

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE # 11CRS000854

STATE OF NORTH CAROLINA

INDICTMENT--FELONY  
OBSTRUCTION OF JUSTICE

V.

ROBERT LEE CALDWELL

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or between December 1, 2007, and January 25, 2008, in Wake County, the Defendant named above unlawfully, willfully and feloniously did, in secret and with malice, and with deceit and intent to defraud, obstruct public justice by engaging in a pattern of behavior that deceived the treasurer of the Bev Perdue Committee(Committee) and caused him to file campaign reports with the North Carolina Board of Elections(Board) that were not true and correct, as he was required by law to do. This behavior was part of a scheme in which the Defendant solicited and accepted a check for a campaign contribution to the Committee from James D. Fleming (Fleming) and reimbursed Fleming in cash from an unnamed source for the contribution. The check was used to pay Profile Aviation for airplane travel for the Committee and was reported to the Committee treasurer as an in-kind contribution from Fleming when in fact the defendant knew Fleming was not making the contribution and that the contribution came from another unnamed source. By arranging and causing an illegal contribution to be made and falsely reported, the Defendant concealed the true nature of the transaction and the identity of the source of the funds from the Committee, the treasurer, the candidate and the Board, deceiving them and thereby obstructing public access to the information that the Committee and the treasurer were required by law to disclose, and also concealing the Defendant's illegal campaign activity. This act was in violation of the Common Law and against the peace and dignity of the State.

  
Colon Willoughby  
District Attorney

K. Perry, State Bureau of Investigation

F. B. Hicks, State Bureau of Investigation

The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and, after hearing testimony, this bill was found to be:

**A TRUE BILL** by twelve or more grand jurors, and I the undersigned Foreman of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

**NOT A TRUE BILL.**

FEB 08 2011

Date

  
Grand Jury Foreman