

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>STATE OF IOWA, <i>Plaintiff,</i></p> <p>v.</p> <p>EDWARD TIPTON, <i>Defendant.</i></p>	<p>AGENCY CASE NO.: _____</p> <p>AGENCY: ATTY. GEN.</p> <p>COUNTY ATTORNEY COMPLAINT REVIEW</p>
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COMES NOW the undersigned Assistant Attorney General Robert Sand and states as follows:

I have read and reviewed the attached complaint and affidavit. I:

- Approve** the charges of Fraud in violation of Iowa Code Section(s): 99G.36(1), 99G.26(2).
- A **No Contact Order** with the victim(s) of this crime is requested.

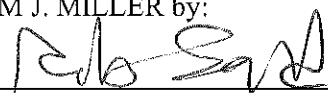
With regard to a bond amount, the State requests that:

- Bond be set according to the standard bond schedule.
- Bond be set in the amount of \_\_\_\_\_.
- Cash Only.
- Cash or Surety.
- 10% to the Court.
- The defendant be released on the defendant's own recognizance (O/R).

Based on the information currently available to me, I offer this additional information to the court / clerk:

- Other: \_\_\_\_\_
- The defendant currently has other pending charges.
- The defendant has a relevant criminal history.
- This crime occurred in violation of a No Contact Order.
- The defendant is currently on probation.

WHEREFORE the State respectfully requests the Court find probable cause and allow the case to proceed under the circumstances set out above.

Respectfully submitted,  
TOM J. MILLER by:  
/s/   
Robert H. Sand  
Assistant Atty General ATT0010489  
Attorney General's Office  
1305 E. Walnut, Des Moines, IA  
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**Polk County Complaint & Affidavit**

**STATE OF IOWA, COUNTY Polk  
OF**

STATE OF IOWA

Before (Judge, Magistrate) \_\_\_\_\_

Vs.

Criminal Case No. \_\_\_\_\_

**Eddie Raymond Tipton**

**COMPLAINT**

Defendant

**2201 Coolidge St, Norwalk, IA, 50211**

Address

**March 15, 1963**

Birthdate

The defendant is accused of the crime of **Fraud, §99G. 36(1) (Class D Felony); Fraud,**

(Name the Offense and code or Ordinance section)

**§99G. 36(2) (Class D Felony);**

in that he from December \_\_\_\_\_

**23, 2010**

**Through January 17**

**2012**

at the

**City of Des Moines**

(Here locate the City, or Township where the offense occurred)

in **Polk** County, did **attempt to influence the winning of**

**a prize through the use of fraud or deception in violation of Iowa Code 99G.36(2); AND, with the intent to**

**defraud, attempted to falsely utter, pass, or redeem a lottery ticket, in violation of Iowa Code 99G.36(1)**

(State the acts or omissions constituting the offense)

I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the proceeding is true and correct. \*

**January 14, 2015**

Date

X



Complainant's signature

STATE OF IOWA,

COUNTY OF **Polk**

, ss:

I the undersigned, being first duly sworn and under oath, state that the following facts known to me or told to me by other reliable persons form the basis for my belief that **Eddie Raymond Tipton**

the defendant committed the crime charged.

On December 23, 2010 a winning Hot Lotto ticket was purchased at the Quick Trip on E14th and Interstate 80 in Des Moines, Iowa. This purchase was captured and recorded with video and audio surveillance. On November 9 and 10, 2011, the Iowa Lottery was contacted by Philip Johnston of Canada claiming to be the winner of the lottery ticket. Johnston was able to provide the 15 digit security number printed on the winning ticket as verification of his claim. The lottery noticed discrepancies between Johnston's statements and known facts, including the descriptions of the purchaser's clothing, and did not immediately pay his claim. On December 6, 2011, Johnston contacted the lottery and advised he was not the owner of the ticket and stated he was representing an anonymous party. On December 29, 2011, Crawford Shaw of New York acting as a trustee of Hexham Investments presented a claim and the winning lottery ticket to the Iowa Lottery. In the Grantor Trust Agreement submitted by Shaw, for Hexham Investments, Shaw is listed as the Trustee and Johnston is listed as the Trustor/President of Hexham Investments Ltd. On January 17, 2012, Crawford Shaw traveled to Iowa and met with officials from the Iowa Lottery to provide documentation that might help reach an agreement for the release of the winnings. The Lottery could still not determine the validity of the purchase of the ticket without the identity of the purchaser, and continued to refuse to pay the claim. On January 26, Shaw withdrew the claim of ownership to the lottery ticket. Law enforcement made unproductive attempts to interview Johnston and Shaw to learn the identity of their client and other details. They also attempted to enhance the video footage of the purchaser's face, without success. Additional leads and other interviews were also unproductive.

On August 21, 2013, Johnston agreed to be interviewed in Quebec City, Canada about his knowledge of the lottery ticket. Johnston advised he was first contacted on October 17, 2011 by Robert Sonfield and Robert Rhodes of Houston, Texas, requesting Johnston's assistance with claiming the lottery ticket. Johnston has a prior professional relationship with Sonfield and Rhodes. Johnston provided copies of his day planner and phone records to verify his statement. He was told by Sonfield that Sonfield, an attorney, represented a client who had a legitimate claim to the lottery but wanted to remain anonymous.

In April 2014, Shaw also confirmed he has a professional relationship with Sonfield for over thirty years. Shaw confirmed Sonfield originally contacted him about the lottery ticket and provided the ticket to him via Fed Ex. Shaw and Johnston, at the direction of Sonfield and Robert Rhodes, organized and completed the paperwork necessary to attempt the claim of the 16.5 million dollar Hot Lotto ticket.

In June 2014, Iowa law enforcement traveled to Houston in an attempt to interview Sonfield and Rhodes about their knowledge of the ticket and its purchaser. Sonfield and Rhodes did not make themselves available. On October 9, 2014, the video and audio recording of the purchase of the winning ticket was publicly released with a request for information regarding the identity of the purchaser. On October 13, 2014, an out-of-state employee of the Multi-State Lottery Association (MUSL), which runs the Hot Lotto, provided a tip that the individual in the video is the defendant, Eddie Tipton. The defendant is the Director of Security for MUSL and lives in Iowa. As an employee of a vendor to the Iowa Lottery, who also has access to confidential information which may compromise the integrity of the lottery, the defendant is prohibited by the Iowa Code from purchasing lottery tickets or winning the lottery.

On November 7, 2014, DCI Special Agent interviewed the defendant. The defendant admitted that he is not allowed to buy lottery tickets nor can he win the lottery. He stated that he did not buy the ticket and that he "wasn't even in town in that time period" that the ticket was purchased. He said he was in Houston, Texas, where he grew up, seeing "all family." However, cell phone records indicate the defendant was in the Des Moines area on the date the ticket was purchased. A Division of Criminal Investigation photographer analyzed the video of the purchase to highlight the vehicle the purchaser used to leave the store, a silver crossover-style vehicle. Records from Enterprise/Alamo vehicle rental business show that on December 22, 2010, the defendant rented a silver 2007 Ford Edge, a crossover-style vehicle. He returned it on January 3, 2011. During his interview, the defendant was specifically asked twice for other contacts in Houston other than his family. The defendant did not mention Robert Rhodes. However, cell phone records indicate frequent lengthy calls between the defendant and Rhodes, including on the day the defendant purchased the ticket. In addition, the defendant and Robert Rhodes attended the University of Houston and from 1996 to 2003, the defendant served as Chief Operations Officer for Systems Evolution, Rhodes's Houston-based company. On LinkedIn, Rhodes endorsed the defendant as "very focused on the bottom line" and stated "I would work with Eddie again in a second!"

On December 10, 2014, DCI Special Agents interviewed a former co-worker of the defendant's, who stated he had seen the publicly released video and believes the defendant is the purchaser. DCI Special Agents interviewed additional individuals on December 3, 2014 and after who say the publicly released video sounds like the Defendant's voice and mannerisms. DCI Special Agents interviewed a friend of the defendant who provided records of an analysis he personally performed of the the publicly released video of the purchase. He isolated the sound of the purchaser's voice to analyze the audio, and made measurements at the store to analyze the video. He did this with the intent of proving the purchaser was *not* the Defendant. Based on his analysis and his knowledge of the defendant, he concluded the defendant is the purchaser.

I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the preceding is true and correct. \*

January 14, 2015

Date

X

*SIA [Signature]*  
Complainant's signature

Subscribed and sworn to before me by *SIA [Signature]* at Des Moines, Iowa, this 14<sup>th</sup> day of

January, 2015.

*[Signature]*

Notary

