

THOUGHT LEADERSHIP

News

NEW CHARGES OF LYING TO FEDERAL INVESTIGATORS ADDED TO HURRICANE IKE FRAUD PROSECUTION

Newsbrief

25 JUL 2011

A federal grand jury has delivered a superseding indictment against former Liberty County Judge Phil Fitzgerald, former Pct. 2 Commissioner Herman Lee Groce, and Mark Miksch, brother-in-law to Fitzgerald. In January 2011, all three men were indicted on FEMA-related fraud charges stemming from clean-up contracts for Hurricane Ike. This superseding indictment includes three new counts against Groce, alleging that Groce made false statements to federal investigators.

The indictment accuses Groce of lying to federal investigators on or about Feb. 19, 2010 on three issues: (1) that he did not know that Fitzgerald's trucks were used during the clean-up in Precinct 2; (2) that he did not know Fitzgerald had allegedly used a county generator to power his convenience store, Fitzpak, until he heard about it from media; and (3) that he could not recall Fitzgerald ever being with him when he picked up a check for Coastal ROW and could not recall ever seeing Fitzgerald picking up a county check for C&C Lumber Co.

In response, Groce has moved to eliminate the charges or sever them. As the basis for his motion, Groce argues that the indictment is impermissibly vague.