



TEXAS ETHICS COMMISSION

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

Raymond R. "Tripp" Davenport, III
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Vice Chair

David A. Reisman
Executive Director

July 25, 2007

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Nicholas C. Taylor

Dr. Melvin Brown
490 Charleston Park
Conroe, Texas 77302-3032

**CERTIFIED MAIL NO. 7007 0710 0004 7244 7107,
RETURN RECEIPT REQUESTED**

RE: Notice of Complaint, SC-2707154

Dear Dr. Brown:

We received sworn complaint SC-2707154 on July 18, 2007. 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 timely file the January 2005, July 2005, January 2006, July 2006, and January 2007 semiannual campaign finance reports in violation of sections 254.063 and 254.093 of the Election Code. The complaint also alleges that you failed to disclose the total amount of political contributions you maintained in one or more accounts as of the last day of the reporting period on the January 2005, July 2005, January 2006, July 2006, and January 2007 semiannual campaign finance reports in violation of section 254.031(a)(8) of the Election Code. The complaint also alleges that you failed to properly disclose a loan on the January 2005, July 2005, January 2006, July 2006, and January 2007 semiannual campaign finance reports in violation of section 254.031(a)(2) of the Election Code. The complaint also alleges that you failed to use the Appointment of a Campaign Treasurer by a Candidate form when you appointed your campaign treasurer. There is no requirement that you use this form to appoint your campaign treasurer.

Ethics Commission rules prohibit the commission from considering an allegation barred from criminal prosecution by operation of the applicable statute of limitations. 1 T.A.C. § 12.5(3). The alleged violations regarding your January 2005 and July 2005 semiannual reports would constitute Class C misdemeanors. ELEC. CODE § 254.041(b). The statute of limitations for Class C misdemeanors is two years from the date of the commission of the offense. Code of Criminal Procedure, Article 12.02. These alleged violations are based on alleged offenses that occurred more than two years before the complaint was filed and are not within the commission's sworn complaint jurisdiction and cannot be considered by the commission.

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.

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.

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.

Sworn complaint SC-2707154 will be processed as a Category One violation. You are required to respond to an allegation of a Category One violation not later than 10 business days from the date you receive this notice. **Failure to respond will constitute a separate violation for which a separate civil penalty may be assessed.**

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,



Robert Mannas
Assistant General Counsel

Jurisdiction accepted
For the Texas Ethics Commission



David A. Reisman,
Executive Director

RM:mc