

NO. CRO1015

THE STATE OF TEXAS V. BENNIE FUELBERG

BOND SET AT \$30,000⁰⁰ CASH

COUNT I: **MISAPPLICATION OF FIDUCIARY PROPERTY**

CODE SECTION: TEXAS PENAL CODE § 32.45

DEGREE OF FELONY: FIRST OFFENSE CODE 26990034 BOND _____

COUNT II: **THEFT**

CODE SECTION: TEXAS PENAL CODE § 31.03

DEGREE OF FELONY: FIRST OFFENSE CODE 23990013 BOND _____

COUNT III: **MONEY LAUNDERING**

CODE SECTION: TEXAS PENAL CODE § 34.02

DEGREE OF FELONY: SECOND OFFENSE CODE 26990152 BOND _____

IN THE 424th JUDICIAL DISTRICT COURT OF BLANCO COUNTY, TEXAS

GRAND JURY INDICTMENT

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

THE GRAND JURY, for the County of BLANCO, State of Texas, duly organized, impaneled, and sworn as such at the February Term, A.D. 2009, of the 424th Judicial District Court for said County, upon their oaths, present in and to said Court at said Term that, before the presentment of this Indictment, BENNIE FUELBERG, hereinafter referred to as Defendant, did as follows:

COUNT I

The Grand Jury presents that on or about and between November 14, 19

DEBBY ELBBURY
CLERK DISTRICT COURT BLANCO COUNTY, TEXAS

FILED

JUN 17 2009

AT 5:04 O'CLOCK
BY *Debbie Elsbury*

2007, in Blanco County, Texas, pursuant to one scheme or continuing course of conduct, Defendant intentionally and knowingly misapplied property, that being: money of Pedernales Electric Cooperative, Inc. ("PEC"), contrary to an agreement under which Defendant held the property as a fiduciary and in a manner that involved substantial risk of loss to PEC, the owner of the property and the person for whose benefit the property was held, by making or causing payments to be made to Curtis Fuelberg, who is Defendant's brother, and to William Price, and the aggregate value of the property misapplied was more than \$200,000.

COUNT II

The Grand Jury further presents that on or about and between November 14, 1996 and March 13, 2007, in Blanco County, Texas, pursuant to one scheme and continuing course of conduct, Defendant unlawfully appropriated, by acquiring or otherwise exercising control over property, that being: money, of a value of more than \$200,000, owned by PEC, without the effective consent of PEC, namely by deception, and with intent to deprive the owner of the property, by making or causing payments to be made to Curtis Fuelberg, who is Defendant's brother, and to William Price.

COUNT III

The Grand Jury further presents that on or about and between September 1, 2005 and March 13, 2007, in Blanco County, Texas, pursuant to one scheme or continuing course of conduct, Defendant did knowingly (1) acquire, maintain an interest in, conceal, possess, and transfer the proceeds of criminal activity; and (2) conduct, supervise, and facilitate a transaction involving the proceeds of criminal activity, that being: theft of money belonging to PEC with an aggregate value

of \$100,000 or more, and misapplication of fiduciary property with an aggregate value of \$100,000 or more, and the aggregate value of these funds was \$100,000 or more but less than \$200,000.

AGAINST THE PEACE AND DIGNITY OF THE STATE.


FOREMAN OF THE GRAND JURY