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**2009 FTA Annual  
Motor Fuels Conference**

**Oklahoma City, OK**

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**Recent Successes  
Motor Fuel Tax  
Criminal Cases**

Texas Comptroller of Public Accounts



Criminal Investigation Division

Susan Combs, Comptroller

Ann O'Connell, Director of CID

Max Westbrook Jr., Chief of CID



Criminal Investigation Division

Travis County District Attorney's Office :  
Special Prosecution Unit

Robert Baldon



Sidney Berle Baldon



Sidney Berle Baldon II  
aka "Shorty"



Tracy Diamond



Yousef Ishaq Abuteir



- Schemes to Evade

Two Major Types

1) Import/Export

2) Blending

- Schemes to Evade

Import/Export

Jet-A purchased in Louisiana and imported into Texas.

Documentation indicated the fuel was being exported to Mexico.

- Schemes to Evade

- Import/Export

- Jet-A was transported via truck into the Houston, Texas area.

- Never made it to Mexico.

- Schemes to Evade

- Import/Export

- Jet-A:

- Blended with other products.
      - Dropped directly into underground storage of retail locations.

- Schemes to Evade

Import/Export

Jet-A:

- Over 13 million gallons brought into Texas.

- Schemes to Evade

Blending

MDO – Middle Distillate Oil purchased in South Texas and transported via truck into the Houston area.

Legitimate tax-paid diesel purchased from refineries in Houston.

- Schemes to Evade

Blending

MDO was blended with legitimate product and with Jet-A to arrive at final product.

Paperwork obtained for legitimate tax-paid diesel purchases used for deliveries of all products to retail locations.

- Schemes to Evade

Blending

MDO

- Over 9.6 million gallons purchased and blended.



## Flowchart

[Flowchart-working FTA Annual.xls](#)

## Punishments

“Shorty” Baldon – 12 years state: \$1 mil  
restitution  
5 years federal

Yousef Abutier – 7 years state, to be  
determined federal

## Other Cases

**June 2, 2009**

**Sanjiv Marwaha, 45, of Porter, TX:**

plead guilty to Accepting Motor Fuel without Shipping Documents, a second-degree felony. Sentenced to six years of deferred adjudication, \$50,000 in restitution to the state, 30 days as a condition of probation in the county jail, and 300 hours community service.

## Other Cases

**August 10, 2009**

**W. H. Calobreves, 55, of Kerrville, TX:**

pled guilty to felony motor fuels tax fraud - intentionally and knowingly evaded and attempted to evade motor fuel taxes by selling and delivering dyed diesel fuel for public highway use. Second-degree felony - five years' deferred adjudication, fined \$5,000, and ordered to perform 240 hours of community service restitution.

## Other Cases

**July 13, 2009**

**Jessie James Bishop Jr., 46, of Midland, TX:**

pled guilty to state jail felony Theft of 1,200 gallons diesel fuel from his employer and used for his own personal use. Sentenced to two years in the Texas Department of Criminal Justice's State Jail Division, probated for four years, \$4,500 in restitution to the victim-employer, and 480 hours of community service.

## Other Trends

**Thefts**

**Short Loading**

## New in CID

Website:

<http://windows.state.tx.us/about/cid/>

QUESTIONS ???????????

## Contact Information:

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