen Prop = \$200,000
199-80606-2014
 DESCRIPTION W/M; DOB: 03/29/1963; [REDACTED] TX DL AGENCY/# State Securities Board
#00758647
 ARREST INFORMATION GJR
 C/C Garry B. Smith Witness: Eliza Lujan

TRUE BILL OF INDICTMENT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Collin County, State of Texas, duly organized at the January Term, A.D., 2014 of the 296th

District Court of said county, in said court at said term, do present that _____

ROBERT JAMES NELSON, hereinafter "defendant"

on or about the dates listed below, and before the presentment of this indictment, in Collin County, Texas, did then and there unlawfully appropriate, to wit: acquire and exercise control over property, other than real property, to wit: current money of the United States of America, from the following owners, and in the following amounts:

<u>Owner</u>	<u>Date of Appropriation</u>	<u>Amount of Appropriation</u>
Daniel Crowley	June 14, 2010	\$131,250.00
Wade Decker	June 15, 2010	\$175,000.00
Wade Decker	July 15, 2010	\$87,500.00
Scott Wormser	August 13, 2010	\$21,875.00
Wesley Zmolek	August 24, 2010	\$21,875.00
Scott Wormser	August 25, 2010	\$43,750.00
Paul Mabile	August 31, 2010	\$21,875.00
Wade Decker	September 2, 2010	\$87,500.00
Scott Wormser	October 10, 2010	\$21,875.00

And said appropriations were without the effective consent of said owners in that consent was induced by deception, to wit: said defendant created and confirmed by words and conduct false impressions of fact that were likely to affect the judgment of said owners in the transactions and that the defendant did not believe to be true; and said defendant failed to correct false impressions of fact that were likely to affect the judgment of said owners in the transactions, that said defendant previously created and confirmed by words and conduct, and that said defendant did not at the time believe to be true; and said defendant promised performance that affected the judgment of said owners in said transactions that said defendant did not intend to perform and knew would not be performed; And said defendant acted with the intent to deprive said owners of said 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, and by disposing of said property in a manner that made recovery of said property by said owners unlikely;

And all of said amounts were obtained, as alleged, as part of one scheme and continuing course of conduct, and the aggregate value of the property so appropriated was \$200,000.00 or more;


Against the peace and dignity of the State.



FOREPERSON OF THE GRAND JURY

FILED

14 MAR 25 PM 2:45

ANDREA STROH THOMPSON
DISTRICT CLERK
COVIL COUNTY, TEXAS
BY  DEPUTY