

**Police Report**  
White Collar/Financial Crimes Unit  
Reported by: Alan Hamilton and Marjorie Miller  
5-22-09

**Suspected crime:** Embezzlement and possible homicide

*(compare with Madoff charges: Securities fraud, Investment Advisor Fraud, Mail Fraud, Wire Fraud. Also note, Madoff's CPA was also complicit and charged, as is probably the case here as well. Breach of Fiduciary Duty, Financial Elder Abuse)*

**Summary:** Daughter transfers all money out of mother's Estate and mother's bank accounts during the 2 years after father dies. Mother dies mysteriously in daughter's care about 2 months after she requested to go to a nursing home. Brother not told for 3 weeks after mother's death and cremation, though he stopped by sister's house several times during that 3 week period and was told his mother was asleep and could not be disturb.

**Motive:** Money, \$800,000 missing, transferred to daughter's bank account (2004-2006), Mother's bank accounts were nearly empty when she mysteriously died.

**Means:** Mother diabetic, on insulin, immobile, in wheelchair

**Opportunity:** Mother in daughter's care, at daughter's house, ends up dead about 2 months after requesting to go into a nursing home (Oct 2006).

**Strange Circumstances surrounding death:** Daughter does not tell brother for 3 weeks after their mother has died and has already been cremated, though he stopped by several times during that 3 week period and was told his mother was asleep and could not be disturb. Daughter then refuses to give brother any information about the Estate from 2004-present. Many other strange stories from various people and letters.

**Question about death:** If Maurine had not died, how would Sylvia have explained her mother's empty bank accounts to her mother? What were the balances of Sylvia's bank account's when Maurine died? Could Sylvia have replaced the money, so that Maurine wouldn't find out, or was she in a financial bind?

**People involved and contact info if available:**

Victims:

1. Alfred Hamilton, father, died April 8, 2004
2. Maurine Hamilton, mother, died October 6, 2006

3. Alan Hamilton, son,

512-832-6384, [ecologicalal@gmail.com](mailto:ecologicalal@gmail.com)

*9902 Childress  
Austin, Texas 78753*

4. Marjorie Miller, Alan Hamilton's wife,

415-519-0907, [marjiemiller@gmail.com](mailto:marjiemiller@gmail.com)

*9902 Childress  
Austin, Texas 78753*

Suspects:

1. Sylvia Hamilton, daughter,

In August 2004, Sylvia is angry enough at Brian Dudley for supposedly "badly investing her mother's money", gets Danny to threaten to report everybody to Texas Dept of Insurance, if they just don't "give back Maurine's money" to Sylvia, \$800,000, with a \$36,000 unpaid tax hit. Note, Maurine planned on how to not even have to pay Estate-Death Taxes after she died (see May 29, 2003 document). And yet, in 2008, Sylvia shrugs and says "Oh well, I guess Gina duped me.", according to Wayne the attorney. Where's the anger at Gina stealing \$800,000 from her so that she is now broke? Why don't Sylvia and Danny want to report this to the police, as they reported Brian Dudley, the supposedly inept and errant insurance agent, with such forceful passion? We think the money, if not in her bank accounts, is possibly hidden in her house. Her story has gone from her house was broken into, that she had lost the money in her house somewhere, to "Gina duped me into giving it to her church to fight evil."

512-834-4309  
(Alan's '06 # for Sylvia, same as Wayne's?)

*9008 East Drive  
Austin, Texas 78753*

2. Danny Davila, suddenly the CPA for the Estate in 2004, got \$800,000 in Estate annuities released for Sylvia Hamilton. Danny has still not turned over the records for the Estate to Alan Hamilton, who became Executor of the Estate on Oct 28, 2008. Told strange story of "titty dancer" client whose house burned down with \$200,000 cash in it, but he said "No one was ever caught because they don't prosecute these kinds of things." See attached Austin Judge Sam Sparks email for other strange quotes for a CPA. Why doesn't Danny want to

report this to the police? His website says he does “Forensic Accounting” and “Theft Protection”. But he hasn’t done either, and he doesn’t want this reported to the police for some reason. Danny also never showed us the “legal documents” he helped prepare for Maurine (practicing law without a license, replaced Alan with himself of succession, no notice of revocation to Alan, Alan’s name misspelled on a document supposedly signed by his mother, just to name a few irregularities...). Now if they were “legal documents”, why wouldn’t Danny show them to the new “Estate Executor”, Alan? Wouldn’t he have a Fiduciary Duty to do so? As well, Danny did Sylvia’s taxes for all missing years in late 2008, but didn’t get a copy of Sylvia Bank statements, when they were right in front of him, “because he didn’t need it to do the taxes.” We had met with him a few weeks earlier and he told us of Sylvia’s “taking the money from the Estate”, and yet he did not make a forensic copy for the record, with it in his hand, to help find the money. Danny called us and billed us to tell us he hadn’t made a copy of Sylvia’s bank statement. It was beyond shocking. Why is Danny not only not being forthcoming, or helpful, but seemingly hiding things? Indeed, he even gave us a bill for \$2000, while not giving us any of the documents we needed or asked for. He even refused to give us a copy of the bill for “getting yer mother’s money back for her” in 2004, even after we asked why it wasn’t deducted as an expense in the proposed 2004 tax filing by him, in 2008. And this all happened after he “assigned himself successor DPOA, if Sylvia should fail to act”., but Danny said he never saw them again after that. Let it be noted that doing the 2004 taxes in 2005 would have exposed what had happened. Also Alan called both Danny and Mutual of Omaha in 2005 to try to figure out what was going on, and though listed as a co-beneficiary to an 80+ year old woman who might be being ripped off, neither contacted the son, or subsequently informed the son of what had happened when he called in 2005.

512-258-6637, [danny@dbtxcpa.com](mailto:danny@dbtxcpa.com)  
www.dbtxcpa.com

*Davila, Buschhorn & Associates, P.C.*  
*7207 McNeil Drive*  
*Austin, Texas 78729*

3. “Gina Andros” – woman Sylvia now says she gave the money to for Gina’s church, to fight the government and big business conspiracies. (4/9/09 note: Wayne said when he reviewed this on 4/8/09, that Sylvia specifically said the money was given to Gina’s church “to fight evil”. ) Alan said every time he saw Gina at Sylvia’s house 2004-2006, she had another new car, though she did not appear to have the means to afford it. From Alan’s Daily Planner notes: 9/18/04 Gina – another new vehicle – Explorer Sport Trax, Nevada plates, 466-RVR. Found a “Gina Andros” and extended “Andros Family” on [www.Reunion.com](http://www.Reunion.com) on web. Wayne said he found a “Gina Andros” listed, a couple hours away in a small Texas town. Wayne has info.

4. Bob Barnhart, phone number and address from web below, a friend of Sylvia's 2004-2006, who may know or have been involved in the embezzlement.

*Robert Barnhart (512) 392-1042  
1023 Mead St,  
San Marcos, TX 78666*

Witnesses:

5. Brian Dudley, the Mutual of Omaha annuities/insurance agent for Hamilton Estate since 2000. Could not find a phone number on web. Insurance license for Brian Paul Dudley listed as expired or something like that, with no contact info.
6. Wayne Gronquist, attorney for the Hamilton Estate,

512-917-6600, [waynegronquist@gmail.com](mailto:waynegronquist@gmail.com)  
[www.waynegronquist.com](http://www.waynegronquist.com)

*1104 Nueces Street  
Austin, Texas 78701*

7. Home Health Aide Service, Sylvia refused to let them in the care for her mother. Don't know name of specific service used yet or their contact info. (Doctor's records?)
8. Hester Pollard, home health aide, friend of Alan and Sylvia's, strange stories of interactions with Sylvia. Basically, Sylvia very paranoid about Hester letting Alan into her house or telling him something she might find out. Hester said she thinks Sylvia left Maurine alone rather than let anyone in the house. Hester received messages from Sylvia to come stay with Maurine, but then got no response.
9. David, Hester's mechanic friend who helped Sylvia out with her van.
10. Dorothy Milek Tax Services, prepared the final Will and Trust Papers for Alfred and Maurine Hamilton on Oct 6, 2001.
11. Internal Mutual of Omaha personnel: Peggy Rodewald, Michelle Bogatz, Cynthia Herman.

Cynthia Herman stopped Sylvia's theft of the Life Insurance, but Michelle Bogatz and Peggy Rodewall still haven't noticed that Alan's name was supposedly spelled wrong by his mother.

**12. The Unknown Tax Preparer, 2003,  
(and the unknown 2004 Annuity Bill and legal papers from Danny Davila)**

After many requests, we still have not received a copy of 2003 Tax return from Danny or Sylvia, so we don't know who did the taxes in 2003 yet. Danny as well doesn't seem to want us to have a copy of his 2004 Annuity Bill, or the legal papers for the Annuities that he drew up in 2004 for the Estate. Danny keeps giving Estate paperwork to Sylvia, in violation of court orders. Danny has pretty much kept us in the dark whenever possible, saying we "should just split what's left of the Estate with Sylvia, and forget about it, because they never prosecute these kind of things, just like the titty-dancer I was telling you about. Never caught the guy. That's just the way things go. All I did was get yer money back for yer mother. Sylvia said she and her mom were broke and needed money, so I got it back for them with no surrender charges. They wouldn't have done it, except I have a license."

In the meeting and in the first phone call, Danny only spoke of Sylvia. Sylvia this and Sylvia that. After that, Danny all the sudden started including Maurine in all his references of being with Sylvia, even in 2008, when Maurine obviously couldn't have been there, as she died in 2006. Seriously, we have it in writing in an email. I would be surprised if he knows what Maurine looks like, and indeed, if I was a detective or a lawyer questioning Danny Davila, I'd covertly try to discover if Danny even knew Maurine was in a wheelchair, how many times Maurine "visited his office", and why in the world an elderly woman would abandon her son, who she sees regularly, not notice that her son's name was spelled wrong in the document, and sign her entire Estate over to a Danny Davila, a man she just met, we assume, as Danny will not give us any information on the happenings of 2003 or 2004.

**Significant dates, events and people/suspects:**

1. 8/26/08 - Alan, Marjie, invite Sylvia to meet at Wayne's office to sign an overdue "Oil Lease" on property owned by the Estate in Texas, and receive a \$3000 each bonus for doing so (\$6000 total signing bonus). After the meeting Sylvia follows Wayne back to his office and confesses cashing in \$800,000 in Estate annuities in 2004.
2. 9/9/08 – Alan and Marjie informed of missing \$800,000 by Wayne at his office. **Story #1: Wayne told us that Sylvia said she had put the money in envelopes at her house and stuffed them in boxes and now she couldn't remember where she put them.**
3. 9/10/08 – Wayne, Alan and Marjie meet with Danny Davila, the CPA that Sylvia used in 2004 to get \$800,000 of annuities released early from Mutual of Omaha, 8-12 years before laddered maturity dates. In June 2004, Sylvia deposited

\$315,000 into her mother's account from Alfred Hamilton's death benefits, and on the same day transferred \$150,000 of it into her own bank account. In August 2004, Sylvia told Danny her mother was broke, and needed the annuities now. Danny was very proud of his letter and said the only reason they gave the annuities back immediately and without an early withdrawal penalty fee was because he was a licensed CPA. Danny expressed concern that Sylvia had told Wayne that \$800,000 cash was hidden in Sylvia's house, because he had a titty-dancer client a few years back who had about \$200,000 cash hidden in her house on Lake Travis, that she didn't want to report to the IRS, and her house mysteriously burned down soon thereafter. Danny said the money was presumably stolen and the house burned down to destroy any evidence. Danny then said, "They never prosecute these kind of things."

4. Months of September and October 2008: Wayne attempts to get Estate Asset records from Sylvia and makes many trips and brings many boxes of papers from Sylvia's house to Alan and Marjie to sift thru to try to figure out the state of the Estate for the Probate Court. Almost everything in the boxes is pre-2004.

**Story #2: Wayne tells us that Sylvia showed him the broken door lock when he arrived the first visit to her house, and said the money had probably been stolen.**

**Story #3: After some conversation, Sylvia confesses to Wayne that she gave all the money to "Gina Andros" for her church, which fights the government and big business conspiracies.**

5. 10/28/08 – Alan Hamilton is appointed Executor of Estate by the Court, and with it, he now has legal access to the Estate investment and bank records, which Sylvia had denied him since his father's death, not even giving him his annual report as required by law, as a beneficiary of the Estate.
6. Early December 2008: Alan and Marjie went to Chase Bank with Wayne. Bank officer Aaron Dominguez presented documentation on how all the money, about \$310,000, in Maurine's bank accounts had been transferred to Sylvia's bank account between 2004-2006.
7. Mid-December 2008: Marjie forcefully encourages Alan to enter his endless stories into a Timeline Spreadsheet of events. Maurine had paid \$500/month for long-term health care, and requested to move to a nursing home about 2 months before being found dead at Sylvia's house. Sylvia took the phone out of Maurine's bedroom, who was immobile in bed and a wheelchair, a month or so before being found dead, "because she kept calling nursing homes and Brian Dudley". Alan was working with Wayne to get a conservatorship for the Estate and help his mother get into the nursing home of her choice. Alan tried to get help from Adult Protective Services. In the middle of doing this, Maurine ends up dead at Sylvia's house. Sylvia does not tell Alan of his mother's death and cremation, until 3 weeks after Maurine died. Sylvia then completely blocks Alan out and will

- not answer the door at all, or any requests for Estate records, not even his annual report, required by law as a co-beneficiary of the Estate.
8. Mid-December 2008: While looking thru boxes, Alan finds some Randolph-Brooks receipts: a \$315,000 deposit into Maurine's account on 6/28/2004, and a \$150,000 transfer to Sylvia's account on 6/28/2004. The balance is currently about \$40.00.
  9. Early January 2009: Alan and Marjie go to Randolph-Brooks Federal Credit Union. Told by bank officer "Shannon" that all the money from Maurine's accounts had been transferred to Sylvia's bank account, but that her legal department said she would need a subpoena for both Maurine and Sylvia's bank accounts to tell us anything more.
  10. March 2009: Sylvia and Danny the CPA are still withholding the Estate records. Wayne has been paid \$14,000 since August 2008. We still do not have access to Sylvia's bank records to find out where the money went after it went into Sylvia's accounts.

**Plan of Action:**

1. Need Subpoenas for Sylvia's Bank accounts. (freeze accounts?)
2. Search warrant for Sylvia's house to look for Estate investment records, bank records, tax records, hidden cash, and the circumstances surrounding Maurine's death (doctor/home health aide records?). Element of Surprise – money could still be hidden in her house or bank accounts. Why doesn't she want to go to police? She must not have been robbed.
3. Possible involvement by Danny Davila. Strange titty-dancer story in his office, plus strange stonewalling by Danny to any request for Estate Records from him for 2004. Check the police cold case file for Lake Travis, for missing \$200,000, burned down house, and possible missing titty-dancer. Danny said "They never caught the guy."
4. Gina Andros, Bob Barnhart and Danny Davila possibly assisted Sylvia with embezzlement of Estate and laundering of the money.
5. Need subpoena for Sylvia's tax filings by Danny. Will show collusion by Sylvia and Danny to hide the facts of embezzlement from us and the IRS. Danny told us in September that Sylvia took \$800,000 from the Estate, and that now she has no money to pay the Estate taxes or his accounting bill, and therefore he wants us to pay it, before he would show us the 2004, 2005, 2006 taxes that he and Sylvia had done up for the Estate. Now did Danny report all that to the IRS on her taxes? Any record of the \$800,000 going through her income/1099 statements? The

2004-2005-2006 proposed tax filings from Danny, never show the \$800,000 leaving Maurine's Estate, though Danny is the one that told us Sylvia had taken it.

## List of Attachments:

The screenshot shows a Windows Explorer window with the address bar set to 'evidence CD prototype > Chronological evidence in Exhibits'. The window displays a list of files with columns for Name, Date modified, Size, and Type. The files are listed as follows:

Name	Date modified	Size	Type
Evidence List	4/22/2010 5:38 PM	188 KB	Microsoft Office ...
Exhibit A - Aug 6 2002 - Life Insurance physical for Mom - clean bill of health and \$250,000 policy for \$10,000 per year	5/20/2009 8:56 PM	2,051 KB	Adobe Acrobat D...
Exhibit B - May 29 2003 Irrevocable Life Ins assignment-note Maurine's sig and love for both kids-makes Life Ins have no Estate-Death Tax	5/14/2009 10:48 PM	598 KB	Adobe Acrobat D...
Exhibit C - June 21 2004 - Mom-Maurine receives \$315000 from Dad-Alfred's death benefits - Maurine is healthy wealthy and wise	5/20/2009 9:04 PM	511 KB	Adobe Acrobat D...
Exhibit DS - Hamilton Estate TimeLine Overview - Dec 2008 - 20-20 hindsight after Chase Bank visit revealing embezzlement	8/29/2009 6:34 PM	397 KB	Adobe Acrobat D...
Exhibit E1 - July 8 2004 - example \$150,000 bank transaction by Sylvia	5/14/2009 9:40 PM	1,422 KB	Adobe Acrobat D...
Exhibit E2S - Hamilton Estate Bank Asset Discovery Spreadsheet - as of 5-21-09 - work in progress	8/29/2009 6:35 PM	272 KB	Adobe Acrobat D...
Exhibit F - Friday - Aug 6 2004 - DPOA with Alan's name spelled wrong by his mother - compare sig with Exhibit B - 5-29-03 Life Ins assignment	2/17/2010 6:39 PM	399 KB	Adobe Acrobat D...
Exhibit G - Monday - Aug 9 2004 - Letter from Mutual of Omaha saying Maurine wasn't with Danny and Sylvia	5/14/2009 11:03 PM	1,752 KB	Adobe Acrobat D...
Exhibit H - August 31 2004 - written notice to Mutual of Omaha by Sylvia - why needed if Maurine was with Sylvia and Danny on August 6 2004	5/14/2009 11:33 PM	1,156 KB	Adobe Acrobat D...
Exhibit I - Sept 2 2004 - Sylvia's attempted theft of Life Insurance from Alan stopped by Mutual of Omaha alert employee Cynthia Herman	5/20/2009 9:26 PM	2,664 KB	Adobe Acrobat D...
Exhibit J - Oct 8 2004-Danny-MofO Letter-enough anger to withdraw \$800,000 in annuities-yet no police report after Gina robs all the Estate money	2/17/2010 6:57 PM	2,296 KB	Adobe Acrobat D...
Exhibit K - Aug-Sept-Oct 2004 Calendars with Events Listed	5/20/2009 10:30 PM	1,127 KB	Adobe Acrobat D...
Exhibit L1S - Hamilton Estate - Bank work to be done - work in progress	8/29/2009 6:37 PM	186 KB	Adobe Acrobat D...
Exhibit L2S - Computational version of Hamilton Estate - Bank work to be done - work in progress	8/29/2009 6:38 PM	466 KB	Adobe Acrobat D...
Exhibit L3S - Alfred and Maurine income and taxes Overview spreadsheet - work in progress	8/29/2009 6:38 PM	569 KB	Adobe Acrobat D...
Exhibit M1 - Sept 18 2008 email - Judge Sammy Sparks embezzlement article and Danny Davila meeting quotes	2/18/2010 8:35 PM	2,312 KB	Adobe Acrobat D...
Exhibit M2 - Jan 2009 Research excerpts from Financial Elder Abuse website	5/21/2009 11:01 PM	2,297 KB	Adobe Acrobat D...
Exhibit M3 - Jan 12 2009 - entire packet of docs received from Mutual of Omaha - docs Danny Davila the CPA never shared with us	5/21/2009 11:30 PM	8,513 KB	Adobe Acrobat D...
Exhibit M4 - Jan 16 2009 research email to attorney - Means, Motive and Opportunity - Pastor Guilty of embezzlement and murder	5/21/2009 10:51 PM	1,847 KB	Adobe Acrobat D...
Exhibit M5 - Hope - Austin police trace bank accounts to catch bike thieves	5/21/2009 10:16 PM	659 KB	Adobe Acrobat D...
Exhibit N1 - 6-7-04 - The Plan - bsals to danny davila email with elderly lady whose husband just died heist plot - in writing	7/12/2009 2:00 PM	555 KB	Adobe Acrobat D...
Exhibit N2-In 2004,Danny knew mother just received \$315000-Alans name spelled wrong in Dannels handwriting	2/18/2010 8:49 PM	1,862 KB	Adobe Acrobat D...
Exhibit N3 - 8-29-08 - Sylvia's Long-term care refund request by Danny Davila	7/24/2009 1:39 PM	815 KB	Adobe Acrobat D...