



# TEXAS ETHICS COMMISSION

P. O. Box 12070, Capitol Station  
Austin, Texas 78711-2070

Tom Harrison  
Chair

Ross Fischer  
Vice Chair

David A. Reisman  
Executive Director

Commissioners

October 22, 2008

Raymond R. "Tripp" Davenport, III  
Wilhelmina Delco  
Jim Graham  
Paula M. Mendoza  
David Montagne  
Nicholas C. Taylor

The Honorable John Davis  
State Representative  
Capitol Office Room Ext. E1.320  
P. O. Box 2910  
Austin, Texas 78768-2910

**CERTIFIED MAIL NO. 7008 0150 0000 7753 7534,  
RETURN RECEIPT REQUESTED**

**Re: Notice of Complaint, SC-2810352**

Dear Representative Davis:

We received sworn complaint SC-2810352 on October 15, 2008. The complaint meets the technical form requirements for a complaint filed with the Texas Ethics Commission, and the executive director has determined that the Ethics Commission has jurisdiction over the violation of law alleged in the sworn complaint. The complaint alleges that you failed to include disclosure statements on political advertising in violation of section 255.001 of the Election Code. The complaint further alleges that you violated sections 255.004 and 255.005 of the Election Code relating to true source and misrepresentation of identity, with respect to political advertising and campaign communications.

With this notice, I have included a copy of the sworn complaint, the Ethics Commission's sworn complaint rules, a Statement of Respondent's Rights, and a copy of the relevant statutes of the Election Code. More information about the complaint process is available on the Ethics Commission's website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

If you have any information relevant to the complaint, please provide it at this time. Your response must be in writing and under oath. We have enclosed an affidavit form that you may wish to use for your response. Your response must include any challenge you seek to raise to the Ethics Commission's jurisdiction. In addition, in your response you may acknowledge the occurrence or commission of the violation, or deny the allegations and provide evidence supporting that denial.

The sworn complaint allegations will be processed as a Category Two violation. You are required to respond to an allegation of a Category Two violation not later than the 25th business day from the date you receive this notice. **Failure to respond will constitute a separate violation for which a separate civil penalty may be assessed.**

*Come visit our home page at <http://www.ethics.state.tx.us> on the Internet.*

(512) 463-5800 • 1-800-325-8506 • FAX (512) 463-5777 • TDD 1-800-735-2989

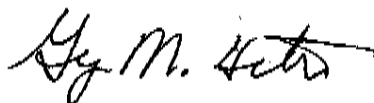
The Texas Ethics Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

The law requires the commission to mail certain notices relating to a sworn complaint to the respondent and the complainant. The notices are required to be sent by registered or certified mail, restricted delivery, return receipt requested unless the requirement is waived by the respondent or complainant. The enclosed form may be used to submit a waiver.

Please note that at this stage in the process, Ethics Commission members and staff are required by law to keep the complaint and all documents relating to it strictly confidential. However, other persons, including the complainant and respondent named in the complaint, are not bound by this confidentiality requirement.

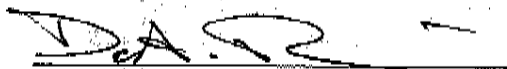
Please call me if you have any questions.

Sincerely,



Ginger M. Hunter  
Assistant General Counsel

Jurisdiction accepted  
For the Texas Ethics Commission



David A. Reisman  
Executive Director

GMH:mc

Enclosures: Copy of Sworn Complaint  
Statutes and Rules Concerning Sworn Complaints  
Statement of Respondent's Rights  
Affidavit  
Waiver of Notice

c: Mr. Robert W. Tomlinson  
16115 Barcelona Drive  
Friendswood, Texas 77546-3201

**CERTIFIED MAIL NO. 7008 0150 0000 7753 7541,  
RETURN RECEIPT REQUESTED**