

TRUE AND  
CORRECT COPY

1. *THE STATE OF TEXAS*

*COUNTY OF HAYS*

*SEARCH WARRANT*

The STATE of TEXAS to the Sheriff or any Peace Officer of Hays County, Texas, or any Peace Officer of the State of Texas.


GREETINGS:

WHEREAS, the Affiant whose signature is affixed to the affidavit attached hereto is a Peace Officer under the Laws of Texas and did heretofore this day subscribe and swear to said affidavit before me, which said affidavit is by this reference incorporated herein for all purposes, and whereas I find that the verified facts stated by the Affiant in said affidavit show that Affiant has probable cause for the belief that he expresses therein and establishes the existence of proper grounds for the issuance of this warrant.

NOW, THEREFORE, you are commanded to search the said suspected place, **1057 Drifting Wind Run Dripping Springs, Hays County, Teas 78620** and seize the suspected property described in the Affidavit by serving this warrant and making the seizure, and if the property be found there to seize same, leaving a copy of the Warrant and receipt for the property seized and prepare a written inventory of the property seized and promptly return this warrant to me as required by law.

HEREIN FAIL NOT, but have you then and there execute this Warrant within three days, exclusive of the day of its issuance and exclusive of the day of its execution, with your return thereon, showing how you have executed the same, filed in this court.

ISSUED THIS THE 27 day of June, A.D., 2011, at 2:00 o'clock P.M. to certify which witness my hand this day.

  
Magistrate, Hays County, Texas

**AFFIDAVIT FOR SEARCH WARRANT**

THE STATE OF TEXAS

THE COUNTY OF HAYS

I, Angelo Floiran, being a peace officer under the laws of the state of Texas and being employed by the Hays County Sheriff's Office, Hays County, Texas and being duly sworn, on oath makes the following statements and accusations:

1. THERE IS IN HAYS COUNTY A SUSPECTED PLACE DESCRIBED AS FOLLOWS:

**1057 Drifting Wind Run Dripping Springs, Hays County, Teas 78620**

The residence is a 2 story white or beige rock home. It is approximately 5235 square feet and sits on 2.654 acres at The Preserve Phase Two Block C lot 6C. There is a rock mailbox at the end or a long driveway that twists and turns up hill. The numbers 1057 are marked on the mailbox at the end of this driveway.

2. THERE IS AT SAID SUSPECTED PLACE AND PREMISES PROPERTY CONCEALED AND KEPT IN VIOLATION OF THE LAWS OF TEXAS AND DESCRIBED AS FOLLOWS:

- a) Chapter 31 Penal Code (THEFT),
- b) Chapter 32 Penal Code (FRAUD)
- c) Chapter 34 Penal Code (Money Laundering)

- d) SAID SUSPECTED PLACE AND PREMISES ARE IN CHARGE OF AND CONTROLLED BY EACH OF THE FOLLOWING PERSON:

Doris Williamson Walker WF 01/25/1932 TXDL-03786951

Robbie D Walker WM 11/15/1957 TXDL-06757227

- e) IT IS THE BELIEF OF AFFIANT, AND AFFIANT HEREBY CHARGES AND ACCUSES THAT SAID SUSPECTED PARTY HAS POSSESSION OF AND IS CONCEALING AT SAID SUSPECTED PLACE IN VIOLATION OF THE LAWS OF TEXAS, THE FOLLOWING DESCRIBED PERSONAL PROPERTY, TO WIT:

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- a) Loan Agreement with Dolores "Pokey" Conn
- b) Misc. documentation, paperwork or correspondence with "Pokey"
- c) Blanco National Bank receipts, documentation and transaction records
- d) Wellsfargo receipts, documentation and transaction records
- e) Any and all other banking, credit union or financial institute records
- f) RD Walker Resources Inc. statements, documents and paperwork
- g) Any and all other business statements, documents and paperwork associated with Robbie D Walker or Doris Walker
- h) Correspondence and communications with Bill Kleinsorge
- i) Electronic data processing and storage devices, computers and computer systems including central processing units; internal and peripheral storage devices such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, cartridges, optical storage devices or other memory storage devices; peripheral input/output devices such as keyboards, printers, video display monitors, optical reader/write devices, and related communications devices such as modems; together with system documentation, operating logs and documentation, software and instruction manuals.
- j) All of the above records, whether stored on paper, on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, programmable instruments such as telephones, "electronic address books", calculators, or any other storage media, together with indicia of use, ownership, possession, or control of such records.
- k) Any item(s) that may be a part of an offense under chapter 31 Penal Code (THEFT), Chapter 32 Penal Code (FRAUD) or Chapter 32 Penal Code (Money Laundering)

f) THE AFFIANT HAS PROBABLE CAUSE FOR SAID BELIEF BY  
REASON OF THE FOLLOWING FACTS:

Affiant, Angelo Floiran, is a certified peace officer of the State of Texas, and is employed as such by the Hays County Sheriff's Office. Affiant has been employed by the Hays County Sheriff's Office since 2001 and is currently assigned as a Detective within the Criminal Investigations Division. Affiant is responsible for the investigation of all assigned felony investigations, with a specialization in Financial Crimes. Affiant has had training and experience in the investigation of felony Financial Crime offenses. Affiant is a member of the International Association of Financial Crimes Investigators, the National White Collar Crime Center and the Association of Certified Fraud Specialists with Certification as a Fraud Specialist.

On 04/05/2011, Affiant responded to 264 College Street in Dripping Springs Texas. Affiant met with Dolores "Pokey" Conn regarding a possible fraudulent activity that she was the victim of. Pokey explained that she had been approached by a man named

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Robbie D. Walker who is the son of her best friend Doris Walker. She advised that Robbie Walker asked her about investing in a company that would be developing Gas and Oil wells in North Dakota. The investment would be for \$100,000.00 and she would earn a 15% return on the investment.

Pokey advised the first meeting took place in July of 2009 and friends of hers Becky and Bobby Burke were also at the meeting. Walker had wanted them to invest in the business also but they decided not to. Pokey advised that she ultimately decided to go along with Walker's investment plan for the gas and oil wells because she trusted him. Pokey advised that through the entire process of obtaining or giving loans to Walker, he never once brought any paperwork or documentation regarding the gas and oil wells or the company that was developing them.

On July 15<sup>th</sup> 2009, Robbie D. Walker and Dolores "Pokey" Conn agreed to a promissory note that was developed by Robbie D. Walker. The note was for \$100,000.00 that was to be used as the investment money. Upon signing this note, Pokey gave Walker \$100,000.00. Pokey provided a copy of the Promissory Note to Affiant. Affiant made note that just above the signature lines for both Walker and Pokey there is a disclaimer that reads:

**"This written loan agreement represents the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the parties"**

Pokey would go on to advise that she was approached again by Walker for an additional \$100,000.00 investment. This was done around November 2009. This time he somehow became aware that she had a Certificate of Deposit (CD) at Blanco National Bank. Pokey advised Walker asked her to take a loan out with the CD. He advised her that her money would be staying at the bank and he would pay off the loan. Pokey advised she secured the loan for Walker and he never paid it back. Pokey noted that it was odd once she arrived at Blanco National Bank to get the loan for Walker. Pokey advised that the paperwork had already been done for the loan without her knowledge. Pokey provided Affiant with copies of the CD loan she secured for Walker.

The loan was dated 11/16/2009 for \$100,000.00 and was to be paid off in one payment on 10/21/10 at a total of \$100,050.00. The loan was not paid and Pokey received a continuance of the loan to 01/21/11 and this was not paid either. Due to the continuance she was charged an additional interest payment of \$1223.08.

With both loans and alleged investments, combined with bank fees and missed interest payments, the total loss comes to \$216,273.08 to this date.

Pokey advised that Walker did make two separate interest payments of \$3750.00 for the loans through the course of the almost 2 years. Pokey advised that she requested Walker pay the total for the loans in January 2011. Walker did not reply to her directly, but she received a letter for a lawyer advising they represented Walker.

The letter is from the Robertson / Anschutz Attorneys At Law. The letter is dated January 20<sup>th</sup>, 2011 and was sent to Pokey via overnight delivery. The letter advises that Robbie is intent on fully repaying the money but because of the present economy he is unable to pay the money back. The letter states that Robbie offers the following plan to resolve the matter as quickly as possible:

- 1) The immediate payment to you of \$1000.00
- 2) The payment of \$500.00 per month beginning March 1<sup>st</sup> 2011 with
- 3) The remaining balance paid to you on December 1<sup>st</sup> 2011

The letter then tells Pokey to not have any communication with Robbie but to communicate with the law firm specifically Ruth Garner who authored the letter.

Affiant noted that the "loan" for the promissory note is to be paid by July 15<sup>th</sup> 2011. However, the letter from Ruth Garner shows that Walker will not be paying the loan back by that date. Pokey has already forfeited the CD that secured the loan for Walker to Blanco National Bank.

Based on the interview with Pokey and a review of the documents and correspondence that she provided, Affiant believed this may be a sort of "Ponzi Scheme."

The U.S. Securities and Exchange Commission defines a Ponzi Scheme as:

A Ponzi scheme is an investment fraud that involves the payment of purported returns to existing investors from funds contributed by new investors. Ponzi scheme organizers often solicit new investors by promising to invest funds in opportunities claimed to generate high returns with little or no risk. In many Ponzi schemes, the fraudsters focus on attracting new money to make promised payments to earlier-stage investors and to use for personal expenses, instead of engaging in any legitimate investment activity.

The U.S. Securities and Exchange also identify the following characteristics of these schemes:

Many Ponzi schemes share common characteristics. Look for these warning signs:

- **High investment returns with little or no risk.** Every investment carries some degree of risk, and investments yielding higher returns typically involve more risk. Be highly suspicious of any "guaranteed" investment opportunity.
- **Overly consistent returns.** Investments tend to go up and down over time, especially those seeking high returns. Be suspect of an investment that continues to generate regular, positive returns regardless of overall market conditions.
- **Unregistered investments.** Ponzi schemes typically involve investments that have not been registered with the SEC or with state regulators. Registration is

important because it provides investors with access to key information about the company's management, products, services, and finances.

- **Unlicensed sellers.** Federal and state securities laws require investment professionals and their firms to be licensed or registered. Most Ponzi schemes involve unlicensed individuals or unregistered firms.
- **Secretive and/or complex strategies.** Avoiding investments you don't understand or for which you can't get complete information is a good rule of thumb.
- **Issues with paperwork.** Ignore excuses regarding why you can't review information about an investment in writing, and always read an investment's prospectus or disclosure statement carefully before you invest. Also, account statement errors may be a sign that funds are not being invested as promised.
- **Difficulty receiving payments.** Be suspicious if you don't receive a payment or have difficulty cashing out your investment. Keep in mind that Ponzi scheme promoters sometimes encourage participants to "roll over" promised payments by offering even higher investment returns.

<http://www.sec.gov/answers/ponzi.htm>

Affiant spoke with Investigator Rani Sabban of the Texas Securities Board and learned the Robbie Walker and RD Walker Resources Inc are not registered and were never registered to sell securities in Texas.

In continuing the investigation, Affiant met with Bill Kleinsorge who is a friend of Pokey and a friend of Doris Walker. He does know Robbie Walker, and was approached by Walker. The difference with Kleinsorge as compared to Pokey is that he has experience in the oil and gas industry. Kleinsorge advised that he was approached by Walker for a "loan" and he was later sent an email by Walker which contained the "loan." The loan that was sent to Kleinsorge was the actual loan that Walker had completed with Pokey.

Kleinsorge advised that he didn't think much of it at the time but was not happy with Walker having taken the first \$100,000.00 from Pokey. He advised that at that point he did not think it would be any type of criminal matter. However, once Walker had Pokey get the CD loan for him and the second \$100,000.00 he knew something was not right. Kleinsorge did insist that Walker made it clear to him he wanted a loan and not an investment. Affiant believes this is a measure by Walker to set up a defense. He approaches a reputable businessman such as Kleinsorge and presents the loan knowing Kleinsorge will not do it. He later can have Kleinsorge come to his defense that this is a loan and not investment.

On 04/09/11, Affiant spoke with Becky Burke who was present at the time of the meeting with Robbie Walker and Pokey. Burke advised that she had previously been contacted by Pokey about the investment that Walker was offering. She advised Pokey that she did not have the money to make the investment and did not want to do

it. Burke advised that at the continued urgency of Pokey she went to a meeting with Pokey and Walker. After the meeting she did not make the investment.

Burke provided the details about the meeting and the so called investment that was being offered by Walker. She advised that it had to be for \$100,000.00 and they would earn 15% back on the investment. She was assured that the money was in the bank to cover the investment. She did not go along with the plan and did not give any money to Walker. Burke advised that a short time later she was contacted by Pokey about the investment and told that Walker now said they could invest less than \$100,000.00.

Burke advised there was never any evidence of a gas and oil company. There was no paperwork or documentation or anything else to indicate a company that was being invested in. Burke further advised there was never any talk of any sort of loan agreement or any written documentation that this was a loan. It was only talk of an investment. Burke advised that she was later approached by Pokey who told her that they could now just invest \$50,000.00 and not \$100,000.00.

Affiant responded to the Blanco National Bank in Blanco Texas. This is the location that Robbie Walker took Pokey to obtain the CD secured loan. Affiant met with Kimberley Gilbert who is the banker that prepared the loan for Pokey. Gilbert advised that while preparing the loan she asked Walker what he was going to do with the money and he told her it was for a business venture Pokey was investing in. Gilbert advised she found it odd that the check was being written to Walker and that he had introduced himself as Pokey's grandson.

Affiant would obtain a grand jury subpoena for the accounts of Robbie Walker including RD Walker Resources and serve the subpoena to Wellsfargo N.A. Wellsfargo returned the records including the transaction history and copies of checks that had been written on the account.

The records showed the money given to Walker by Pokey deposited into his account. Both \$100,000 transactions were deposited into the RD Walker Resources Inc account ending in #2642. Upon looking at the transactions it is obvious that the money which was supposed to be "invested" in gas and oil wells was never going to be used in that manner.

On 07/15/09, the \$100,000.00 deposit is made from Pokey's money. The first transaction after the \$100,000.00 is a purchase at Texaco. The next is a fee at match.com. Transactions that follow in the next week include, HEB, Louis Vuitton, Tiffany and Co, Best Buy, nail salons and day spas and multiple locations including hotel stays. This pattern would follow the next \$100,000.00 transaction from Pokey's money.

The account also shows several transactions to other accounts. Affiant obtained records of these accounts and nothing indicates any sort of gas and oil investment.

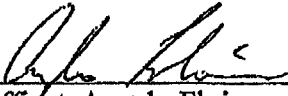
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Affiant also spoke with Texas Securities Board investigator Rani Sabban who advised he looked into RD Walker Resources Inc and it showed to be an active business from 01/08/01 until 02/14/03. With the business being inactive for over 6 years it shows the money from the account #2642 is not being used for business purposes.

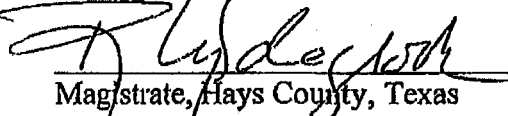
Affiant notes that there were several other high dollar deposits made into the account(s) of Walker. Affiant believes there may be other victims like Pokey as part of an ongoing scam. This search warrant may produce information leading to the identification of other victims.

Through all the research and investigation there has been nothing located to indicate any sort of investment as described by Walker to Dolores "Pokey" Conn when she agreed to give him the money. Walker's bank statements show what the money was spent on. The way the money was spent is obviously not part of an investment. Walker continually missed payments to Pokey and forced her to lose her CD when the bank foreclosed for lack of payment. Even when he did make payments the checks bounced. Statements made by the victim were enforced by statements made by other witnesses. Everything leads to a scam and there is nothing to indicate Walker was ever going to pay Pokey back. The presentation of the "promissory note" was simply the means to commit the theft.

WHEREFORE, AFFIANT ASKS FOR ISSUANCE OF A WARRANT THAT WILL AUTHORIZE THE SEARCH OF SAID SUSPECTED PLACE AND ALL OUT BUILDINGS & VEHICLES FOR PERSONAL PROPERTY AND SEIZURE OF THE SAME AND TO TAKE CUSTODY OF ALL SEIZED PROPERTY AND SAFEKEEP SUCH PROPERTY AS PROVIDED BY STATUTE.

  
\_\_\_\_\_  
Affiant, Angelo Floiran  
Hays County Sheriff's Office

SUBSCRIBED AND SWORN to before me by Angelo Floiran, on this the 27<sup>th</sup> day of June, A.D., 2011.

  
\_\_\_\_\_  
Magistrate, Hays County, Texas

Hays County Case #C11-11485

I, BEVERLY CRUMLEY, District Clerk of Hays County, Texas, hereby certify that the foregoing consisting of 8 pages, is a true, correct and full copy of the instrument herewith set out as it appears of record in the District Clerk's Office of Hays County, Texas this 15 day of July, 2011.  
Beverly Crumley, District Clerk

By:   
\_\_\_\_\_  
Deputy



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**RETURN AND INVENTORY**

**THE STATE OF TEXAS**

**COUNTY OF HAYS**

The undersigned Affiant, being a Peace Officer under the Laws of Texas and being duly sworn, on oath certifies that the foregoing Warrant came to hand on the day it was issued and that it was executed on the 30 th day of June, A.D., 2011, by making the search directed therein and seizing during such search the following described property:

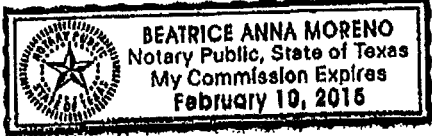
Dell desktop computer #1P89G11  
Dell Desktop Computer #FBWLJF1  
Misc Documents from Office Floor #1  
Misc Documents from Office Floor #2  
Misc Documents from FC Office #1  
Misc Documents from FC Office #2  
Misc Documents from office desk area  
Misc Documents from FC Garage  
Misc Documents & Day Planner from vehicle TXLP-3YPM  
Broadway Bank records from garage safe  
Tape recorder  
Digital camera #32451213  
Dell Lap top #0N75GH  
2 maps  
Tim Russer book  
Records from Walker bathroom  
Documents from drawer behind desk  
Trash bag of documents from garage  
#3 bag of documents from office floor  
Documents from poolside den  
Files office closet filing cabinet  
#4 bag of documents from office floor  
Letter from office closet  
#5 Documents from office floor  
Documents from fax machine in office  
Documents from desk in office  
Documents from corner cabinet in office

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CORRECT COPY

*Agla L...*  
Affiant

SUBSCRIBED AND SWORN to before me by said Affiant whose name is signed above on this  
the 30 th day of June, A.D., 2011.

*Beatrice Moreno*  
Notary, Hays County, Texas



I, BEVERLY CRUMLEY, District Clerk of Hays  
County, Texas, hereby certify that the foregoing  
consisting of 2 pages, is a true, correct  
and full copy of the instrument herewith set out  
as it appears of record in the District Clerk's  
Office of Hays County, Texas this 15  
day of July, 2011.  
Beverly Crumley, District Clerk

By: *D. Nash*  
Deputy