

IN THE  
SUPERIOR COURT OF MARION COUNTY  
CRIMINAL DIVISION

STATE OF INDIANA  
NINETEENTH JUDICIAL CIRCUIT

CAUSE No. 49G03-1104-FC-026910

STATE OF INDIANA,

*Plaintiff,*

v.

TUAN A CHU,  
d/b/a GLASS MEDIC,  
d/b/a SUPERIOR AUTO GLASS,  
d/b/a INDEPENDENT AUTO GLASS,

*Defendant.*

**COUNT I**

CORRUPT BUSINESS INFLUENCE, CLASS  
C FELONY I.C. § 35-45-6-2(3)

**COUNT II – CHU 2007**

EVASION OF INCOME TAX, D FELONY  
I.C. § 6-3-6-11(a)

**COUNT III – CHU 2008**

EVASION OF INCOME TAX, D FELONY  
I.C. § 6-3-6-11(a)

**COUNT IV - CHU 2009**

EVASION OF INCOME TAX, D FELONY  
I.C. § 6-3-6-11(a)

**COUNT V – CHU d/b/a GLASS MEDIC –  
2007 THEFT, CLASS D FELONY**  
I.C. § 35-43-4-2

**COUNT VI – CHU d/b/a SUPERIOR  
AUTO GLASS – WHEELER MISSION–  
NOVEMBER 2008 THEFT, CLASS D  
FELONY I.C. § 35-43-4-2**

**COUNT VII – CHU d/b/a SUPERIOR  
AUTO GLASS – WHEELER MISSION–  
DECEMBER 2008 THEFT, CLASS D  
FELONY I.C. § 35-43-4-2**

**COUNT VIII – CHU d/b/a SUPERIOR  
AUTO GLASS – WHEELER MISSION –  
JANUARY 2009 THEFT, CLASS D  
FELONY I.C. § 35-43-4-2**

**COUNT IX – CHU d/b/a SUPERIOR**

**AUTO GLASS – WHEELER MISSION–  
FEBRUARY 2009 THEFT, CLASS D  
FELONY I.C. § 35-43-4-2**

**COUNT X – CHU d/b/a SUPERIOR AUTO  
GLASS – LARRY TURPIN – APRIL 2009  
THEFT, CLASS D FELONY I.C. § 35-43-4-2**

**COUNT XI – CHU d/b/a INDEPENDENT  
AUTO GLASS – MARCH 2008 THEFT,  
CLASS D FELONY  
I.C. § 35-43-4-2**

**COUNT XII – CHU d/b/a INDEPENDENT  
AUTO GLASS – APRIL 2008 THEFT,  
CLASS D FELONY  
I.C. § 35-43-4-2**

**COUNT XIII – CHU d/b/a INDEPENDENT  
AUTO GLASS – JULY 2008 THEFT,  
CLASS D FELONY  
I.C. § 35-43-4-2**

**COUNT XIV – CHU d/b/a GLASS MEDIC  
– 2007  
FAILURE TO REMIT OR COLLECT SALES  
TAX, CLASS D FELONY  
I.C. § 6-2.5-9-3**

**COUNT XV – CHU d/b/a SUPERIOR  
AUTO GLASS – 2008  
FAILURE TO REMIT OR COLLECT SALES  
TAX, CLASS D FELONY  
I.C. § 6-2.5-9-3**

**COUNT XVI– CHU d/b/a SUPERIOR  
AUTO GLASS – 2008  
FAILURE TO REMIT OR COLLECT SALES  
TAX, CLASS D FELONY  
I.C. § 6-2.5-9-3**

**COUNT XVII - CHU d/b/a  
INDEPENDENT AUTO GLASS – 2008  
FAILURE TO REMIT OR COLLECT SALES  
TAX, CLASS D FELONY  
I.C. § 6-2.5-9-3**

On this date, the undersigned came before the Attorney General of the State of Indiana and, being duly sworn (or having affirmed), stated that in Marion County, Indiana the following criminal offenses:

**COUNT I: CORRUPT BUSINESS INFLUENCE**

On or about and between February 2007 and February 2009, Tuan Chu, who is employed by or associated with an enterprise, that is: *Glass Medic*, *Superior Auto Glass*, and/ or *Independent Auto Glass*, did knowingly or intentionally conduct or otherwise participate in the activities of one or more of those enterprises through a pattern of racketeering activity by committed at least two (2) of the following acts in violation of Indiana Code § 35-45-6-2-(3);

**Act One, Theft**

Tuan Chu, doing business as *Glass Medic*, on or about February 2007, knowingly or intentionally exerted unauthorized control over property, to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Matthew Kohus which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Two, Theft**

Tuan Chu, doing business as *Superior Auto Glass*, on or about November 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Three, Theft**

Tuan Chu, doing business as *Superior Auto Glass*, on or about December 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Four, Theft**

Tuan Chu, doing business as *Superior Auto Glass*, on or about January 2009, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Five, Theft**

Tuan Chu, doing business as *Superior Auto Glass*, on or about February 2009, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Six, Theft**

Tuan Chu, doing business as *Superior Auto Glass*, on or about April 2009, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Larry Turpin which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Seven, Theft**

Tuan Chu, doing business as *Independent Auto Glass*, on or about March 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wright Motor Company which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Eight, Theft**

Tuan Chu, doing business as *Independent Auto Glass*, on or about April 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wright Motor Company which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**Act Nine, Theft**

Tuan Chu, doing business as *Independent Auto Glass*, on or about July 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Quality Supply and Tool which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT II - EVASION OF INCOME TAX**

Tuan Chu failed to file for the 2007 tax year an income tax return to the Indiana Department of Revenue, which is located in Marion County, Indiana, with the intent to defraud the State or to evade the payment of tax in violation of Indiana Code § 6-3-6-11(a);

**COUNT III - EVASION OF INCOME TAX**

Tuan Chu failed to file for the 2008 tax year an income tax return to the Indiana Department of Revenue, which is located in Marion County, Indiana, with the intent to defraud the State or to evade the payment of tax in violation of Indiana Code § 6-3-6-11(a);

**COUNT IV - EVASION OF INCOME TAX**

Tuan Chu failed to file for the 2009 tax year an income tax return to the Indiana Department of Revenue, which is located in Marion County, Indiana, with the intent to defraud the State or to evade the payment of tax in violation of Indiana Code § 6-3-6-11(a);

**COUNT V - THEFT**

Tuan Chu, doing business as *Glass Medic*, on or about February 2007, knowingly or intentionally exerted unauthorized control over property, to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Matthew Kohus which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT VI - THEFT**

Tuan Chu, doing business as *Superior Auto Glass*, on or about November 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT VII - THEFT**

Tuan Chu, doing business as *Superior Auto Glass*, on or about December 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT VIII - THEFT**

Tuan Chu, doing business as *Superior Auto Glass*, on or about January 2009, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wheeler Mission Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT IX - THEFT**

Tuan Chu, doing business as *Superior Auto Glass*, on or about February 2009, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wheeler Mission

Ministries which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT X – THEFT**

Tuan Chu, doing business as *Superior Auto Glass*, on or about April 2009, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Larry Turpin which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT XI - THEFT**

Tuan Chu, doing business as *Independent Auto Glass*, on or about March 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wright Motor Company which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT XII - THEFT**

Tuan Chu, doing business as *Independent Auto Glass*, on or about April 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Wright Motor Company which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT XIII - THEFT**

Tuan Chu, doing business as *Independent Auto Glass*, on or about July 2008, knowingly or intentionally exerted unauthorized control over property to wit: U.S. currency, of another person, to wit: the State of Indiana, with the intent to deprive the State of Indiana of any part of its value or use of sales tax charged and retained by Tuan Chu for material sold to Quality Supply and Tool which was not remitted to the State of Indiana in violation of Indiana Code § 35-43-4-2;

**COUNT XIV - FAILURE TO REMIT OR COLLECT SALES TAX**

For one or more months during 2007, in Marion County, Indiana, Tuan Chu, either individually as a retail merchant or as a person, employee, officer, contractor, or member of a entity which was a retail merchant, specifically *Glass Medic*, performed retail sales and had a duty to collect and remit monthly State gross retail or use taxes to the Indiana Department of Revenue and knowingly failed to do so in violation of Indiana Code § 6-3-6-11;

**COUNT XV - FAILURE TO REMIT OR COLLECT SALES TAX**

For one or more months during 2008, in Marion County, Indiana, Tuan Chu, either individually as a retail merchant or as a person, employee, officer, contractor, or member of a entity which was a retail merchant, specifically *Superior Auto Glass*, performed retail sales and had a duty to collect and remit monthly State gross retail or use taxes to the Indiana Department of Revenue and knowingly failed to do so in violation of Indiana Code § 6-3-6-11;

**COUNT XVI - FAILURE TO REMIT OR COLLECT SALES TAX**

For one or more months during 2009, in Marion County, Indiana, Tuan Chu, either individually as a retail merchant or as a person, employee, officer, contractor, or member of a entity which was a retail merchant, specifically *Superior Auto Glass*, performed retail sales and had a duty to collect and remit monthly State gross retail or use taxes to the Indiana Department of Revenue and knowingly failed to do so in violation of Indiana Code § 6-3-6-11;

**COUNT XVII - FAILURE TO REMIT OR COLLECT SALES TAX**

For one or more months during 2008, in Marion County, Indiana, Tuan Chu, either individually as a retail merchant or as a person, employee, officer, contractor, or member of a entity which was a retail merchant, specifically *Independent Auto Glass*, performed retail sales and had a duty to collect and remit monthly State gross retail or use taxes to the Indiana Department of Revenue and knowingly failed to do so in violation of Indiana Code § 6-3-6-11;

**All of which is contrary to statute and against the peace and dignity of the State of Indiana.**

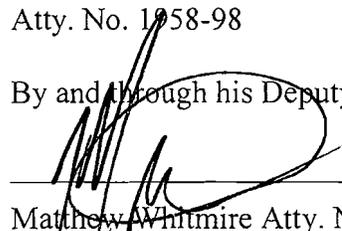
*I swear or affirm under penalty of perjury as specified by IC. 35-44-2-1 that the foregoing representations are true.*

Approved By:

**GREGORY F. ZOELLER**

ATTORNEY GENERAL OF INDIANA  
Atty. No. 1958-98

By and through his Deputy:

  
Matthew Whitmire Atty. No. 25866-55  
CHIEF OF PROSECUTION SECTION &  
DEPUTY ATTORNEY GENERAL

Dated this 18 day of April, 2011.

183 FILED  
APR 18 2011

*Elizabeth A. White*  
CLERK OF THE MARION CIRCUIT COURT

IN THE  
SUPERIOR COURT OF MARION COUNTY  
CRIMINAL DIVISION

STATE OF INDIANA  
NINETEENTH JUDICIAL CIRCUIT

CAUSE No. 49G03-1104-FC-026910

STATE OF INDIANA,

*Plaintiff,*

v.

TUAN A CHU,  
d/b/a GLASS MEDIC,  
d/b/a SUPERIOR AUTO GLASS,  
d/b/a INDEPENDENT AUTO GLASS,

*Defendant.*

COUNT XVIII  
HABITUAL OFFENDER  
INDIANA CODE § 35-50-2-8

On this date, the undersigned came before the Attorney General of the State of Indiana and, being duly sworn (or having affirmed), stated that Tuan Chu on or about and between February 2007 and February 2009, in Marion County, Indiana had accumulated two (2) prior unrelated convictions in violation of I.C. 35-50-2-8, that is:

On or about June 5, 1995, in Marion County Superior Court Criminal Division, Room 9, one Tuan Chu, was convicted of Auto Theft under cause number 49F09-9503-DF-038498, and

On or about September 11, 1998 in Marion County one Tuan Chu was convicted of Forgery under cause number 49G06-9710-CF157514;

**All of which is contrary to statute and against the peace and dignity of the State of Indiana.**

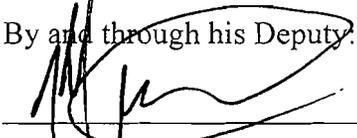
*I swear or affirm under penalty of perjury as specified by IC. 35-44-2-1 that the foregoing representations are true.*

Approved By:

**GREGORY F. ZOELLER**

ATTORNEY GENERAL OF INDIANA  
Atty. No. 1958-98

By and through his Deputy:

  
\_\_\_\_\_  
Matthew Whitmire Atty. No. 25866-55  
CHIEF OF PROSECUTION SECTION  
DEPUTY ATTORNEY GENERAL

Dated this 18 day of APRIL, 2011.

183

FILED

APR 18 2011

*Charlotta A. White*  
CLERK OF THE MARION CIRCUIT COURT

IN THE  
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CRIMINAL DIVISION

STATE OF INDIANA  
NINETEENTH JUDICIAL CIRCUIT

STATE OF INDIANA,

*Plaintiff,*

v.

CAUSE NO. 49G03-1104-FC-026910

TUAN A CHU,  
d/b/a GLASS MEDIC,  
d/b/a SUPERIOR AUTO GLASS,  
d/b/a INDEPENDENT AUTO GLASS,

*Defendant.*

I, Michael E. Smith, swear or affirm that the information that is set forth below is either information known personally to me, information that I obtained from other law enforcement sources, information obtained from public records, or information from a source otherwise identified in this affidavit:

1. I am a Special Investigator for the Indiana Attorney General, Gregory F. Zoeller. The Indiana Attorney General ("OAG") is authorized to investigate and prosecute the violations of law suspected as stated herein.
2. I have been an OAG investigator for eight years and participated in hundreds of investigations for that office, including investigations for violations of Indiana's tax laws. I successfully completed the OAG's course for investigators at the Indiana Law Enforcement Academy and have received training in conducting interviews and in financial investigation techniques. I hold a bachelor's degree from Ball State University and a Master of Business Administration from Anderson University.
3. This investigation commenced when Indiana State Police (ISP) Trooper Brent Gullinson contacted the OAG about Tuan A. Chu and Chu's associated businesses that are suspected of vandalizing vehicles then contacting the owners to repair the damaged vehicles. In the course of that investigation, it was discovered that Tuan Chu and the companies have failed to file or remit sales and income tax to the State of Indiana. The matter was then referred to the Investigations Division of the OAG. In the course of the investigation the Indiana Department of Revenue (IDOR) was contacted regarding tax filings of Tuan Chu, Glass Medic, Superior Auto Glass and Independent Auto Glass. The IDOR indicated that Tuan Chu, Glass Medic, Superior Auto Glass or Independent Auto Glass has not filed Indiana Tax returns from 2005 through 2010 nor

remitted sales tax during that period. The following information was discovered through the investigation.

4. Glass Medic is an auto glass repair / replacement company operated by Tuan Chu. Advertisement information was recovered by OAG Paralegal Stephen Egan from the archives at the Indiana State Library. An advertisement from the SBC Yellow Pages for November 2004 and a second advertisement from the AT&T Yellow Pages for November 2006 indicate a phone number of 317-538-7597 for Glass Medic. A third advertisement from yellowbook.com recovered on March 16, 2011, identifies an address of 631 North Dearborn Street Indianapolis, Indiana 46201 and a phone number of 317-634-5754. On March 11, 2007, Indianapolis Metropolitan Police Department Officer Billy D. Caruthers conducted an interview of Tuan Chu where Chu indicated that he had a legitimate business named Glass Medic. Chu indicates his address is 631 North Dearborn Street Indianapolis, Indiana.

5. Superior Glass Service / Superior Auto Glass is an auto glass repair / replacement company operated by Tuan Chu. An advertisement from the AT&T Yellow Pages for November 2008 indicates a phone number of 317-670-8766 for Superior Glass Service. A listing on angleslist.com on March 7, 2011, identifies Superior Auto Glass with an address of 631 North Dearborn Street Indianapolis, Indiana 46201 and a phone number of 317-670-8766. The number 670-8766 also appears on work invoices from Superior Auto Glass to the Wheeler Mission in 2008 and 2009. Whitestown Police Detective James R. Fouch stated in a Probable Cause Affidavit dated October 15, 2009, that Tuan Chu admitted to owning a glass company titled Superior Glass.

6. Independent Auto Glass is an auto glass repair / replacement company for which Tuan Chu is associated. An advertisement from the AT&T Yellow Pages for November 2007 indicates a phone number of 317-634-5754 for Independent Auto Glass. (Same number as indicated in Paragraph 4 for Glass Medic). A Probable Cause Affidavit completed by Brownsburg Police Office Matthew Wing on April 12, 2008, indicates that Tuan Chu told Detective Mike Gill that he worked for Independent Auto Glass in the Spring of 2008.

7. The Indiana Secretary of State (SOS) is charged with the duty of collecting and maintaining registrations of businesses as required by law. Charles Williams with the Secretary of State's office conducted a search for Independent Auto Glass, Superior Glass Service, Superior Auto Glass and Glass Medic and found nothing on file for any these businesses.

8. In the March 11, 2007 interview with Indianapolis Metropolitan Police Detective Billy Caruthers , Tuan Chu indicated he repaired two broken windows on an automobile owned by Matthew Kohus on February 4, 2007. The invoice identified a total cost of \$831.60 with \$61.60 of that being sales tax. Tuan Chu was paid in cash for the repair and indicated in the statement that he has a legitimate business named Glass Medic.

9. According to IMPD police reports, in June and July of 2008 Quality Supply and Tool at 5722 South Harding Street had several windows broken through acts of vandalism on several separate occasions. On July 10, 2008, Quality Supply and Tool received six invoices from Independent Auto Glass, five of which listed sales tax as a charge. Three invoices from June

2008 from Independent Auto Glass did not list tax being charged. According to the invoices, June charges totaled \$2,730.00. According to the invoices, July charges totaled \$3,892.84, including \$122.50 in sales tax.

10. Wheeler Mission bank statements received from Detective Gulinson for repairs were received from ISP and identify \$2,553.28 made in payments to Glass Medic in November and December of 2008. The statements identify a total of \$9,036.49 made in payments to Glass Medic in January through August of 2009.

11. Invoices from Superior Auto Glass were received from Detective Gulinson reflect charges for sales tax. Invoices for November and December 2008 totaled \$2553.28 in repairs and totaled \$3,839.71 for January through August 2009. All invoices indicate sales tax was charged.

12. On April 27, 2009, Larry Turpin contacted the OAG regarding Superior Auto Glass and a repair that was completed on his vehicle on April 22, 2009. Mr. Turpin called 317-670-8766 after finding an ad in the yellow pages. (Same number identified in paragraph 5 for Superior Auto Glass). He was quoted a price of \$140.00 and after the work was completed was charged \$145.00 plus \$13.05 in sales tax.

13. Cathy Henninger, Custodian of the Records of the IDOR examined the Department's records and found the following information on March 16, 2011:

- a) The IDOR has no record of Tuan Anh Chu filing an Indiana tax return 2005 to 2010.
- b) The IDOR has no record of Superior Auto Glass Filing an Indiana Tax Return .
- c) The IDOR has no record of Glass Medic filing an Indiana Tax Return .
- d) The IDOR has no record of Independent Auto Glass Filing an Indiana Tax Return. The IDOR has no records for sales tax collected or remitted from Glass Medic, Independent Auto Glass, and Superior Auto Glass.

Cathy Henninger is credible and reliable because she is the custodian of the records of the IDOR and she has provided accurate information to the OAG in the past.

14. On April 5, 2011, I called Superior Glass Service at 317-670-8766 which was identified on Superpages.com. (Same number as in Paragraph 5). I also called Glassmedic at 317-634-5754 per an add on Yellowbook.com which identified and address as 631 North Dearborn Street Indianapolis, Indiana. (Same number as in paragraph 4 for glass Medic and paragraph 6 for Independent Auto Glass). The third number I called was 317-538-7597 which was found on thecityofindianapolis.com after doing a Google search for Glass Medic Indianapolis, Indiana. (Same number as in paragraph 4 for Glass Medic). No one answered any of the calls.

On the same day I received a return call from number 317-538-7597 (Same number as in paragraph 2 for Glass Medic), the caller identifying himself as Tuan or Tom from Superior. The correct pronunciation was difficult to understand but the person said that he could replace my 2006 Ford Escape windshield for \$140.00. I explained to the person on the phone that I would

be unavailable until later in the afternoon on Wednesday April 6, 2011, to have my windshield replaced. The person indicated that he could meet me at Washington Square Mall on the east side of Indianapolis to replace the windshield. On April 6, 2011, I was parked in front of Target at Washington Square Mall waiting on the repair company to arrive for our scheduled meeting time of 5:00 pm. At approximately 5:00 pm I received a call from 317-538-7597 (Same number as in paragraph 4 for Glass Medic) and an individual with the name Greg said that he had a problem loading the window and damaged it so he had to return to the warehouse to obtain a replacement. Greg said that he would not be able to make it to our meeting place at Target until 6:30 or 7:00 pm. I informed Greg that it would be too late for me to meet on Wednesday and asked if we could reschedule for Thursday, April 7, 2011, in the afternoon. Greg stated that this would be fine and that he would give me a call around 3:30 pm to confirm the appointment.

On April 7, 2011, at approximately 4:00 pm I called 317-538-7597 because I had not heard anything confirming our appointment. Greg answered the phone and said that he was in route to meet me in front of the Target at Washington Square Mall. At approximately 4:20 pm on April 7, 2011, a white Ford Van with license plate number 324112, which was later given to me by OAG Investigator Matt Broadwell, arrived at Target parking lot. Two men were riding in the vehicle, one a white male who stated his name was Greg and a second Asian male, who I recognized as Tuan Chu from an Indiana BMV photograph. Tuan and Greg inspected the broken windshield on the Ford Escape and said that they should be able to replace it within 20-30 minutes. Greg said the price would be \$140.00 for the windshield and would have \$10-\$15 in molding costs. Greg stated that tax would also be added to the bill. Greg and Tuan began replacing the windshield and I entered Target. After approximately 15 minutes I returned to the vehicle and Greg and Tuan were finishing up the windshield replacement. Greg gave me instructions on what to do with the new windshield and how to care for it such as shutting the door softly for several hours and to remove the tape on the top of the windshield the next day. I was directed to write a check to Glass Medic for \$167.48 and received an invoice from Superior Glass Service for \$167.48. The invoice identifies a cost of \$140.00 for the windshield, \$13.65 for the molding and \$13.83 for tax. I then left the scene.

15. When Chu and Greg left the Target Parking lot, with Chu driving they were followed by investigators of the OAG including Michael Ward, Jennifer Galeziewski, Matt Broadwell, Matt Mendenhall, Terry Bryant and Eric Dollens. Ward informed me that Chu and Greg traveled to 4014 Southeastern Avenue, Indianapolis, Indiana. I entered a vehicle with Investigators Chris Byorni and Todd Vansickle and we traveled to the area of 4014 Southeastern Avenue to assist in the surveillance. At approximately 6:20 pm Chu left 4014 Southeastern Avenue and drove to 3737 Prospect Street Indianapolis, Indiana. At approximately 7:00 pm Tuan Chu left this location alone in the White Ford Van until he parked the vehicle across the street from 631 North Dearborn Street Indianapolis, Indiana. (Same address listed for Glass Medic and Superior Auto Glass is paragraphs 4 and 5). I observed Tuan Chu exit the van in front of 631 North Dearborn Street Indianapolis, Indiana at approximately 7:10 pm.

FURTHER AFFIANT SAITH NOT.

*I swear of affirm under the penalties for perjury that the foregoing is true:*

4/18/11  
Date

*Michael E. Smith*  
Michael E. Smith  
Special Investigator  
Office of the Attorney General

PROBABLE CAUSE FOUND:

4-18-2011  
Date

*[Signature]*  
Hon.  
Judge, Marion Superior Court,  
Criminal Division, Room

FILED  
183  
APR 18 2011  
*Elizabeth A. White*  
CLERK OF THE MARION CIRCUIT COURT

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TUAN A CHU,  
d/b/a GLASS MEDIC,  
d/b/a SUPERIOR AUTO GLASS,  
d/b/a INDEPENDENT AUTO GLASS,

*Defendant.*

CAUSE No. 49G03-1104-FC-026910

**ORDER ON PROBABLE CAUSE**

The Court has before it the criminal information filed this day in this cause by the State of Indiana, by and through its Attorney General, by and through his deputy, Matthew Whitmire.

The Court also has before it the *Affidavit for Probable Cause*, by Michael E. Smith, as affiant, and an *Arrest Warrant*, in blank, submitted by the Attorney General, for the arrest of the Defendant.

The Court has considered the *Affidavit, etc.*, and the criminal information, and finds probable cause to believe that the Defendant has committed the offenses charged in the criminal information, which alleges the commission of one (1) class C felony and sixteen (16) Class D felonies and Habitual Offender Enhancement.

The Court, having found probable cause on the Attorney General's *Affidavit*, has this day established and subscribed the bail on the *Arrest Warrant* and signed said warrants, and orders said warrant filed in this cause and issued for immediate execution.

WHEREFORE, the Court ORDERS the execution of the warrant by any duly authorized law enforcement officer.

Date: 4-18-2011

  
\_\_\_\_\_  
Judge / Magistrate / Commissioner  
Marion Superior Court, Criminal Division  
Room No. 3

IN THE  
SUPERIOR COURT OF MARION COUNTY  
CRIMINAL DIVISION

STATE OF INDIANA  
NINETEENTH JUDICIAL CIRCUIT

STATE OF INDIANA,

*Plaintiff,*

v.

TUAN A CHU,  
d/b/a GLASS MEDIC,  
d/b/a SUPERIOR AUTO GLASS,  
d/b/a INDEPENDENT AUTO GLASS,

*Defendant.*

CAUSE No. 49G03-1104-FC-026910

**ARREST WARRANT**

To any authorized law enforcement officer:

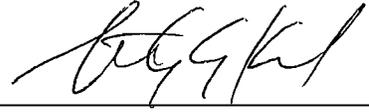
You are **COMMANDED** to arrest TUAN CHU forthwith, and hold him to bail in the sum of FIFTEEN THOUSAND dollars (\$ 15,000 SURETY), to answer in the Superior Court of Marion County, in the State of Indiana, an information for:

- Count I**, Corrupt Business Influence, Class C Indiana Code § 35-45-6-2(3);
- Count II through IV**, Evasion of Income Tax, a Class D felony, Indiana Code § 6-3-6-11(a);
- Count V through Count XIII**, Theft, Class D felony, Indiana Code § 35-43-4-2;
- Count XIV through Count XVII**, Failure to Remit or Collect Sales Tax, Class D Felony Indiana Code § 6-3-3-11
- Count XVIII**, Habitual Offender Enhancement.

And for want of bail commit him to the jail of the County, and thereafter without unnecessary delay to bring him before the said Court;

And to make return to this Court without delay after this warrant is executed.

IN WITNESS WHEREOF, I, STANLEY E. KROH, Judge /  
Magistrate / Commissioner of the Superior Court, hereto affix the seal thereof, and subscribe my name at Indianapolis, this Eighth (18<sup>th</sup>) day of April, 2011.



Printed: STANLEY E. KROH

Judge / Magistrate / ~~Commissioner~~,  
Superior Court of Marion County,  
Criminal Division, Room No. 3

**RETURN**

This warrant was received on *(date)* \_\_\_\_\_ ,  
and the person was arrested on *(date)* \_\_\_\_\_ ,  
at *(city and/or county)* \_\_\_\_\_ , and produced at the  
county of charge on *(date)* \_\_\_\_\_ .

Date: \_\_\_\_\_

\_\_\_\_\_  
*Arresting officer's signature*

\_\_\_\_\_  
*Printed name, title and agency*