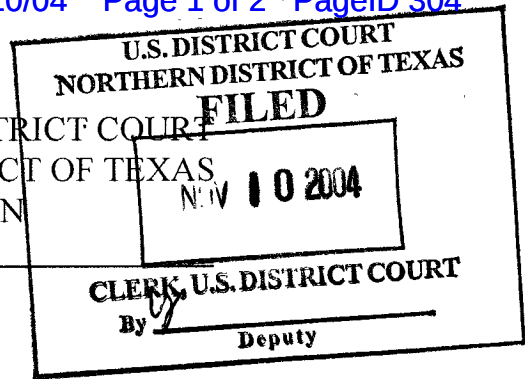


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA

§
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§
§

v.

KENNY J. DAVIS (4)

No. 3:03-CR-270-N
(Supercedes Indictment
returned July 20, 2004, as to
defendant Davis)

The United States Attorney charges:

INFORMATION

Misprision of a Felony
(Violation of 18 U.S.C. § 4)

In or about April 1999, in the Dallas Division of the Northern District of Texas and elsewhere, defendant, **Kenny J. Davis**, having knowledge of the actual commission of a felony cognizable by a court of the United States, to wit, securities fraud, in violation of 15 U.S.C. §§ 77q(a) and 77x, did conceal the same by failing to disclose to investors and potential investors in Smart-Mart, Inc. his knowledge of such activities, and did not as soon as possible make known the same to some judge or other person in civil or criminal authority under the United States.

In violation of 18 U.S.C. § 4.

RICHARD B. ROPER
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'JEFFREY J. ANSLEY', is written over a horizontal line.

JEFFREY J. ANSLEY
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