

3. On December 29, 2004, Becher wired \$1,241,747.42 from Community Trust & Investment to a Chase Bank account # 686650482 Indiana Investments. On January 4, 2005, these monies were transferred to a Chase Bank account of MGMC # 193507316. On January 5, 2005, these funds were wired to The Talon Group as payment for the closing costs on a house for personal use by Nelms and Johnson-Nelms. This house and adjacent land, located at 1495 West Curry Road in Greenwood, Indiana, were being sold to them by James Myers. Both Robert E. Nelms and Debora Johnson-Nelms signed documents transferring ownership of the residence on West Curry Road in Greenwood.
4. On December 29, 2004, \$3,000,000.00 was wired to Equity Derivatives at Smith Barney. This was a stock swap.

By the end of the day on December 29, 2004, \$22,210,259.00 had been taken from the perpetual care trust funds. These monies have never been replaced. In April, 2005, Nelms used the remaining \$1,100,000.00 to buy into the Corinthian Services Company in Iowa. David Becher sent the funds to Midwest One Bank in Iowa [account number 2185612]. By April 5, 2005, all the trust monies were gone.

With the above information I have probable cause to believe that, **Robert E. Nelms** W/M/DOB: 12/07/1968 committed the following offenses. **Theft IC 35-43-4-2** over \$100,000.00 a class C felony, **Conspiracy to Commit Theft IC 35-41-5-2** class C felony, **Fraud on a Financial Institution IC 53-43-5-4**, **Fraudulent, Deceitful Acts in Connection with a Purchase or Sale of a Security IC 23-2-1-12**, **Violations of the Cemetery Acts IC 23-14-48-9** a class C felony, and **IC 23-14-51-3** a class A misdemeanor. There is also probable cause to charge **Debora Johnson-Nelms** W/F/DOB: 10/23/1959 with **Theft IC 35-43-4-2** a class C felony, **Conspiracy to commit Theft IC 35-41-5-2** a class C felony, **Fraud on a Financial Institution IC 53-43-5-4** a class C felony, and **Violations of the Cemetery Acts IC 23-14-48-9** a class C felony and **IC 23-14-51-3** a class A misdemeanor.

AFFIANT

Deputy Prosecuting Attorney 19th Judicial
Circuit

Date

JUDGE, Marion Superior Court