

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,

Plaintiff,

vs.

BRUCE HEPPNER ELGIN,

Defendant.

CRIMINAL NO.

TRIAL INFORMATION

FILED
POLK COUNTY IA.
11 JAN 10 PM 3:14
IOWA DISTRICT COURT

COMES NOW Thomas Henry Miller, Robert Howard Sand, and Justin Allen, as prosecuting attorneys, and in the name and by the authority of the State of Iowa accuse Bruce Heppner Elgin, either as principal or as aider and abettor, of committing the following crimes:

COUNT 1 THEFT IN THE FIRST DEGREE, in violation of §714.1(1), §714.1(2), §714.1(3), and §714.2(1) of the Iowa Code. During the time period of October 2008 through September 2009, in the county of Polk and State of Iowa, the defendant Bruce Heppner Elgin did take possession of property exceeding ten thousand dollars in value belonging to the State of Iowa, with the intent to deprive the owner thereof, by unlawfully reporting inflated values on applications for tax credits for an film project entitled, "The Offering." (A CLASS C FELONY)

COUNT 2 FRAUDULENT PRACTICE IN THE FIRST DEGREE, in violation of §15A.3 of the Iowa Code. During the time period of October 2008 through September 2009, in the county of Polk and State of Iowa, the defendant Brue Heppner Elgin, engaged in deception and knowingly made or caused to be made, directly or indirectly, false statements in writing, for the purpose of procuring economic development assistance from a state agency for the benefit of the film "The Offering" and related persons and entities, to wit: drafting and submitting "deal memos" which, by falsely inflating expenditures, enabled Iowa Film Production Services to obtain from the Iowa treasury, in the form of transferable tax credits, approximately \$5 for every \$2 that it actually spent. (A CLASS C FELONY)

COUNT 3 THEFT IN THE FIRST DEGREE, in violation of §714.1(1), §714.1(2), §714.1(3), and §714.2(1) of the Iowa Code. During the time period of October 2008 through September 2009, in the county of Polk and State of

Iowa, the defendant Bruce Heppner Elgin did take possession of property exceeding ten thousand dollars in value belonging to the State of Iowa, with the intent to deprive the owner thereof, by unlawfully reporting inflated values on applications for tax credits for a film project entitled, "Splatter." (A **CLASS C FELONY**)

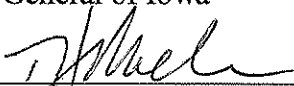
COUNT 4 FRAUDULENT PRACTICE IN THE FIRST DEGREE, in violation of §15A.3 of the Iowa Code. During the time period of October 2008 through September 2009, in the county of Polk and State of Iowa, the defendant Bruce Heppner Elgin, engaged in deception and knowingly made or caused to be made, directly or indirectly, false statements in writing, for the purpose of procuring economic development assistance from a state agency for the benefit of the film "Splatter" and related persons and entities, to wit: drafting and submitting "deal memos" which, by falsely inflating expenditures, enabled Iowa Film Production Services to obtain from the Iowa treasury, in the form of transferable tax credits, approximately \$5 for every \$2 that it actually spent. (A **CLASS C FELONY**)

COUNT 5 ONGOING CRIMINAL CONDUCT, in violation of §706A.4, §706A.2(4), §706A.2(2)(h), and §706A.2(2)(i) of the Iowa Code (2009). During the time period of October 2008 through September 2009, in the County of Polk and State of Iowa, the defendant Bruce Heppner Elgin, did commit specified unlawful activity by committing acts for financial gain on a continuing basis, that are punishable as indictable offenses under the laws of the state of Iowa, to wit: fraudulent practices in the first degree in violation of §15A.3 and §714.9 of the Iowa Code and theft in the first degree in violation of §714.1(1), §714.1(2), §714.1(3), and §714.2(1) of the Iowa Code. (A **CLASS B FELONY**)

We have made a full and careful investigation of the facts upon which this information is based and have determined under the authority of section 13.4 of the Code of Iowa and pursuant to rule 2.5(1) of the Rules of Criminal Procedure that a criminal prosecution is warranted in this matter.

A TRUE INFORMATION,

THOMAS J. MILLER
Attorney General of Iowa

By: 
THOMAS HENRY MILLER AT0005416
Deputy Attorney General in and for the
State of Iowa

By: *Robert Howard Sand*
ROBERT HOWARD SAND AT0010489
Assistant Attorney General in and for the
State of Iowa

JOHN P. SARCONI
Polk County Attorney

By: *Justin G. Allen*
JUSTIN G. ALLEN AT0000409
Assistant County Attorney in and for Polk
County, Iowa

On this 10 day of Jan, 2011, I find that the evidence contained in the Trial Information and the minutes of testimony, if unexplained, would warrant a conviction by the trial jury.

JUDGE

Copy of Information and minutes received this ____ day of _____, 2011.

Defendant/Attorney for Defendant

WITNESSES

Don Dursky, IDED, 200 E. Grand Ave., Des Moines, IA
Gerard Meyers, DPS, 2006 S. Ankeny Blvd, Ankeny, IA
Matthew Sauer, DPS, 2006 S. Ankeny Blvd, Ankeny, IA
Larry Mortorff, 9701 Wilshire Blvd, Beverly Hills, CA
Tony Wilson, 2430 106th St. Des Moines, IA
Michael Tramontina, 4819 Waterbury Road, Des Moines, IA
Vincent Lintz, 7114 Franklin Ave., Windsor Heights, IA
Amy Johnson, 1421 43rd St., Des Moines, IA
Kathleen Caggiano, 2247 Grand Avenue, Unit #4, West Des Moines, IA
Jim McNulty, 9318 Happy Hollow Dr, Norwalk, IA 50211
Bob Saar, PO Box 602, Burlington, IA
Phillip Manke, 421 May Avenue, Burlington, IA
Chris Warren (BeVauns), 224 26th St NW Cedar Rapids, IA
Kristina Swanson, 451 Rundell St Iowa City, IA
Helen Roushar, 725 Walnut St Iowa City, IA
Mike Saunders, 127 E Pennsylvania, Ottumwa, IA
Max Nelson or guardian, 522 Carroll Ave, Ames, IA
Christine Youngstrom, 2100 River St Burlington, IA
Lonnie Schuyler, 205 Marietta, Burlington, IA
John Van Allen, 1020 Clay St Cedar Falls, IA
Eric Freese, 1524 Elmhurst Drive NE, Cedar Rapids, IA
Nikki Hynek, 2530 A Ave, Cedar Rapids, IA
Paul Burge, 11872 G 58 Hwy, Indianola, IA
Dawn Jennings, 511 South Riggs, Lone Tree, IA
Mark Britton, 2845 Ridgeview Way, Marion, IA
Paul Hynek, PO Box 33, Swisher, IA
Geery Howe, PO Box 869, West Branch, IA

This information, together with the minutes of testimony relating thereto, is duly filed in the District Court.

This _____ day of _____, 2011.

Clerk of the Polk County District Court
of the State of Iowa

By

Deputy Clerk

REVIEW BY JUDGE

On the _____ day of _____, 2011, I find that the evidence contained in the within Trial Information and Minutes of Evidence, if unexplained, would warrant a conviction by the trial jury, and being satisfied from the showing made herein that this case should be prosecuted by Trial Information the same is approved.

_____ Clerk of Court shall issue an arrest warrant.
_____ Clerk of Court shall issue a summons for Defendant to Appear.

_____ Bond is set in the amount of \$ _____.

_____ Bond may be unsecured.
_____ Bond must be cash.
_____ 10% cash may be posted.

_____ Bond previously set shall continue.

_____ Defendant is released on personal recognizance.

_____ THE DEFENDANT IS ORDERED TO APPEAR FOR ARRAIGNMENT AT:

place _____

date _____

time _____

DISTRICT JUDGE