

OCT 13 2005

IN THE DISTRICT COURT OF TRAVIS COUNTY, TEXAS  
331ST JUDICIAL DISTRICT

at 4:21 p M.  
Amalia Rodriguez-Mendoza, Clerk

THE STATE OF TEXAS

VS.

JAMES W. ELLIS

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§  
§  
§  
§

CRIMINAL ACTION NO. D1DC-05-904160

**STATE'S REPLY TO DEFENDANT'S MOTION TO INSPECT AND COPY A  
DESIGNATED DOCUMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES THE STATE OF TEXAS, by and through RONALD EARLE, District Attorney of Travis County, Texas, and files the State's Reply to the Defendant's Motion to Inspect and Copy a Designated Document.


On October 13, 2005, Jonathan D. Pauerstein and Mark Stevens, counsel for the defendant, James W. Ellis, filed with the Clerk of the Court, on the defendant's behalf, a motion entitled "Motion to Inspect and Copy a Designated Document," requesting therein to inspect and copy a specific document referenced in subsection (6) of Count I of the indictment, namely, a document that was allegedly provided to Terry Nelson, deputy chief of staff of the Republican National Committee, by the defendant, James W. Ellis, which document "contained the names of several candidates for the Texas House of Representatives that were supported by Texans for a Republican Majority PAC, namely, Todd Baxter, Dwayne Bohac, Glenda Dawson, Dan Flynn, Rick Green, Jack Stick, and Larry Taylor, to whom the defendant, James Walter Ellis, requested and proposed that the Republican National Committee and the Republican National State Elections Committee make political contributions in exchange for the committees' receipt of the proceeds from the aforesaid check [reproduced at the conclusion of the Count I of the

indictment], and that contained amounts that the defendant, James Walter Ellis, and Texans for a Republican Majority PAC suggested be contributed to each of the said candidates.”

On or about February 3, 2005, the State of Texas, in compliance with an agreed order entered that day in a related criminal action, to wit, Criminal Action No. 9-04-0564, entitled the *State of Texas vs. James W. Ellis*, made available to the defendant’s counsel, for scanning and compact disc preservation, all records previously produced by Texans for a Republican Majority PAC in response to grand jury subpoenae duces tecum served upon John Colyandro, Bill Ceverha, and Russell Anderson. Included among those documents was a document that constitutes either a duplicate (or copy thereof) of the above-referenced document or a copy of a document that is factually related to the above-referenced document. That document is currently within the custody of the State of Texas. Despite the fact that the State cannot conclusively prove that the said document is a duplicate (or copy thereof) of the above-referenced document, and because the State believes that the document is at least factually related to the above-referenced document, in an abundance of caution, the State has heretofore tendered to counsel for the defendant, in open court, a photocopy of the said document, a copy of which is attached hereto.

Respectfully submitted,

RONALD EARLE  
Travis County, Texas

By:   
RICK REED  
Assistant District Attorney  
State Bar No. 16686100  
P.O. Box 1748  
Austin, Texas 78767  
512-854-4953  
Fax No. 512-854-4206

### CERTIFICATE OF SERVICE

This is to certify that the above and foregoing State's Reply to Defendant's Motion to Inspect and Copy a Designated Document has been served on the defendant on this fourteenth day of October, A.D., 2005, by delivering a duplicate of same by telephonic document transfer to the current telecopier number of the defendant's attorney of record, Jonathan D. Pauerstein, to wit: 210-354-4034, and by delivering a duplicate of same by electronic transmission to the current electronic mail address of the defendant's attorney of record, Mark Stevens, to wit: [MscSte98@aol.com](mailto:MscSte98@aol.com).

  
Rick Reed

Mike Hamilton	19	Tier 1	Friends of Mike Hamilton	P.O. Box 301	Mauriceville	Texas	77626
Wayne Christian (I)	9	Tier 1	Friends of Wayne Christian	204 Houston Street	Center	Texas	75935
Bryan Hughes	5	Tier 2	Bryan Hughes for State Legislature	P.O. Box 1152	Mineola	Texas	75773
Rick Green (I)	45	\$ 20,000	The Rick Green Team	P.O. Box 900	Dripping Springs	Texas	78620
Gene Seaman (I)	32	\$ 25,000	Friends of Gene Seaman	2222 Airline A-9	Corpus Christi	Texas	78414
Eddie Shauberger	18	Tier 1	Friends of Eddie Shauberger	567 CR 2006	Liberty	Texas	77575
Betty Brown (I)	4	\$ 15,000	Re-elect Betty Brown Campaign	P.O. Box 1477	Terrell	Texas	75160
Todd Baxter	48	\$ 35,000	The Friends of Todd Baxter	PO Box 161122	Austin	Texas	78716
Sid Miller (I)	59	Tier 1	Friends of Sid Miller	6407 Highway 377	Stephenville	Texas	76401
Jack Stick	50	\$ 35,000	Jack Stick for State Representative	PO Box 26823	Austin	Texas	78755
Hok Getteman (I)	58	Tier 2	Hok Getteman for State Representative	200 Castle	Waco	Texas	76710
Martha Wong	134	Tier 1	Martha Wong for State Representative Campaign	55 Waugh Dr. #610	Houston	Texas	77007
Rick Hardcastle (I)	68	Tier 2	Friends of Rick Hardcastle	P.O. Box 1614	Vernon	Texas	76384
Dan Flynn	2	\$ 20,000	The Dan Flynn Campaign Fund	P.O. Box 669	Van	Texas	75790
Glenda Dawson	29	\$ 40,000	Glenda Dawson for State Representative	4803 W. Orange	Pearland	Texas	77581
Larry Taylor	24	\$ 20,000	The Coalition to Elect Larry Taylor	P.O. Box 1208	Friendswood	Texas	77549
Dwylene Bohac	138	\$ 20,000	Bohac for Representative	4415 Lorida	Houston	Texas	77018

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