

CAUSE NO. 176751301010

STATE OF TEXAS § IN THE 482ND DISTRICT COURT  
VS. § OF  
HOTZE, STEVEN FORREST § HARRIS COUNTY, TEXAS

**STATE'S NOTICE OF INTENT TO USE DEFENDANT'S STATEMENTS**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the STATE OF TEXAS, a party in the above captioned and numbered cause, by and through the undersigned Assistant District Attorney, and files this Notice of Intention to Use Defendant's Recorded Statement and would show the Court the following:

1. The above cause number is presently pending in this Court.
2. On October, 17, 2020, the Defendant gave a voluntary statement, which was recorded by the then U.S. Attorney for the Southern District of Texas.
3. In compliance with Art. 39.14, an informal transcript of this statement is attached hereto as Exhibit A. A certified transcript will follow.
4. The attorney for the Defendant was presented a true, complete, and accurate copy of the statement on or before the 20<sup>th</sup> day prior totrial.

Respectfully submitted,



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Mario Cicconetti  
Assistant District Attorney  
Harris County District Attorney's Office  
TBC No. 24081628

**CERTIFICATE OF SERVICE**

I, , the undersigned attorney, hereby certify that a true and correct copy of this notice was e-mailed to counsel for the Defendant (if any such counsel existed as attorney of record) on this date by electronic service using his State Bar of Texas official address for electronic service.



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Mario Cicconetti  
Assistant District Attorney  
Harris County District Attorney's Office  
TBC No. 24081628

EXHIBIT A

[BEGIN CALL 0.00]

Steven Hotze: They're bringing the boxes. And then they bring the ballots in and they have people in there that are signing the ballots and then they're loading them up and they're either going to the post office and passing them out, we, we've surveilled them for the last two nights and still my, my, Mark Aguirre, he said he wants to capture them when they bring them out and leave tonight to deliver them but he needs to have a federal marshall with him. Can you, can you get a, can I have him call you and explain to you what's going on? Because we, he doesn't want to get a Houston Police Department, he said all the evidence would disappear, the Attorney General's Office is just AWOL, yeah, I've got a choice, either get a federal marshall or call a constable, and get a constable out there to do that because constables, I understand, have authority across the county and in other counties as opposed to the sheriff. We don't want to go to the sheriff's department, obviously because they're democrats...

Ryan Patrick: Right.

Hotze: But, but my guy, Mark Aguirre, was 25 years on the police force. He was a guy, a captain on the police force. He did cartel. He broke up cartels. All the drug rings here?

Patrick: Uh hmm.

[01:16:00]

Hotze: This is not his first rodeo. The only difference is instead of dealing with drugs they are dealing with ballots. But he's surveilled them. He's gone to their home, I mean, he's gone, he knows what's going on, they found the truck, they seen him go there, they been following him the last two days, in fact, he told me last night, hell, I'm gonna have, the guy's gonna have a wreck tomorrow, I'm going to run into him and I'm gonna make a citizen's arrest. But he said it'd be good if we could have break this thing wide open nationally but they're literally, he said they literally have boxes with thousands of votes in it and they're just taking these down and voting them. I mean, this is the way these guys operate, Ryan. The, the criminal ring is so incredible. Can you help out at all?

Patrick: Uh, the short answer is, I don't know. Um, I can't just send marshalls. That's not, the marshalls don't work for me.

Hotze: Ok.

Patrick: Um, so I don't have any, there are no federal agents that work for me. I don't have officers, I don't have investigators, like a DA's office. I don't have any peace officers or federal agents that work for me. So the only way...

Hotze: What about, what about my idea of, of a constable?

Patrick: So, um, I'm not 100% up on what the state law is in this area but there is a provision where ballots can be intercepted, um, and be impounded but you gotta go to a district court, you gotta get them impounded. I don't know, you know if you want to call a constable, that's, you know, that's up to them if they want to participate, obviously.

Hotze: Yeah.

[02:36:00]

Patrick: Umm...

Hotze: Well, I got two constables, I got Mark Herman maybe that's the way to go because basically you're telling me you don't have any, you don't have anybody you can send to do that.

Patrick: No, I don't have anybody to send and even if I did, we would actually have to have, I mean, I'd have to have...

Hotze: Probable cause?

Patrick: I'd have to have probable cause, yup.

Hotze: Would you have to have a warrant?

Patrick: Uh, potentially, I don't know. This is and I don't know if I mentioned this, Jared called me today and I told him this. A tricky issue with election law is, um, there are certain types of law, a tax law is one of them, um, terrorism type cases where I don't have and this has been around for a long, long time. I don't have authority to charge things on my own. They have to go through Washington and so this is something that I would have to have sign off from um, um, from prosecutors at Main DOJ and I mean, things happen quickly all the time on the weekends but that's, you know, if we were ever to identify something specific...

Hotze: Ok.

Patrick: Um, there's still multiple signatures needed.

[03:35:00]

Hotze: Yeah. So he said, I need somebody now. And you know what? Aguirre's got enough balls that he would just, that he would go in and make a citizen's arrest. The guys that are running the ring are all illegals. He's already tracked them down. You know, they're driving around. Here's how, here's the system. Rodney Ellis gave, in his, on his TEC Records gave \$35,000 to a guy named Tyler James. Tyler James has this guy

named Perez, who's an illegal, living in his apartment building or in his apartment. When they cased the place out, they saw a huge van. A white van at night and it has plates on it, new plates, he had just bought it from a dealer. And so they check it and it's in the name of this guy named Perez. So Perez comes out and they follow him, they go to this, they go to this trailer park, got about 5,000 trailers in it. And they go to this building. Behind this building has got the, has got a warehouse and they start unloading boxes in the warehouse. Now, and then they start loading them back up in the warehouse and he has people following him and they went down to RGB And they went to the post office so we don't know if they went around back and unloaded them and just put them direct, maybe they got a friend at the post office but anyway, so he's down there now. He's down there. He said I have 20 investigators that I've hired. Right?

Patrick: Right.

Hotze: He said I have all the investigators. I've got everybody called up. You know I've got, and in a time, we're gonna watch this place 24 hours, the warehouse where they, where they keep driving in and they're people inside it and they're taking boxes and take out boxes. So, I'm thinking what you were talking about is the, uh, is the uh, trail, money trail. The trail would go from Ellis, we know he gave money to Tyler James, we gotta get Tyler James to confess. And let me tell you what, if Aguirre gets these guys, he'll get a confession in five minutes. He did it, I had a guy that stole a quarter of a million dollars from me, he told me the night before he'll confess in ten minutes and write out a confession and he did and right now the guy...

[05:47:00]

Unknown: what are you doing?

Hotze: Is serving 35 years in the state penitentiary .This guy, he's like, he's like a bull dog ...

[door bell rings]

Hotze: And, and he's with a partner...

Patrick: Ok. Hold on.

Hotze: And what he'll do, he'll say look, he has, he's hired an ICE guy to be with him and he's gonna say, we're gonna get you deported and your family you better come clean.

Patrick: Ok. So...

Hotze: We'll track it, we'll go all the way up the line and get Ellis on this. I'm 99 sure, I'm 100 % sure. I know Ellis is involved with this. This is the way these guys operate. They're as criminal, as crooked as the day is long but that's why we gotta to stop them and if we could stop them now, this gets our message nationwide, you follow me?

Patrick: Yeah, ok, I mean I, I gotta run, I got something else I gotta grab but ok, I got this information, let me, let me send it to my guys who handle this and, and I'll let you know if we can, if we can do anything.

Hotze: Ok, get back with me.

Patrick: Ok, thank you.

Hotze: Bye.

[END CALL 6:36]