IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY
PRELIMINARY COMPLAINT

STATE OF IOWA,
Plaintiff,
vs.

GRADY ROBERT MARX,
Defendant.
Address: 1461-158th ST
City: SIOUX CITY State: IA Zip: ______

Court Case No. FECR265743
Date of Arrest ______
Soc. Sec. No. [redacted]
D.L. # [redacted]
Date of Birth [redacted]
Sex: M Hgt: 5'08" Eyes: GR
Race: W Wgt: 175 Hair: Grey
Agency/Ticket No. ______

Defendant is accused of the crime(s) of THEFT 1st DEGREE in violation of Iowa Code Section(s) 714.2(1), in that defendant on the 1st day of DECEMBER, 2010, in the City of Des Moines, Polk County, Iowa, DID TAKE AN AMOUNT GREATER THAN $10,000, KNOWING THE MONEY DID NOT BELONG TO HIM.

Defendant is implicated in crime by:
[ ] operating motor vehicle in Polk County [ ] admissions/statements [ ] possession
[ ] possessed drugs/paraphernalia [ ] possessed alcoholic beverages/containers [ ] near scene of crime [ ] fingerprints
[ ] caught in act [X] identified by witnesses [ ] possession/use of weapons [ ] caused personal injury
[ ] caused property damage [ ] crime observed by officers [ ] other physica evidence ______

[ ] VICTIM REQUESTS A NO CONTACT ORDER

Adam DeCamp

[X] Officer [ ] Complaining Witness [ ] Assistant Polk County Attorney

Subscribed and sworn to before me by Adam DeCamp on this 19th day of April 2013

Jaime Fisher

[X] Notary Public in and for the State of Iowa [ ] Judge, Fifth Judicial District

NOTARIAL SEAL IOWA
JAIME FISHER
COMMISSION NO. 746150
MY COMMISSION EXPIRES
3-29-15

NAMES & ADDRESSES OF WITNESSES: [Please designate victim(s)]

S/A ADAM DeCAMP 215 E 7th ST, DM
MELISSA KNOLL-SPEER 321 E. 12th ST, DM
ANTHONY WOOD PO BOX 84, RUDD, IA

THE COURT FINDS PROBABLE CAUSE exists to detain the defendant for the charge(s) set forth above and he/she is to be admitted to bail in the amount of $ 10,000 under the following conditions: [ ] cash only [X] cash or surety [ ] 10% cash to the court [ ] own recognizance [ ] other conditions imposed with bail: ______

Eliza M Ovrom 04/19/2013
JUDGE, FIFTH JUDICIAL DISTRICT Date

ORDER

Defendant pleads guilty to the crime(s) of ______ and is sentenced as follows:
[ ] Defendant shall serve ______ days in the Polk County Jail. Defendant is credited with ______ days served.
[ ] Defendant shall pay assessed court costs.
[ ] Defendant shall pay a fine in the amount of $______ plus surcharges and court costs.
[ ] The fine, surcharge, and/or court costs shall be taken out of the defendant's property.
[ ] Defendant shall abide by the attached No Contact Order.
[ ] Defendant shall pay restitution to ______ in the amount of ______ through the Clerk of Court and the Clerk of Court shall mail payments to: ______
[ ] The pecuniary damage amount is not available at this time. The county attorney shall file a pecuniary damage statement within 30 days of this date and a copy of the statement shall be mailed by the Clerk of Court to the defendant who shall have 30 days from the date of the filing of the damage statement to contest the damages claimed, otherwise the amount of restitution shall be as stated in the pecuniary damage statement.
[ ] Defendant shall pay restitution, fines, surcharges and court costs by ______ to the Clerk of Court, Polk County Courthouse, Room 103, 500 Mulberry Street, Des Moines, Iowa 50309. **Failure to pay on time will result in an automatic referral to the Iowa Department of Revenue for collection and the imposition of a 10% penalty.**

FILED
2013 APR 24
CLERK DISTRICT COURT
POLK COUNTY, IA.

______
JUDGE, FIFTH JUDICIAL DISTRICT Date

IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY
PRELIMINARY COMPLAINT

STATE OF IOWA,
Plaintiff,
vs.

GRADY ROBERT MARX,
Defendant.
Address: 1461 - 158th ST
City: SIOUX CITY State: IA Zip: ______

Court Case No. FECR265743
Date of Arrest ______
Soc. Sec. No. [redacted]
D.L. # [redacted]
Date of Birth [redacted]
Sex: M Hgt: 5'08" Eyes: GR
Race: W Wgt: 175 Hair: GREY
Agency/Ticket No. ______

Defendant is accused of the crime(s) of CONSPIRACY TO COMMIT A FELONY in violation of Iowa Code Section(s) 706.1, in that defendant on the 16 day of DECEMBER, 2010, in the City of DES MOINES, Polk County, Iowa, DID AGREE WITH OTHER(S) TO ENGAGE IN A CRIMINAL FELONY.

Defendant is implicated in crime by:
[ ] operating motor vehicle in Polk County
[ ] admissions/statements
[ ] possession
[ ] possessed drugs/paraphernalia
[ ] possessed alcoholic beverages/containers
[ ] near scene of crime
[ ] fingerprints
[ ] caught in act
[X] identified by witnesses
[ ] possession/use of weapons
[ ] caused personal injury
[ ] caused property damage
[ ] crime observed by officers
[ ] other physical evidence ______

[ ] VICTIM REQUESTS A NO CONTACT ORDER

Adam DeCamp
[X] Officer [ ] Complaining Witness [ ] Assistant Polk County Attorney

Subscribed and sworn to before me by ADAM DeCAMP on this 19th day of April 2013.

Jaime Fisher
[X] Notary Public in and for the State of Iowa [ ] Judge, Fifth Judicial District

NOTARIAL SEAL IOWA
JAIME FISHER
COMMISSION NO. 746150
MY COMMISSION EXPIRES
3-29-16

NAMES & ADDRESSES OF WITNESSES: [Please designate victim(s)]

S/A ADAM DeCAMP 215 E. 7th ST, DM
MELISSA KNOLL-SPEER 321 E. 12th ST, DM

THE COURT FINDS PROBABLE CAUSE exists to detain the defendant for the charge(s) set forth above and he/she is to be admitted to bail in the amount of $ 5,000 under the following conditions: [ ] cash only [X] cash or surety [ ] 10% cash to the court [ ] own recognizance [ ] other conditions imposed with bail: ______

JUDGE, FIFTH JUDICIAL DISTRICT 04/19/2013 Date

ORDER

Defendant pleads guilty to the crime(s) of ______ and is sentenced as follows:
[ ] Defendant shall serve ______ days in the Polk County Jail. Defendant is credited with ______ days served.
[ ] Defendant shall pay assessed court costs.
[ ] Defendant shall pay a fine in the amount of $______ plus surcharges and court costs.
[ ] The fine, surcharge, and/or court costs shall be taken out of the defendant's property.
[ ] Defendant shall abide by the attached No Contact Order.
[ ] Defendant shall pay restitution to ______ in the amount of ______ through the Clerk of Court and the Clerk of Court shall mail payments to: ______
[ ] The pecuniary damage amount is not available at this time. The county attorney shall file a pecuniary damage statement within 30 days of this date and a copy of the statement shall be mailed by the Clerk of Court to the defendant who shall have 30 days from the date of the filing of the damage statement to contest the damages claimed, otherwise the amount of restitution shall be as stated in the pecuniary damage statement.
[ ] Defendant shall pay restitution, fines, surcharges and court costs by ______ to the Clerk of Court, Polk County Courthouse, Room 103, 500 Mulberry Street, Des Moines, Iowa 50309. **Failure to pay on time will result in an automatic referral to the Iowa Department of Revenue for collection and the imposition of a 10% penalty.**

FILED
POLK COUNTY, IA.
2013 APR 19
CLERK DISTRICT COURT

______
JUDGE, FIFTH JUDICIAL DISTRICT Date

White: Court Files Yellow: County Attorney Simple Misdemeanor Docket Pink: Defendant Gold: Defense Attorney Revised: 02/04

IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY
PRELIMINARY COMPLAINT

STATE OF IOWA,
Plaintiff,
vs.

GRADY ROBERT MARX
Defendant.
Address: 1461 - 158th ST
City: SIOUX CITY State: IA Zip:

Court Case No. FECR265743
Date of Arrest
Soc. Sec. No. [redacted]
D.L. # [redacted]
Date of Birth [redacted]
Sex: M Hgt: 5'08" Eyes: GR
Race: W Wgt: 175 Hair: Grey
Agency/Ticket No.
PK4153072

Defendant is accused of the crime(s) of ON-GOING CRIMINAL CONDUCT in violation of Iowa Code Section(s) 706A.2(1), in that defendant on the 7 day of OCTOBER, 2008 in the City of Des Moines, Polk County, Iowa, DID RECEIVE PROCEEDS OF UNLAWFUL ACTIVITIES.

Defendant is implicated in crime by: [ ] operating motor vehicle in Polk County [ ] admissions/statements [ ] possession
[ ] possessed drugs/paraphernalia [ ] possessed alcoholic beverages/containers [ ] near scene of crime [ ] fingerprints
[ ] caught in act [X] identified by witnesses [ ] possession/use of weapons [ ] caused personal injury
[ ] caused property damage [ ] crime observed by officers [ ] other physical evidence

[ ] VICTIM REQUESTS A NO CONTACT ORDER

[X] Officer [ ] Complaining Witness [ ] Assistant Polk County Attorney

Subscribed and sworn to before me by ADAM DeCAMP on this 19th day of April 2013.

[X] Notary Public in and for the State of Iowa [ ] Judge, Fifth Judicial District

NOTARIAL SEAL IOWA
JAIME FISHER
COMMISSION NO. 746150
MY COMMISSION EXPIRES
3-29-15

NAMES & ADDRESSES OF WITNESSES: [Please designate victim(s)]

S/A ADAM DeCAMP, 215 E. 7th ST, DM
MELISSA KNOLL-SPEER 321 E. 12th ST, DM

THE COURT FINDS PROBABLE CAUSE exists to detain the defendant for the charge(s) set forth above and he/she is to be admitted to bail in the amount of $ 25,000 under the following conditions: [ ] cash only [X] cash or surety [ ] 10% cash to the court [ ] own recognizance [ ] other conditions imposed with bail:

JUDGE, FIFTH JUDICIAL DISTRICT 04/19/2013
Date

ORDER

Defendant pleads guilty to the crime(s) of ________ and is sentenced as follows:
[ ] Defendant shall serve ____ days in the Polk County Jail. Defendant is credited with ____ days served.
[ ] Defendant shall pay assessed court costs.
[ ] Defendant shall pay a fine in the amount of $______ plus surcharges and court costs.
[ ] The fine, surcharge, and/or court costs shall be taken out of the defendant's property.
[ ] Defendant shall abide by the attached No Contact Order.
[ ] Defendant shall pay restitution to ______ in the amount of ______ through the Clerk of Court and the Clerk of Court shall mail payments to: ______
[ ] The pecuniary damage amount is not available at this time. The county attorney shall file a pecuniary damage statement within 30 days of this date and a copy of the statement shall be mailed by the Clerk of Court to the defendant who shall have 30 days from the date of the filing of the damage statement to contest the damages claimed, otherwise the amount of restitution shall be as stated in the pecuniary damage statement.
[ ] Defendant shall pay restitution, fines, surcharges and court costs by ______ to the Clerk of Court, Polk County Courthouse, Room 103, 500 Mulberry Street, Des Moines, Iowa 50309. **Failure to pay on time will result in an automatic referral to the Iowa Department of Revenue for collection and the imposition of a 10% penalty.**

FILED
POLK COUNTY, IA.
13 APR 19 AM 8:25
CLERK DISTRICT COURT

JUDGE, FIFTH JUDICIAL DISTRICT Date

White: Court Files Yellow: County Attorney Simple Misdemeanor Docket Pink: Defendant Gold: Defense Attorney Revised: 02/04

IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY
PRELIMINARY COMPLAINT

STATE OF IOWA,
Plaintiff,
vs.

GRADY ROBERT MARX,
Defendant.
Address: 1461 - 158th ST
City: SIOUX CITY State: IA Zip: ______

Court Case No. FECR265743
Date of Arrest ______
Soc. Sec. No. [redacted]
D.L. # [redacted]
Date of Birth [redacted]
Sex: M Hgt: 5'08" Eyes: GR
Race: W Wgt: 175 Hair: GREY
Agency/Ticket No. ______

Defendant is accused of the crime(s) of MONEY LAUNDERING in violation of Iowa Code Section(s) 706B:2, in that defendant on the 7 day of OCTOBER, 2008 in the City of DES MOINES, Polk County, Iowa, DID KNOWINGLY ACQUIRE, PROVIDE AND ENGAGE IN ACTIVITIES KNOWING SUCH ACQUISTIONS AND ACTIVITIES WERE CONDUCTED FOR PERSONAL GAIN AND WERE ILLEGAL

Defendant is implicated in crime by:
[ ] operating motor vehicle in Polk County [ ] admissions/statements [ ] possession
[ ] possessed drugs/paraphernalia [ ] possessed alcoholic beverages/containers [ ] near scene of crime [ ] fingerprints
[ ] caught in act [X] identified by witnesses [ ] possession/use of weapons [ ] caused personal injury
[ ] caused property damage [ ] crime observed by officers [ ] other physical evidence ______

[ ] VICTIM REQUESTS A NO CONTACT ORDER

Adam DeCamp
[X] Officer [ ] Complaining Witness [ ] Assistant Polk County Attorney

Subscribed and sworn to before me by ADAM DeCAMP on this 19th day of April 2013

Jaime Fisher
[X] Notary Public in and for the State of Iowa [ ] Judge, Fifth Judicial District

NOTARIAL SEAL IOWA
JAIME FISHER
COMMISSION NO. 746150
MY COMMISSION EXPIRES
3-29-15

NAMES & ADDRESSES OF WITNESSES: [Please designate victim(s)]

S/A ADAM DeCAMP, 215 E. 7th ST, DM
MELISSA KNOLL-SPEER, 321 E. 12th ST, DM

THE COURT FINDS PROBABLE CAUSE exists to detain the defendant for the charge(s) set forth above and he/she is to be admitted to bail in the amount of $ 10,000 under the following conditions: [ ] cash only [X] cash or surety [ ] 10% cash to the court [ ] own recognizance [ ] other conditions imposed with bail: ______

Chi M Yand 04/19/2013
JUDGE, FIFTH JUDICIAL DISTRICT Date

ORDER

Defendant pleads guilty to the crime(s) of ______ and is sentenced as follows:
[ ] Defendant shall serve ______ days in the Polk County Jail. Defendant is credited with ______ days served.
[ ] Defendant shall pay assessed court costs.
[ ] Defendant shall pay a fine in the amount of $______ plus surcharges and court costs.
[ ] The fine, surcharge, and/or court costs shall be taken out of the defendant's property.
[ ] Defendant shall abide by the attached No Contact Order.
[ ] Defendant shall pay restitution to ______ in the amount of ______ through the Clerk of Court and the Clerk of Court shall mail payments to: ______
[ ] The pecuniary damage amount is not available at this time. The county attorney shall file a pecuniary damage statement within 30 days of this date and a copy of the statement shall be mailed by the Clerk of Court to the defendant who shall have 30 days from the date of the filing of the damage statement to contest the damages claimed, otherwise the amount of restitution shall be as stated in the pecuniary damage statement.
[ ] Defendant shall pay restitution, fines, surcharges and court costs by ______ to the Clerk of Court, Polk County Courthouse, Room 103, 500 Mulberry Street, Des Moines, Iowa 50309. **Failure to pay on time will result in an automatic referral to the Iowa Department of Revenue for collection and the imposition of a 10% penalty.**

FILED
POLK COUNTY, IA
13 APR 19 AM 8:
CLERK DISTRICT COURT

______
JUDGE, FIFTH JUDICIAL DISTRICT Date

White: Court Files **Yellow:** County Attorney Simple Misdemeanor Docket **Pink:** Defendant **Gold:** Defense Attorney Revised: 02 / 04

FE 265743

AFFIDAVIT FOR SPECIAL AGENT ADAM DECAMP

I, Adam DeCamp, being duly sworn on oath, hereby depose and state:

1. I am employed as a Special Agent with the Department of Public Safety – Division of Criminal Investigation Division (DCI) and have been so employed since November 1996. My responsibilities include the investigation of criminal violations of State of Iowa laws involving money laundering, on-going criminal conduct, and theft.

2. During the course of my employment with DCI, I have received training and gained experience in analyzing personal and business documents and records, and in analyzing direct and indirect relationships between various types of personal and business records and documents, tax returns, and legal and illegal businesses and activities. I have been assigned to or have assisted other special agents of DCI, as well as local, state and federal law enforcement officers, in several investigations involving the laundering of proceeds from various specified unlawful activities (SUAs), such as bank fraud, mail fraud, and drug trafficking, and the concealment of assets purchased with these unlawful proceeds.

3. All of the information contained in this affidavit is derived from personal knowledge and observations, interviews of witnesses, other law enforcement agents, court records, and other third party records, including employees of the Auditor of the State. I believe this information to be both truthful and reliable.

4. I submit this affidavit in support of an application for a seizure warrant. This warrant would authorize seizure of the following, which are subject to forfeiture pursuant to Iowa Code 809A.3(2), property involved in or traceable to underlying felonies including, but not limited to, Theft in the First Degree (Iowa Code Section 714.2(1)), Conspiracy to Commit Theft in the First Degree (Iowa Code Section 706.1), On-Going Criminal Conduct (Iowa Code Section 706A.2(1)), and Money Laundering (Iowa Code Section 706B), to wit:

5. This affidavit relates to the following individuals and activities by these individuals:

   a. David Paul Weigel
      127 19th St
      Nevada, Iowa
      DOB: [redacted]
      SSN: [redacted]

   b. Grady Robert Marx
      1461 158th Street
      Sioux City, Iowa
      DOB: [redacted]
      SSN: [redacted]

INVESTIGATIVE INFORMATION SUPPORTING ARREST

A. Investigation Background

1. The State of Iowa Department of Transportation (IDOT) is a Department within the Executive Branch of state government. The State of Iowa is based out of Polk County, Des Moines, Iowa.

2. David Weigel was an IDOT employee from 1995-2011. While employed by IDOT, David Weigel had the responsibilities of a Right-of-Way agent, including the management, purchase, maintenance, lease and sale of property owned by the IDOT. As an IDOT employee, David Weigel was informed, made aware of and responsible for the ethical and legal practices of an IDOT employee. David Weigel's employment with IDOT ended on July 7, 2011, after the start of a criminal investigation and audit into possible official misconduct.

3. The IDOT Right-of-Way section employed right-of-way agents, like David Weigel, who were responsible for the management of IDOT owned land and properties throughout the State of Iowa. The Right-of-Way section's management included, but was not limited to, land acquisition and sales, maintenance of State owned properties, lease/rent of State owned land; all for the service of the people of Iowa.

4. On July 7, 2011, IDOT Director Paul Trombino III, reported suspicious activity involving land sales, land leases, and mowing contracts involving IDOT land and IDOT employee David Weigel.

5. An audit, conducted by the Office of Auditor of State (AOS), discovered the disbursement of IDOT land and money in violation of established IDOT policies and procedures, as well as the improper use of state employee influence and inside information involving David Weigel.

6. An investigation, conducted jointly by the Division of Criminal Investigation (DCI) and AOS, discovered family members, friends, acquaintances and people unknown to David Weigel participated, knowingly and unknowingly, in David Weigel's efforts to personally profit from his position and insider knowledge. Through interviews, review of financial documents and the use of open record searches, the investigation showed Barbara Weigel and Grady Marx were complicit in acts, against the State of Iowa, set in motion by David Weigel, through his position with IDOT.

7. As a Right-of-Way agent, David Weigel orchestrated the conditions, perimeters and monetary compensation required for the lease of IDOT land to person including, but not limited to, Douglas Rose and Jacob Walgenbach.

8. As a Right-of-Way agent, David Weigel orchestrated the conditions, perimeters and monetary compensation required for the sale of IDOT land to person including, but not limited to Anthony Wood, Dan Fetters, and Lee Judge.

9. As a Right-of-Way agent, David Weigel orchestrated the conditions, perimeters and monetary compensation required for the mowing of IDOT land by person including, but not limited to Grady Marx and Stacie Walther.

10. The investigation revealed that David Weigel committed Theft in the First Degree (Iowa Code Section 714.2(1)), Conspiracy to Commit Theft in the First Degree (706.1), On-Going Criminal Conduct (Iowa Code Section 706A), Felonious Misconduct in Office (Iowa Code Section 721.1(2)) and Money Laundering (Iowa Code Section 706B). The evidence reflect that David Weigel used his position and authority as an IDOT Right of Way Agent to facilitate and conspire to commit theft

and money laundering in a pattern that lasted from 1997-2011. David Weigel was an IDOT employee from 1995-2011.

a. On or about May 18, 2007, Dan and Debbie Fetters did purchase the land for $76,000. In an interview conducted as part of this investigation, Dan Fetters said he worked with David Weigel to secure the purchase of land. Dan Fetters said David Weigel instructed Dan Fetters to write two checks for the purchase of the land; one to IDOT for the land and one to David Weigel for "the rights to the land". Dan and Debbie Fetters wrote two checks to pay for the property; the first check (#3070) to IDOT in the amount of $50,000 and the second check (#3071) to David Weigel in the amount of $26,000; an amount deposited into a bank account David Weigel held jointly with another.

b. On or about October 4, 2006, Todd Rueter did purchase IDOT Right-of-way property in Montour, Tama County, Iowa, for a winning sealed bid price of $80,000. Todd Rueter secured the property with a $10,000 earnest payment. Prior to November 30, 2006, Todd Rueter forfeited the $10,000 and relinquished his rights to the land. In an interview conducted as part of this investigation, Todd Rueter said he worked with David Weigel on the sealed bid purchase of the land. Todd Rueter said he walked away from the purchase after learning there was a home on the property. Todd Rueter said David Weigel said would make the sale "right". On or about November 30, 2006, Lee Judge (DBA Judge, Inc.) did agree to purchase the same IDOT right-of-way property previously bid on by Todd Rueter. Lee Judge bought the land for $125,000. In an interview conducted as part of this investigation, Lee Judge said he reached out to IDOT and David Weigel. Lee Judge said David Weigel informed Lee Judge the price of the land was $125,000. Lee Judge said David Weigel instructed Lee Judge to write two checks for the land purchase, one to IDOT and one to David Weigel. David Weigel facilitated the arrangement and sale. Lee Judge wrote two checks for the right-of-way land purchase; the first check (#9298) to IDOT for $70,000 and the second check (#9299) to David Weigel in the amount of $55,000; an amount deposited into an account David Weigel held jointly with another. On out about December 4, 2006, David Weigel issued Todd Rueter a $10,000 check (#2635), from the bank account where he deposited the check from Lee Judge.

c. On or about December 1, 2006; December 1, 2007; December 20, 2008; and November 28, 2009, Douglas Rose issued David Weigel individual checks for the Polk County IDOT Right-of-way land leased by Douglas Rose. In an interview conducted as part of this investigation, Douglas Rose said he leased land near Avon and Pleasant Hill. Douglas Rose said he worked with David Weigel to arrange the land lease. Douglas Rose said he did not have a written contact with David Weigel or IDOT. Douglas Rose said David Weigel instructed Douglas Rose to write all payment check to David Weigel, as David Weigel was the "property manager". On or about December 1, 2006, a $5,000 check (#1848) from Douglas Rose to David Weigel was deposited deposited into a bank account David Weigel held jointly with another. On or about December 3, 2007, an $8,000 check (#2116) from Douglas Rose to David Weigel was deposited into the deposited into a bank account David Weigel held jointly with another. On or about December 20, 2008, a $2,000 check (#2339) from Douglas Rose to David Weigel was deposited or cashed by David Weigel. On or about November 28, 2009, a $1,000 check (#2552) from Douglas Rose to David Weigel was deposited or cashed by David Weigel. Through the investigation check #2339 and check #2552 were identified through the records of Douglas Rose being written to David Weigel and the money withdrawn from the account of Douglas Rose.

d. On or about October 2, 2008; August 28, 2009; September 18, 2009; October 5, 2009; July 16, 2010; August 16, 2010; October 1, 2010; October 22, 2010, IDOT issued checks to Grady Marx as payment, in the total amount of $37,360 (October 7, 2008: $1,600; August 20, 2009: $860; September 16, 2009: $860; October 1, 2009: $1,060; July 15, 2010: $6,735; August 10, 2010: $8,700; September 28, 2010: $8,845; October 20, 2010: $8,700) for mowing IDOT property, an arrangement set up by David Weigel. On or about July 22, 2010; August 31, 2010; and October 27, 2010, Grady Marx issued individual checks to David Weigel. On or about July 22, 2010, a $3,367.50 check from Grady Marx to David Weigel was deposited deposited into a bank account David Weigel held jointly with another. On or about September 7, 2010, a $4,350 check from Grady Marx to David Weigel was deposited deposited into a bank account David Weigel held jointly with another; the subject line of the check was "1/2 mowing job". On or about October 29, 2010, a check in the amount of $10,947.50, from Grady Marx to David Weigel was deposited into deposited into a bank account David Weigel held jointly with another; the subject line of the check was "mowing". IDOT paid Grady Marx $37,360 for mowing IDOT land. Grady Marx, in turn, paid David Weigel $18,661, or 49.99%, of the money IDOT paid to Grady Marx.

e. On or about June 18, 2010; July 15, 2010; August 26, 2010; September 20, 2010; and November 1, 2010, IDOT issued checks to Stacie Walther for mowing she did not perform. In an arrangement set up by David Weigel, Stacie Walther was paid $23,200 for mowing done by others, including Jason Weigel and Jeremy Weigel, in violation of established IDOT practices. When interviewed as part of this investigation, Stacie Walther said she received checks from IDOT for mowing she did not do. Stacie Walther said she received checks for mowing done by Jason Weigel and Jeremy Weigel; David Weigel's sons. Stacie Walther said she provided David Weigel "almost all" the money IDOT paid to Stacie Walther. Stacie Walther said most of the payments were in cash. Stacie Walther said her payments to David Weigel were arranged by David Weigel. On or about August 30, 2010 and September 18, 2010, Stacie Walther issued individual checks to David Weigel. On or about August 30, 2010, a $3,250 check (# unknown) from Stacie Walther was deposited deposited into a bank account David Weigel held jointly with another. On or about September 28, 2010, a $4,000 (#2101) check from Stacie Walther was deposited deposited into a bank account David Weigel held jointly with another.

f. On or about July 30, 2010 and on or about May 27, 2011, David Weigel authorized IDOT checks to be issued to Jacob Walgenbach. The checks, from an IDOT taxpayer funded account, consisted of multiple checks on the same day, for amounts under the $10,000 threshold to which David Weigel was limited. On or about July 30, 2010, IDOT checks, authorized by David Weigel, were issued in the amounts of $6,480 and $4,800. On or about May 27, 2011, IDOT checks, authorized by David Weigel, were issued in the amounts of $8,260, $4,350 and $9,300. The checks were issued to Jacob Walgenbach for the purchase of seed, fertilizer, disking, planting, spraying and cultivating on IDOT right-of-way land, in what David Weigel authorized as "crop sharing". In an interview conducted as part of this investigation, Jacob Walgenbach said, after the death of Jacob Walgenbach's father, Jacob Walgenbach worked with David Weigel for the lease of IDOT land Jacob Walgenbach's father had previously leased from IDOT. Jacob Walgenbach said David Weigel said IDOT would purchase seed and fertilizer for the land, as well as pay Jacob Walgenbach to farm the land. Jacob Walgenbach said David Weigel said Jacob Walgenbach would repay the investment after harvest. Jacob Walgenbach said David Weigel instructed Jacob Walgenbach to write the payment checks to David Weigel. Jacob Walgenbach said he never made any payments to IDOT. IDOT does not offer a crop-sharing program. On or about October 15, 2010, Jacob Walgenbach issued David Weigel a check (#1791) in the amount of $16,680.25; an amount deposited deposited into a bank account David Weigel held jointly with another. The information provided by Jacob Walgenbach started this investigation.

g. On or about December 16, 2010, Anthony and Brandon Wood did purchase IDOT right-of-way property in Rudd, Floyd County, Iowa for $851,340. David Weigel facilitated the sale. In an interview conducted as part of this investigation, Anthony Wood said he worked with David Weigel to secure the purchase of the land. Anthony Wood said he offered to pay $851,340 for the land. Anthony Wood said David Weigel instructed Anthony Wood to write two checks for the purchase of the land; one to IDOT for the land and one to Grady Marx. Anthony and Brandon Wood wrote two checks to pay for the property; the first check (#1366) to IDOT in the amount of $651,340 and the second check (#1367) to Grady Marx in the amount of $200,000; an amount deposited into a financial account held by Grady Marx. On or about December 16, 2010, Grady Marx issued a check, from his bank account, to David Weigel in the amount of $100,000 (#1741); an amount deposited deposited into a bank account David Weigel held jointly with another.

11. The investigation revealed through the activities of David Weigel, Grady Marx and others, the total loss to the IDOT, through theft, fraud, misrepresentation, and other acts of deceit, was in excess of $407,430. It is my belief that the finding of the AOS will be significantly more.

Charges Sought

1. The investigation revealed from December 1, 2006 through July 7, 2011, David Weigel received no-less than $239,832.25 for his activities, most of which was deposited into multiple bank accounts held individually and jointly with another. The deposits were proceeds of transactions, in whole or in part, with a value greater than $10,000 in violation of Iowa Code 714.2(1). The

proceeds were obtained through a pattern and practice spanning time and geographic location, as well as in coordination with Grady Marx and, potentially, other identified and unidentified co-conspirators; in an effort to deprive the State of Iowa and the Department of Transportation in violation of Iowa Code 706A.2(1). The pattern and practice used to deprive was committed in concert with willing participant, Grady Marx, and potentially other unidentified co-conspirators for personal gain, knowing the proceeds were the rightful property of others, namely the State of Iowa, IDOT, and Lee Judge in violation of Iowa Code 706.1. David Weigel conducted monetary transactions in a manner designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of the underlying theft in violation of Iowa Code 706B. David Weigel misused his position at IDOT in a way contrary to the ethical and legal manner in which the position was designed to serve the people of Iowa in violation of Iowa Code 721.1(2).

2. The investigation revealed from December 1, 2006 through July 7, 2011, Grady Marx received no-less than $237,360 for his activities, most of which was deposited into multiple bank accounts held by Grady Marx. The deposits were proceeds of transactions, in whole or in part, with a value greater than $10,000 in violation of Iowa Code 714.2(1). The proceeds were obtained through a pattern and practice spanning time and geographic location, as well as in coordination with David Weigel and, potentially, other identified and unidentified co-conspirators; in an effort to deprive the State of Iowa and the Department of Transportation in violation of Iowa Code 706A.2(1). The pattern and practice used to deprive was committed in concert with willing participant, David Weigel and potentially other unidentified co-conspirators for personal gain, knowing the proceeds were the rightful property of others, namely the State of Iowa and IDOT, in violation of Iowa Code 706.1.

Adam DeCamp I-46
Affiant

Subscribed and sworn to before me this 19th day of April, 2013.

COURT NO.: ____________________

Magistrate or District Court Judge