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Attorneys for Plaintiff

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

10 **THE STATE OF ARIZONA,**

11 *Plaintiff,*

12 **vs.**

13 **DANIEL A. MULLER (001),**

14 **and**

15 **JOAQUIN FRANCO PEREZ,**

16 **a/k/a KINO FRANCO (002),**

17 *Defendants.*

No. _____

INDICTMENT

55 SGJ 46

CHARGING VIOLATIONS OF:

COUNT 1 : BRIBERY OF A PUBLIC OFFICER, a Class 4 Felony, in violation of A.R.S. § 13-2602 (A) (2)
(Defendant 001 only)

COUNT 2: BRIBERY OF A PUBLIC OFFICER, a Class 4 Felony, in violation of A.R.S. § 13-2602 (A) (1)
(Defendant 002 only)

19 _____
20 The Arizona State Grand Jury accuses **DANIEL A. MULLER (001) and JOAQUIN**
21 **FRANCO PEREZ a/k/a KINO FRANCO (002)** charging that in or from Maricopa County,
22 Arizona:

23
24 **COUNT 1**

25 **(BRIBERY OF A PUBLIC OFFICER)**

26 During a time period beginning on or about January 31, 2003 and ending on or about
27 August 21, 2003, the defendant, **DANIEL A. MULLER (001)**, with corrupt intent and while a
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1 public servant, solicited, accepted, or agreed to accept any benefit upon an agreement or
2 understanding that his vote, judgment, exercise of discretion or other action as a public servant
3 would thereby be influenced, in violation of A.R.S. §§ 13-2602 (A) (2), 13-2601, 13-2604, 13-
4 701, 13-702, 13-702.01, and 13-801.

5 This conduct occurred when the defendant **DANIEL A. MULLER (001)**, while a public
6 servant employed as a Financial Investigator with the Arizona Department of Gaming and with the
7 intent to exert corrupt influence on the license application review process, accepted or agreed to
8 accept employment at R. Franco USA upon an understanding that said employment or offer of
9 employment would influence **MULLER**'s review and recommendation on R. Franco USA's
10 pending license application, which was within **MULLER**'s judgment, exercise of discretion or
11 job duties as a Financial Investigator.

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COUNT 2

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(BRIBERY OF A PUBLIC OFFICER)

15 During a time period beginning on or about January 31, 2003 and ending on or about
16 August 21, 2003, the defendant, **JOAQUIN FRANCO PEREZ a/k/a KINO FRANCO (002)**,
17 with corrupt intent, offered, conferred or agreed to confer any benefit upon a public servant with
18 the intent to influence the public servant's vote, opinion, judgment, exercise of discretion or
19 other action in his official capacity as a public servant, in violation of A.R.S. §§ 13-2602 (A) (1),
20 13-2601, 13-701, 13-702, 13-702.01, and 13-801.

21 This conduct occurred when the defendant **JOAQUIN FRANCO PEREZ a/k/a KINO**
22 **FRANCO (002)**, with the intent to exert corrupt influence on the license application review
23 process, offered employment or conferred employment upon Daniel A. Muller while he was a
24 public servant employed as a Financial Investigator with the Arizona Department of Gaming, upon
25 an understanding that said employment or offer of employment would influence Muller's review
26 and recommendation on R. Franco USA's pending license application, which was within Muller's

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1 judgment, exercise of discretion or job duties as a Financial Investigator.

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3 ...

4 Pursuant to A.R.S. §21-425, the State Grand Jurors find that the offenses described
5 above were committed in Maricopa County, Arizona.

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TERRY GODDARD
7 Attorney General
8 State of Arizona

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10 _____
TODD C. LAWSON
Assistant Attorney General

("True Bill")

11

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Date

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FOREPERSON OF THE GRAND JURY

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