

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

THEODORE E. ROKITA,

Plaintiff,

v.

Civil Action No. 1:26-CV-2118

BERNARD A. CARTER, J. DAVID
ROELLGEN, DENISE ROSE,
PETER RUSTHOVEN, EDWARD A.
SULLIVAN, III, DANIEL B.
VINOVICH, TERRY A. WEBSTER, SR.,
CARA S. WIENEKE, and HOLLY
WOJCIK, in their individual capacities
and official capacities as Members of the
Disciplinary Commission of the
Supreme Court of Indiana; BRIAN K.
CARROLL, MOLLY KITCHELL,
JOHN L. KRAUSS, LEANNA K.
WEISSMANN, and KIRK WHITE,
former Members of the Disciplinary
Commission of the Supreme Court of
Indiana, in their individual capacities;
ADRIENNE L. MEIRING, in her
individual capacity and official capacity
as Executive Director of the Disciplinary
Commission of the Supreme Court of
Indiana,

Defendants.

**COMPLAINT FOR DECLARATORY JUDGMENT,
INJUNCTIVE RELIEF, AND DAMAGES**

TRIAL BY JURY DEMANDED

INTRODUCTION

1. This action challenges a sustained, multi-year campaign by the current and former Members of the Indiana Supreme Court Disciplinary Commission and its Executive Director to retaliate against, harass, and silence the Attorney General of Indiana, Theodore E. Rokita, for his constitutionally protected speech on matters of public concern and for petitioning for a redress of grievances. General Rokita asserts three retaliation claims under 42 U.S.C. § 1983—for the Commission’s retaliation against his protected speech; for its retaliation against his protected petitioning; and for its public disclosure of confidential proceedings. General Rokita seeks declaratory relief; injunctive relief; and damages, including compensatory, nominal, and punitive damages.

2. Since 2022, the Commission has entertained a succession of facially meritless grievances against General Rokita—most provoked by his public commentary and advocacy on contested issues of law and policy—and has processed them according to a recurring method: It demands that he respond on pain of suspension of his law license and other discipline; opens an investigation that runs far longer than necessary, usually for the maximum period the Commission’s rules allow; declines in the end to bring charges; and subjects him throughout to reputational injury, including through the public disclosure of confidential proceedings.

3. General Rokita does not forfeit the freedom of speech by serving as Attorney General or by holding a law license. The First Amendment forbids

government officials from retaliating against a speaker for protected speech, and it does not permit a disciplinary bureaucracy to be turned into an instrument for punishing an elected official's participation in public debate.

4. The Commission's conduct is not isolated error. It is a pattern—a succession of grievances since 2022 spanning at least six investigative matters, now joined by the grievances that are the most recent occasions for the same abusive process—administered with evident political animus and in bad faith, and marked by disparate treatment of General Rokita compared with similarly situated attorneys.

5. The Commission's abusive handling of the most recent grievance against General Rokita, the one filed by Jess Sampson, was the final straw necessitating this lawsuit. Sampson—whom the State of Indiana is proceeding against for multiple violations of Indiana's consumer-protection laws—bottomed his grievance on a response generated by artificial intelligence ("AI"). The Commission demanded that General Rokita respond to Sampson's AI-generated grievance or else be suspended from the practice of law and face further disciplinary action. Neither the grievance nor the Commission cited any Rule of Professional Conduct that Rokita allegedly violated. The demand by the Commission violated its own rule that no response shall be required if a grievance does not raise a "substantial question of misconduct," Ind. Admis. Disc. R. 23(10)(a)—which the Sampson grievance plainly does not.

6. General Rokita brings this action against the current Members of the Disciplinary Commission and its Executive Director, in their individual capacities for

damages arising from their disclosure of confidential disciplinary proceedings and in their official capacities for declaratory and injunctive relief, and against the former Members of the Commission in their individual capacities for damages arising from that disclosure, to obtain compensation for the injuries already inflicted, a declaration that the pattern of conduct violates the First Amendment, and an injunction against its continuation.

7. He brings the action now, and in advance of any formal docketing of the pending grievance, because controlling precedent requires a plaintiff to commence a federal action challenging an Indiana disciplinary proceeding before that proceeding advances beyond its initial phase. *See Crenshaw v. Sup. Ct. of Ind.*, 170 F.3d 725, 728 (7th Cir. 1999). No state disciplinary proceeding against General Rokita is now pending other than the Sampson grievance, which has not yet been docketed. (The Commission's letter demanding that Rokita respond to the Sampson grievance states that any "decision" to "docket the case" would be made only after General Rokita responds to the grievance and the Commission considers the response. Ex. A at A-1.) This action therefore does not ask the Court to enjoin any pending state disciplinary proceeding; it challenges the Commission's pattern of retaliation and seeks prospective relief directed at future conduct and the not-yet-docketed Sampson grievance, together with damages for completed violations.

PARTIES

8. Plaintiff Theodore E. “Todd” Rokita is the Attorney General of Indiana. Indiana voters re-elected General Rokita to a second four-year term in November 2024. He is a member in good standing of the bar of the State of Indiana.

9. The Disciplinary Commission of the Supreme Court of Indiana is an agency of the Indiana Supreme Court created by that Court to investigate and prosecute allegations of attorney misconduct. *See* Ind. Admis. Disc. R. 23(6)(a).

10. The Disciplinary Commission is composed of nine persons appointed by the Indiana Supreme Court. *See* Ind. Admis. Disc. R. 23(6)(b). Under the Supreme Court’s rules, seven of the Commission’s members must be attorneys and two must not be. *Id.*

11. As of the filing of this Complaint, Defendants Bernard A. Carter, J. David Roellgen, Denise Rose, Peter Rusthoven, Edward A. Sullivan, III, Daniel B. Vinovich, Terry A. Webster, Sr., Cara S. Wieneke, and Holly Wojcik (collectively, the “Commissioners”) are the Members of the Disciplinary Commission. Vinovich is the Chair of the Commission. Each of the Commissioners is sued in his or her official capacity for prospective declaratory and injunctive relief, and in his or her individual capacity for damages solely for participating in, authorizing, or facilitating the disclosure of confidential grievance and investigation materials to the public, as described below.

12. Defendants Brian K. Carroll, Molly Kitchell, John L. Krauss, Leanna K. Weissmann, and Kirk White (collectively, the “Former Commissioners”) are former

Members of the Disciplinary Commission who sat on the Commission during the retaliation against General Rokita. Each of the Former Commissioners is sued in his or her individual capacity for damages, solely for participating in, authorizing, or facilitating the disclosure of confidential grievance and investigation materials to the public, as described below.

13. Defendant Adrienne L. Meiring is the Executive Director of the Disciplinary Commission. The Executive Director is appointed by the Commission with the approval of the Supreme Court, *see* Ind. Admis. Disc. R. 23(8)(a)(1), and has the power to administer the Commission's work and to supervise and direct the work of Commission staff, *id.* R. 23(9). She is sued in her official capacity for prospective declaratory and injunctive relief, and in her individual capacity for damages solely for participating in, authorizing, or facilitating the disclosure of confidential grievance and investigation materials to the public, as described below.

14. The current members of the Commission and the Executive Director are referred to collectively as the "Commission Defendants."

JURISDICTION AND VENUE

15. This Court has original jurisdiction under 28 U.S.C. § 1331 because this action arises under the Constitution and laws of the United States, including the First and Fourteenth Amendments, 42 U.S.C. § 1983.

16. This Court has authority to award the declaratory relief requested under the Declaratory Judgment Act, 28 U.S.C. §§ 2201(a) and 2202.

17. The Commission Defendants are sued in their official capacities for prospective relief to remedy ongoing violations of federal law; the Eleventh Amendment does not bar such relief against state officials. *See Ex parte Young*, 209 U.S. 123, 159–60 (1908). General Rokita’s claims for damages are asserted against the Defendants in their individual capacities, which the Eleventh Amendment does not bar.

18. Venue is proper in this judicial district under 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to General Rokita’s claims occurred in this district.

19. This action is timely. General Rokita’s claims under 42 U.S.C. § 1983 are governed by Indiana’s two-year limitations period for personal-injury actions, *see* Ind. Code § 34-11-2-4(a). Each claim rests on the Commission Defendants’ conduct within the applicable period, including the Sampson grievance (filed in December 2025 (*see* Ex. A at A-3)), the Brown grievance (filed in May 2025), the second disciplinary complaint (No. 25S-DI-29), and the continuing public disclosure of confidential proceedings.

20. The earlier grievances described below are pleaded as evidence of the Commission’s pattern, motive, and bad faith—not as independent, time-barred claims for damages. *See Nat’l R.R. Passenger Corp. v. Morgan*, 536 U.S. 101, 113 (2002) (a limitations bar does not preclude a plaintiff from using prior acts as background evidence in support of a timely claim). To the extent any challenged conduct would otherwise fall outside the limitations period, the period was tolled: the

Commission's proceedings are confidential, and the Commission concealed its retaliatory disclosures, so General Rokita's claims did not accrue until he discovered the concealed conduct, and Indiana's fraudulent-concealment statute independently tolls the period until discovery. *See* Ind. Code § 34-11-5-1.

FACTUAL ALLEGATIONS AND RELEVANT LAW

The Jess Sampson Grievance

21. General Rokita brings this action in part because of the Commission's demand that he respond to the Sampson grievance. The Commission's demand constitutes unlawful retaliation for General Rokita's exercise of his First Amendment rights, including his right to petition the government for redress of grievances.

22. By letter dated July 29, 2026, the Commission issued to General Rokita "a demand for a written response" to the grievance filed by Sampson. *See* Exhibit A, Letter from Disciplinary Commission, at A-1. The Commission told General Rokita that he "could be suspended from the practice of law for failure to respond to this grievance and cooperate with our investigation" and that his "knowing failure to respond or failure to timely respond may subject [him] to disciplinary action ... even in the absence of any other misconduct." *Id.*

23. In demanding that General Rokita respond to the grievance, the Commission's Executive Director, Defendant Meiring, necessarily concluded that that the Sampson grievance raised a "substantial question of misconduct." Ind. Admis. Disc. R. 23(10)(a). After a grievance is filed, the Commission's Rules authorize the Executive Director to "[d]ismiss the grievance, with subsequent approval by the

Disciplinary Commission, if the Executive Director determines that it raises no substantial question of misconduct.” *Id.* R. 23(10)(a)(1). But, [i]f the Executive Director determines that the grievance raises a substantial question of misconduct that is not resolved under subsection (a)(2) [with a caution letter], the Executive Director shall send a copy of the grievance by certified mail to the respondent and shall demand a written response from the respondent.” *Id.* R. 23(10)(a)(3). Here, Meiring did not dismiss the Sampson grievance but instead demanded that General Rokita respond to it.

24. Neither the Commission’s July 29 letter (Ex. A at A-1), nor Sampson’s grievance (Ex. A at A-3 to A-8) cited any rule of the Indiana Rules of Professional Conduct that General Rokita allegedly violated. Instead, Sampson’s grievance—which he filed with the Commission on or about December 19, 2025 (*see* Ex. A at A-36), and was attached to the Commission’s July 29, 2026 letter—attached a copy of the Complaint filed by the State of Indiana against him for alleged violations of the Indiana Deceptive Consumer Sales Act and the Regulation of Vehicle Merchandising Act. *See* Compl. for Inj., Restitution, Civ. Penalties, & Costs, *State v. Sampson*, No. 25D01-2512-PL-000903 (Ind. Super. Ct., Fulton Cnty. Dec. 4, 2025) (Ex. A at A-20 to A-35). The State’s action against Sampson is ongoing.

25. Sampson’s grievance included what he described as an “IA [*sic*] generated response to the following inquiry: May a state attorney general use his office to resolve his own personal debt or grievance?” Ex. A at A-4.

26. As Defendant Meiring and the current Commissioners knew or should have known, General Rokita has in no way “use[d] his office to resolve his own personal debt or grievance” in connection with *State v. Sampson*.

27. The Consumer Protection Division (“CPD”) of the Office of the Indiana Attorney General filed a complaint against Sampson on behalf of the State of Indiana for alleged violations of the Indiana Deceptive Consumer Sales Act (“DCSA”), Ind. Code § 24-5-0.5-1 *et seq.*, and the Regulation of Vehicle Merchandising Act, Ind. Code § 9-32-11-1 *et seq.* Ex. A at A-20. The Attorney General’s office is tasked with enforcing such statutes on behalf of the State of Indiana pursuant to Indiana Code § 24-5-0.5-4(c). *See also* Ex. A at A-21. Such enforcement matters are routinely filed by the Attorney General on behalf of the State.

28. The purpose of the DCSA is to “protect consumers from suppliers who commit deceptive and unconscionable sales acts” and “encourage the development of fair consumer sales practices.” Ind. Code §§ 24-5-0.5-1(b)(1), (3). The DCSA provides certain remedies that are exclusively available to the Attorney General to combat potential consumer harms, such as imposition of injunctive relief and various civil penalties. *See id.* §§ 24-5-0.5-4(c), (g), (h).

29. As a consumer, Rokita brought his concerns about a transaction and interaction he had with Sampson to the attention of the CPD. CPD elected to investigate the matter and discovered concerning facts and practices relating to Sampson and his business. Specifically, the State’s investigation prior to filing its Complaint uncovered numerous potential violations of Indiana law committed by

Sampson, including advertising and selling vehicles without a license, operating as a vehicle salvage recycler without a license, misrepresenting to consumers that Sampson was licensed when he was not, failing to title vehicles (i.e., “title jumping”), and making misrepresentations regarding the characteristics and quality of vehicles.

30. The State’s investigation showed that Sampson had posted at least 21 vehicles for sale on Facebook Marketplace prior to deleting his Marketplace account after the State filed its Complaint. All of the vehicles on Marketplace were marked as sold. Sampson also had 22 reviews for vehicle sales on Facebook Marketplace. In a text message obtained by the State, Sampson also stated he buys and sells vehicles on Marketplace daily.

31. Sampson does not have a license to sell motor vehicles or watercraft pursuant to Indiana Code §§ 9-32-2.1-44 and 9-32-2.1-46. Despite not having a license to sell watercraft, Sampson represented in Facebook Marketplace advertisements that he was “licensed and insured” when he was not.

32. Sampson did not title in his name any of the vehicles he listed for sale or sold as required by Indiana law, and instead “title jumped” the vehicles by listing the previous owner as the seller. Such a practice allowed Sampson to avoid paying sales tax on his vehicles and created false title records for purchasing consumers and the Indiana Bureau of Motor Vehicles. Sampson admits to title jumping multiple jet skis in the narrative provided in his grievance.

33. Sampson also acts as a salvage recycler without a license in violation of Indiana Code § 9-32-11-1(a)(5). Sampson acquires wrecked jet skis, stores them on

his property, and sells the parts from the wrecked skis. Numerous jet skis being parted out were observed on Sampson's property by State of Indiana investigators as well as posted to Facebook Marketplace. Sampson also advertised the sale of parts from the jet skis on Marketplace without a proper license: "I have tons of Jetski parts for sale all makes and models"

34. Sampson engaged in a consumer transaction with Todd Rokita. Sampson sold Rokita a jet ski using multiple false written representations, including representing the jet ski had a new rebuilt engine when it did not, that the jet ski had a new oil pump when it did not, and that the jet ski had a new crank when it did not. The deceptive statements made to Rokita are included in the State's Complaint against Sampson.

35. The State had highly compelling reasons to pursue the potential violations against Sampson when they became known to protect Indiana consumers, regardless of whether one of the victims was the Attorney General.

36. The State seeks to protect consumers by enjoining such potential violations from occurring in the future as well as pursuing civil penalties violations when they occur. The Attorney General has the *exclusive statutory authority* to seek such remedies. The State also is seeking consumer restitution for Rokita who was personally a victim of Sampson's misrepresentations and deceptive conduct during his consumer transactions with Sampson. One of the eleven counts in the State's Complaint pertains solely to Rokita's consumer transaction.

37. Sampson has litigated the substance of his grievance in the Fulton County Superior Court through his filing of a motion to disqualify the Attorney General's office and a motion to dismiss the action. The Fulton County Superior Court denied both motions. *See* Order at 3, *State v. Sampson*, No. 25D01-2512-PL-000903 (Ind. Super. Ct., Fulton Cnty. June 8, 2026), attached as Exhibit B. Among other things, the Court found that the "Plaintiff has stated a claim upon which relief can be granted"; that "[t]he AG is not an attorney of record for the Plaintiff's Complaint"; and that "[t]he actions and claims before this court do not violate the Indiana Rules of Professional Conduct." *Id.* (As to the last finding, the Court added in a footnote that "the Indiana Supreme Court Disciplinary Commission is the ultimate authority to determine in a violation [of the Indiana Rules of Professional Conduct] has occurred." *Id.* at 3 n.3.)

38. In a subsequent order, the Fulton County Superior Court struck a third-party complaint filed by Sampson against Rokita. *See* Order Granting Pl.'s Mot. to Strike Def.'s Third-Party Compl., *State v. Sampson*, No. 25D01-2512-PL-000903 (Ind. Super. Ct., Fulton Cnty. Aug. 17, 2026), attached as Exhibit C.

39. *State v. Sampson* is a pending case. The Commission's demand that General Rokita respond to the Sampson grievance improperly interferes with an ongoing civil action brought by the Attorney General's office on behalf of the State of Indiana.

***The Commission's Pattern of Retaliatory and Harassing Grievances
Against General Rokita for His Protected Speech***

40. The Commission's handling of the Sampson grievance is not the first time the Commission has handled a grievance against General Rokita in an abusive manner. Rather, it is the most recent in a long line of abuses.

41. As Indiana's elected Attorney General, General Rokita regularly speaks publicly on matters of significant public concern, including immigration enforcement, the enforcement of state consumer-protection and civil-rights laws, and litigation positions taken by his office. His public commentary on these subjects is core political speech at the heart of the First Amendment's protection.

42. Beginning in 2022, the Commission has pursued against General Rokita a series of grievances, most arising from his protected public statements, and has used the disciplinary process itself as an instrument of harassment.

43. **First grievance (July 2022).** Paula Cardoza-Jones is a licensed attorney and former staff attorney of the Indiana Supreme Court and the Commission. Cardoza-Jones filed a grievance with the Commission against Rokita despite lacking personal knowledge, and did so for political ends, and to prevent and hinder him from fulfilling his official duties regarding policy issues with which Cardoza-Jones disagrees. Cardoza-Jones filed a grievance over a sixteen-word statement General Rokita made on national television describing a physician as an "abortion activist acting as a doctor—with a history of failing to report." *In re Rokita*, 219 N.E.3d 733, 733 (Ind. 2023) (per curiam). The matter resulted in a public reprimand. *Id.* at 735.

44. **Second grievance.** David R. Hoffman is a licensed, inactive attorney in Indiana. Hoffman filed a grievance with the Commission against General Rokita for political ends and to prevent and hinder General Rokita from fulfilling his official duties regarding policy issues with which Hoffman disagrees. Hoffman, despite having no first-hand knowledge, complained of General Rokita's letters warning Fortune 500 companies that certain diversity, equity, and inclusion policies might violate the law after *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181 (2023). The Commission demanded a response and investigated for a full year before dismissing the grievance.

45. **Third grievance.** Cardoza-Jones filed again, complaining that General Rokita's public statements about his confidential agreement were false. The Commission dismissed identical allegations she leveled against the lawyers defending General Rokita, but kept open the grievance against him—a disparity that underscores the selective, political use of the disciplinary process.

46. **Fourth grievance.** William R. Groth is an attorney who describes himself as “representing and advocating for labor unions, employees, and other progressive causes” including “election law and other civil rights cases” and that he “is active in politics and won the Indiana Democratic Party's Activist of the Year Award in 2018.” *William R. Groth, Esq.*, Bowman & Vlink, <https://tinyurl.com/yy3z5wfp> (last visited Sep. 23, 2026). Groth has been suing Rokita for decades. *See, e.g., Crawford v. Marion Cnty. Election Bd. & Rokita*, 553 U.S. 181 (2008) (complaint filed by Groth in 2005, *Ind. Democratic Party v. Rokita*, No. 1:05-

cv-0634-SEB-VSS (S.D. Ind.)). Groth filed at least three grievances with the Commission against Rokita despite lacking personal knowledge, and did so for political ends, and to prevent and hinder him from fulfilling his official duties regarding policy issues with which Groth disagrees. In the fourth grievance, Groth alleged that General Rokita showed “a total lack of contrition” regarding his prior statements.

47. **Fifth grievance.** A grievant objected to an *amicus* brief General Rokita filed in the U.S. Supreme Court in *Trump v. Anderson*, 601 U.S. 100 (2024), on behalf of Indiana and twenty-six other states. *See* Br. of *Amici Curiae*, No. 23-719, 2024 WL 113930 (U.S. Jan. 5, 2024). The Supreme Court unanimously adopted the position General Rokita advanced, yet the Commission took more than a month after that decision to dismiss the grievance.

48. **Sixth grievance.** Groth complained that General Rokita gave unsolicited legal advice affecting the Indiana Department of Health, when in fact he had issued a formal advisory opinion pursuant to his official duties. In 2025, the Commission notified the grievant that it had taken confidential “corrective action” against General Rokita based on this grievance for statements made at an April 2024 news conference—an adverse disciplinary measure imposed on account of his protected public speech.

49. **Seventh and eighth grievances.** The Commission then initiated two grievances of its own—one alleging that General Rokita reviewed or directed staff to

review the voting records and political-donation histories of prior grievants, and one alleging that he consulted a firm regarding a press release.

50. **The second disciplinary complaint (No. 25S-DI-29).** The Commission pressed a further complaint contending that General Rokita's public statements about his first reprimand showed a lack of candor. Even the Indiana Supreme Court observed that "when our state's highest court must enlist our profession's most respected leaders as hearing officers to litigate at considerable expense whether our state's attorney general was sincere when saying sorry, we're in a hole." Opinion at 15, *In re Rokita*, No. 25S-DI-29 (Ind. 2025) (Molter, J.). That matter has since concluded. No state disciplinary proceeding against General Rokita remains pending other than the Sampson grievance described below.

51. **The Liz Brown grievance (May 2025).** After General Rokita publicly discussed Indiana state Senator Elizabeth M. Brown's role in blocking immigration-enforcement legislation, she filed a grievance accusing him of professional misconduct. Rather than dismiss a grievance that raised no substantial question of misconduct, the Commission demanded that General Rokita respond on pain of investigation and discipline. After the Commission received General Rokita's Verified Petition for a Writ of Mandamus and Prohibition submitted by him to the Indiana Supreme Court, the Commission closed the matter.

52. **The Jess Sampson grievance (Dec. 2025) (Disciplinary Comm'n Matter No. 26-1114).** The pending Sampson grievance is the latest meritless grievance to be indulged by the Commission and its Executive Director.

The Commission's Recurring Method, Including Selective Treatment and Evidence of Bad Faith

53. Across these matters the Commission has followed a consistent method: It demands a response to a facially meritless grievance; it opens an investigation that runs for the maximum period the rules permit; it declines, in the end, to bring charges; and it publicizes the pendency of the matter throughout, inflicting reputational harm. The Commission has, in effect, held meritless grievances open to keep General Rokita “under a microscope.”

54. The Commission acts only through its Members. Under the Commission's Rules and its consistent practice, no grievance advances beyond intake without action attributable to the Members. The Executive Director may dismiss a grievance for want of a substantial question of misconduct only “with subsequent approval by the Disciplinary Commission,” Ind. Admis. Disc. R. 23(10)(a)(1). No matter is docketed as a formal disciplinary proceeding, and no formal complaint is filed, without the Commission's authorization by vote of its Members. *Id.* R. 23(11). Even “the mere act of voting” under these circumstances is sufficient to allege First Amendment retaliation against Defendants. *See, e.g., Comsys, Inc. v. City of Kenosha*, 223 F. Supp. 3d 792, 806–07, 810–11 (E.D. Wis. 2016).

55. At each such decision point in the matters described above, the Members named as Defendants voted for or approved the decision to demand a response to, to prolong the investigation of, to authorize corrective action on, or to continue rather than dismiss each facially meritless grievance against General Rokita. And they did

so with knowledge of the protected speech and petitioning that prompted each grievance and for the purpose of retaliating against General Rokita for it.

56. The Commission has further treated any perceived shortcoming in General Rokita's cooperation as a pretext for additional, independent grievances, compounding the burden and the in terrorem effect of the process.

57. The Commission has administered this process selectively and with evident political animus. It dismissed against General Rokita's own lawyers the very allegations it kept open against him.

58. Commissioner Bernard A. Carter, a longtime elected Democratic prosecutor, made numerous donations to Democrat candidates and publicly endorsed General Rokita's opponent, Destiny Wells, and hosted a "Meet and Greet" for her while the Commission, including Carter, was investigating General Rokita. In Wells' campaign advertisements, she highlighted the disciplinary matters related to General Rokita. Put another way, a sitting Member of the Commission was investigating General Rokita while also actively campaigning for his opponent, who highlighted General Rokita's disciplinary actions on the campaign trail. Of course, this created an obvious appearance of impropriety.

59. Grievances were entertained and publicized during General Rokita's re-election campaign, amplifying their retaliatory effect.

60. The stream of grievances has continued into the current limitations period. In October 2024, an attorney filed a grievance over General Rokita's statements during a televised campaign debate; in April 2025, a member of the public

filed a grievance over a social-media post; and in May 2025, the State Senator filed the grievance described above—each arising from General Rokita’s protected speech.

61. The Commission’s course of conduct is undertaken in bad faith and for the purpose of harassment. The Commission has repeatedly demanded responses to, and opened maximum-length investigations into, grievances it knew or should have known were facially meritless; it has held those grievances open and publicized them regardless of their ultimate disposition; it has treated General Rokita’s protected speech and his perceived non-cooperation as occasions for new grievances; and it has administered the process selectively, dismissing against others the very allegations it pursued against him. The Commission has used the disciplinary process itself—as opposed to any legitimate disciplinary outcome—to retaliate against and burden General Rokita for his protected speech.

62. The selectivity of the Commission’s treatment of General Rokita is stark. In 2023, General Rokita was the only Indiana lawyer disciplined solely for speech, while the Commission’s other discipline in that period involved felony and misdemeanor convictions, possession of child pornography, sexual misconduct with a client, injuring a person while driving drunk, theft of client funds, and knowingly false statements to courts.

Public Disclosure of Confidential Proceedings

63. Although the Commission’s proceedings are confidential, grievances against General Rokita have repeatedly and quickly been made public, damaging his reputation while he remained constrained by confidentiality rules from responding.

64. Under the Commission's Rule 23, the Commission's grievances and investigations are confidential and are not to be disclosed to the public unless and until the Commission files a formal disciplinary complaint. *See* Ind. Admis. Disc. R. 23(22)(a)(3). Yet confidential proceedings were disclosed to the public, which means that one or more of the Commission Defendants, the Former Commissioners, or their staff caused, permitted, or facilitated the public disclosure of confidential grievance and investigation materials concerning General Rokita, for the purpose and with the effect of inflicting reputational harm. Discovery will identify which person or persons from this limited group disclosed the confidential information.

65. The mechanism of disclosure was the Commission's own practice. Although not required to do so, the Commission notified grievants that their complaints were under investigation by copying them on its correspondence with General Rokita, and the grievants in turn leaked those communications to the press.

66. Grievants Cardoza-Jones and Groth publicly revealed the grievances they had filed and told the press that the Commission was investigating them, and Cardoza-Jones publicly disclosed the Commission's dismissal of the companion grievances against General Rokita's own attorneys.

67. The disclosure of General Rokita's confidential second investigation just two months before the November 2024 election is illustrative. On September 4, 2024, the Indiana Supreme Court entered an order granting the Commission ninety-day extensions to complete its investigations in "matters 24-0618 and 24-0608." That order did not name General Rokita and referred only to the file numbers.

Nonetheless, the confidential investigation was reported by *The Indiana Citizen* after Cardoza-Jones and Groth analyzed their correspondence from the Commission, identified the file numbers as General Rokita's second disciplinary investigation, and confirmed as much to the press. General Rokita first learned of the leak through the resulting press inquiries.

The Grievants' Coordination with the Commission

68. The recurring grievants and the Commission have acted in concert. Grievants have publicized their confidential grievances without consequence, and the Commission has entertained, prolonged, and publicized those grievances, each understanding that the disciplinary process would be used to embarrass and burden General Rokita for his protected speech.

69. Defendants Cardoza-Jones and Groth are among the recurring grievants who so acted, filing successive grievances arising from General Rokita's protected speech and coordinating with Commission personnel in their prosecution and publicity.

General Rokita's Injuries and Inadequacy of State Court Relief

70. The Commission Defendants' conduct has injured General Rokita by damaging his personal and professional reputation, diverting his time and the resources of his office, causing substantial expense to Indiana taxpayers, and chilling his exercise of protected speech.

71. Defendants' retaliatory conduct has caused and continues to cause great and unnecessary expense to Indiana taxpayers. Between 2022 and 2025, the State paid four outside law firms a combined \$491,508 to defend General Rokita in at least

six separate matters before the Commission, only two of which resulted in formal disciplinary charges.

72. The Commission's weaponization of frivolous grievances threatens to create a severe chilling effect on public discourse and debate in Indiana, contrary to the First Amendment. For General Rokita, *the process is the punishment*.

73. At a minimum, the Commission Defendants' conduct has completed a violation of General Rokita's First Amendment rights, for which he is entitled to at least nominal damages if not substantial tort damages. *See Uzuegbunam v. Preczewski*, 592 U.S. 279, 292 (2021).

74. General Rokita brings this action in federal court because no state court can be expected to provide the relief he seeks. The Commission's rules, promulgated by the Indiana Supreme Court, purport to make grievants "absolutely immune" from suit, Ind. Admis. Disc. R. 23(25)(a), and to immunize Commission members and the Executive Director from suit "for any conduct arising out of the performance of their duties." *Id.* R. 23(25)(b).

75. The Indiana Supreme Court lacks authority to immunize its Commission, its members, or its Executive Director from suit for violations of the First Amendment or other federal law, but lower Indiana courts can be expected to follow the Indiana Supreme Court's rules. Only a federal court can grant Rokita complete relief.

CLAIMS FOR RELIEF

COUNT I

First Amendment Retaliation—Protected Speech, 42 U.S.C. § 1983
(Against Commission Defendants in their official capacities
for declaratory and injunctive relief)

76. General Rokita realleges and incorporates by reference Paragraphs 1 through 75.

77. The First Amendment, applied to the States through the Fourteenth Amendment, prohibits government officials from retaliating against a person for engaging in protected speech. To establish First Amendment retaliation, a plaintiff must show that he engaged in protected activity, that he suffered a deprivation likely to deter a person of ordinary firmness from continuing to engage in protected activity, and that his protected activity was at least a motivating factor in the defendants' action. *Gekas v. Vasiliades*, 814 F.3d 890, 895 (7th Cir. 2016).

78. General Rokita engaged in protected activity when he spoke publicly on matters of public concern, including immigration policy, the enforcement of Indiana law, and his office's litigation positions.

79. "The First Amendment surely promises an elected representative ... the right to speak freely on questions of government policy." *Houston Cmty. Coll. Sys. v. Wilson*, 595 U.S. 468, 478 (2022). Indeed, "[t]he role that elected officials play in our society makes it all the more imperative that they be allowed freely to express themselves on matters of current public importance." *Republican Party of Minn. v. White*, 536 U.S. 765, 781–82 (2002) (quoting *Wood v. Georgia*, 370 U.S. 375, 395 (1962)).

80. The Commission Defendants took adverse action against General Rokita by demanding responses to facially meritless grievances on pain of discipline, opening and prolonging investigations, and subjecting him to the coercive threat of professional sanction, including suspension of his law license. Such an official campaign of investigation and reputational injury would deter a person of ordinary firmness from continuing to speak. *See Douglas v. Reeves*, 964 F.3d 643, 646 (7th Cir. 2020). The Seventh Circuit has held that “[t]his is an objective standard; it does not hinge on the personal experience of the plaintiff.” *Holleman v. Zatecky*, 951 F.3d 873, 880 (7th Cir. 2020).

81. General Rokita’s protected speech was a motivating factor in the Commission Defendants’ conduct, as shown by the pattern of grievances tied to his public statements, the disparate treatment of similarly situated attorneys, and the political partisanship of Commission members.

82. Where, as here, the retaliatory action includes official conduct that threatens sanction, it is actionable under § 1983. *Novoselsky v. Brown*, 822 F.3d 342, 356–57 (7th Cir. 2016).

83. The U.S. Supreme Court has made clear that “the First Amendment prohibits government officials from subjecting individuals to retaliatory actions after the fact for having engaged in protected speech.” *Houston Cmty. Coll. Sys.*, 595 U.S. at 474 (cleaned up); *see also Lozman v. Riviera Beach*, 585 U.S. 87, 90 (2018) (“[T]he First Amendment prohibits government officials from retaliating against individuals for engaging in protected speech.”).

84. The Seventh Circuit and other Courts of Appeals have reaffirmed this basic principle. “Any form of official retaliation for exercising one’s freedom of speech is actionable as an infringement of that freedom.” *Smart v. Bd. of Trs. of Univ. of Ill.*, 34 F.3d 432, 434 (7th Cir. 1994) (collecting cases). “Since the day the ink dried on the Bill of Rights, the right of an American citizen to criticize public officials and policies is the central meaning of the First Amendment. There can be no doubt that the freedom to express disagreement with state action, without fear of reprisal based on the expression, is unequivocally among the protections provided by the First Amendment.” *McCurdy v. Montgomery County*, 240 F.3d 512, 520 (6th Cir. 2001) (cleaned up).

85. Federal appeals courts have likewise recognized that “the First Amendment right to criticize public officials is well-established” and that “a public official’s retaliation against an individual exercising his or her First Amendment rights is a violation of § 1983.” *Barrett v. Harrington*, 130 F.3d 246, 264 (6th Cir. 1997); *see also Rakovich v. Wade*, 850 F.2d 1180, 1189 (7th Cir. 1988) (en banc) (holding that “an investigation conducted in retaliation for comments protected by the first amendment could be actionable under section 1983”), *abrogated in part on other grounds by Spiegla v. Hull*, 371 F.3d 928 (7th Cir. 2004).

86. As a direct and proximate result of the Commission Defendants’ speech-based retaliation, General Rokita has suffered the injuries described above and is entitled to declaratory and injunctive relief against the Commission Defendants in their official capacities. Nominal, compensatory, and punitive damages for the

retaliatory public disclosure of confidential proceedings are sought against the Defendants in their individual capacities in Count III.

COUNT II

First Amendment Retaliation—Protected Petitioning, 42 U.S.C. § 1983 (Against the Commission Defendants in their official capacities for declaratory and injunctive relief)

87. General Rokita realleges and incorporates by reference Paragraphs 1 through 86.

88. The First Amendment protects not only speech but also the right of the people to petition the Government for a redress of grievances, and retaliation for protected petitioning is actionable under § 1983 under the same framework that governs speech-based retaliation. *Hagan v. Quinn*, 867 F.3d 816, 822–23 (7th Cir. 2017).

89. The right to petition extends to all departments of government, including the executive, administrative agencies, and the courts. *Cal. Motor Transp. Co. v. Trucking Unlimited*, 404 U.S. 508, 510 (1972); *McDonald v. Smith*, 472 U.S. 479, 482 (1985). Reporting suspected unlawful conduct to a government enforcement agency, and invoking that agency's and the courts' processes, is protected petitioning activity. *Havoco of Am., Ltd. v. Hollobow*, 702 F.2d 643, 650 (7th Cir. 1983).

90. General Rokita engaged in protected petitioning when, as a consumer and the victim of a deceptive jet-ski transaction, a matter of public concern, he brought his concerns to the Consumer Protection Division of the Office of the Attorney General, and when he participated as a victim and witness in the resulting enforcement action, *State of Indiana v. Sampson*, No. 25D01-2512-PL-000903 (Ind.

Super. Ct. Fulton Cnty.). This petitioning was General Rokita's own; he is not counsel of record in that action. *Cf. 145 Fisk, LLC v. Nicklas*, 986 F.3d 759, 766–67 (7th Cir. 2021) (the right to be free from retaliation for petitioning runs to the person who petitioned).

91. General Rokita also engaged in protected petitioning when he publicly petitioned the Indiana Supreme Court and the public to reform the attorney-discipline rules to guard against politically motivated grievances.

92. The Commission Defendants took adverse action against General Rokita's petitioning by entertaining, and demanding a response on pain of discipline to, the Sampson grievance—filed by the very party his office was prosecuting and accusing General Rokita of misusing his office by pursuing that matter—and by setting the same investigative machinery in motion. Such action would deter a person of ordinary firmness from continuing to petition.

93. General Rokita's protected petitioning was a motivating factor in the Commission Defendants' decision to entertain, and require General Rokita to respond to, the Sampson grievance.

94. As a direct and proximate result of the Commission Defendants' petition-based retaliation, General Rokita is entitled to declaratory and injunctive relief against the Commission Defendants in their official capacities. Nominal damages for the completed violation are sought against the Defendants in their individual capacities in Count III.

COUNT III
First Amendment Retaliation—Public Disclosure of
Confidential Proceedings, 42 U.S.C. § 1983
(Against the Commission Defendants and the Former Commissioners
in their individual capacities for damages)

95. General Rokita realleges and incorporates by reference Paragraphs 1 through 94.

96. The public disclosure of confidential disciplinary proceedings was itself a retaliatory adverse action. One or more of the Commission Defendants, the Former Commissioners, or their staff caused, permitted, or facilitated the public disclosure of confidential grievance and investigation materials concerning General Rokita because of his protected speech and petitioning, inflicting reputational harm and thereby deterring the exercise of his First Amendment rights. *Gekas*, 814 F.3d at 895.

97. The disclosure of confidential proceedings would deter a person of ordinary firmness from continuing to speak and to petition, and General Rokita's protected speech and petitioning were a motivating factor in the disclosures.

98. As a direct and proximate result of the retaliatory disclosures, General Rokita has suffered reputational and other injury and is entitled to compensatory, nominal, and punitive damages against the Commission Defendants and the Former Commissioners in their individual capacities.

99. The individual-capacity damages sought in this Count are confined to the Defendants' disclosure of confidential grievance and investigation materials to the public, and no immunity bars them. Absolute quasi-judicial immunity from damages extends only to functions intimately associated with the adjudicative process—here, the Commissioners' and Executive Director's decisions to entertain,

investigate, charge, and adjudicate grievances. *See Kissell v. Breskow*, 579 F.2d 425, 430–31 (7th Cir. 1978) (per curiam) (executive secretary of the Indiana disciplinary commission absolutely immune for determining to file, filing, and presenting a grievance to the Commission). Whether such immunity attaches turns on the character of the conduct, not the actor’s motive, and it does not reach acts that are administrative or investigative rather than quasi-judicial, *id.* at 430; *Buckley v. Fitzsimmons*, 509 U.S. 259, 273 (1993).

100. The disclosure of confidential proceedings to the press is not an adjudicative act. Like a prosecutor’s out-of-court statements to the media, it enjoys at most qualified immunity and no absolute immunity. *Buckley*, 509 U.S. at 277–78. Nor does qualified immunity shield it, because the deliberate disclosure of confidential disciplinary proceedings to retaliate against clearly established First Amendment-protected speech violates rights of which any reasonable official would have known.

COUNT IV
Fourteenth Amendment—Deprivation of Liberty and/or Property
Without Due Process of Law, 42 U.S.C. § 1983
(Against Commission Defendants in their official capacities for
declaratory and injunctive relief)

101. General Rokita realleges and incorporates by reference paragraphs 1 through 100.

102. The Commission had no proper or lawful basis to demand that General Rokita respond substantively to the Sampson grievance.

103. Neither the Commission's July 29, 2026 letter to General Rokita nor the Sampson grievance itself cited any of the Indiana Rules of Professional Responsibility that General Rokita allegedly violated. *See* Ex. A.

104. Contrary to its own rules, the Commission demanded that General Rokita respond to the Sampson grievance even though it does not raise a "substantial question of misconduct." *See* Ind. Admis. Disc. R. 23(10)(a).

105. By demanding that General Rokita respond in writing to the plainly insubstantial Sampson grievance on pain of having his Indiana law license suspended and other discipline imposed, the Commission violated his constitutional right to be free from governmental deprivations of liberty or property without due process of law. *See* U.S. Const. amend. XIV, § 1, cl. 3; *Easter House v. Felder*, 910 F.2d 1387, 1407 (7th Cir. 1990) (en banc) ("Clearly, an unwarranted investigation by licensing officials conducted in a manner calculated to discourage customers or interfere with a licensee's business may violate a property right.").

106. The Commission's investigation of the meritless Sampson grievance is unwarranted and interferes with the performance of General Rokita's duties as Attorney General.

COUNT V
Declaratory Judgment, 28 U.S.C. § 2201(a)
(Against Commission Defendants)

107. General Rokita realleges and incorporates by reference paragraphs 1 through 106.

108. An actual controversy exists between General Rokita and the Commission Defendants concerning whether the Commission's pattern of demanding responses to, investigating, publicizing, and disclosing facially meritless grievances against General Rokita in retaliation for his protected speech violates the First Amendment.

109. General Rokita is entitled to a declaration that the Commission's pattern of conduct, including the public disclosure of confidential proceedings, violates the First Amendment, and to an injunction restraining its continuation.

PRAYER FOR RELIEF

WHEREFORE, General Rokita respectfully requests that the Court:

a. Enter judgment declaring that the Commission's pattern of retaliatory and harassing conduct, including the disclosure of confidential proceedings, violates the First Amendment;

b. Enter judgment declaring that General Rokita need not respond to the Sampson grievance because requiring him to respond would violate the First Amendment;

c. Preliminarily and permanently enjoin the Commission Defendants, in their official capacities, from continuing that pattern of conduct, including from processing grievances against General Rokita in retaliation for his protected speech and from disclosing confidential proceedings;

d. Award compensatory damages against the Commission Defendants and Former Commissioners in their individual capacities for the reputational and other injuries caused by their disclosure of confidential proceedings;

e. Award nominal damages against the Commission Defendants and Former Commissioners in their individual capacities for the violation of General Rokita's First Amendment rights;

f. Award punitive damages against the Commission Defendants and Former Commissioners in their individual capacities for their disclosure of confidential proceedings in reckless or callous indifference to General Rokita's constitutional rights;

g. Award General Rokita his reasonable attorneys' fees and costs under 42 U.S.C. § 1988(b); and

h. Grant any other relief that the Court deems just, proper, and equitable.

JURY TRIAL DEMAND

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, the Plaintiff demands a jury trial on any issue triable of right by a jury.

Respectfully submitted,

/s/ Paul O. Mullin

Paul O. Mullin

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* Admitted to practice in the U.S. District
Court for the Southern District of Indiana

** *Pro hac vice* application forthcoming

Counsel for Plaintiff Theodore E. Rokita

Dated: October 1, 2026

EXHIBIT A



Disciplinary Commission

Adrienne Meiring, Executive Director • 317-232-1807 • courts.in.gov

July 29, 2026

CERTIFIED MAIL NUMBER 9589 0710 5270 3422 0469 74

Theodore Edward Rokita, Esq.
c/o James J. Ammeen
Attorney at Law
Barrister Building #550
115 East Market Street
Indianapolis, IN 46204

RE: Jess Sampson vs. Theodore E. Rokita
Our Matter No. 26-1114

Dear Theodore Rokita:

I am enclosing a copy of a grievance filed against you with the Disciplinary Commission by Jess Sampson.

This is a demand for a written response. You are required to provide a written response to this office within thirty (30) days of the date you receive this letter, or such additional time as you are granted upon request, as provided by Admission and Discipline Rule 23, §§ 10(a)(2) and (e). You could be suspended from the practice of law for failure to respond to this grievance and cooperate with our investigation, as provided by Admission and Discipline Rule 23, § 10(f). In addition, your knowing failure to respond or failure to timely respond may subject you to disciplinary action for a violation of Rule of Professional Conduct 8.1(b), even in the absence of any other misconduct. Please submit any documentation that is material to the issues presented in the grievance.

An extension of time to respond to the grievance must be submitted in writing to this office. An extension of time will not be granted by telephone request. Please do not call the office to request an extension of time to file a response.

A member of our staff will conduct a preliminary investigation of this grievance based upon it and your response, as well as other information. A decision will then be made to either: 1) dismiss this matter as not presenting reasonable cause to believe you engaged in misconduct, or 2) docket the case for further investigation and presentation to the full Disciplinary Commission. The Commission will then consider whether reasonable cause exists to believe you engaged in misconduct warranting disciplinary action.

Theodore Edward Rokita, Esq.
c/o James J. Ammeen
Attorney at Law
July 29, 2026
Page Two

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Adrienne L. Meiring".

Adrienne L. Meiring
Executive Director

ALM/jb
Enclosure



INDIANA SUPREME COURT DISCIPLINARY COMMISSION

Request for Investigation

Email completed form to: DCGrievance@courts.in.gov

Or mail to: 251 N. Illinois Street, Ste. 500
Indianapolis, Indiana 46204

Any attachments to this form must be saved as a part of a single PDF document. Please visit "[How to lock a fillable form](#)" to learn how to correctly save your completed form. A blank template page is provided at the end of this form for a detailed statement of your basis for this complaint against the attorney. Include copies (not originals) of documents that support your complaint. If you are unable to scan, please list all documents you have to support your complaint.

GRIEVANT'S INFORMATION (Who is filing this complaint?)					
Name	Jess Sampson				
Address	5943 N 600 E			Apartment/Unit #	
City	Rochester	State	IN	Zip Code	46975
Home Phone Number	(574) 242-0033		Work Phone Number	(574) 242-0033	
Email address					
ATTORNEY INFORMATION					
Name of Attorney	Theodore E. Rokita				
Address of Attorney	Office of Attorney General Indiana Government Center South 302 West Washington St., 5th Floor				
Phone Number of Attorney	(317) 234-6784				
CASE INFORMATION					
Cause number of the case	25D01-2512-PL-000903		Court for the case		
Date employed			Reason for employing		
Agreed Attorney Fees			Total fees paid		
NATURE OF COMPLAINT: Using the template on the next page, please state in full detail the basis of your complaint against the attorney. If necessary, use additional paper, or any other form as long as the information is complete, and the complaint is sworn to be true. Keep a copy of the complaint and any attachments for your personal records, as staff will not be able to provide you with any copies later.					

- ☒ I affirm, under penalties of perjury that the foregoing representations are true.
- ☒ I understand that the Indiana Supreme Court Disciplinary Commission does not have authority to intervene on my behalf in any proceeding or to change any decision reached by a court. In filing this complaint, I agree to cooperate with the Commission and its agents and to testify, if asked, concerning the matters raised in my complaint. I understand that the attorney will receive a copy of my complaint and that Indiana Supreme Court Admission and Discipline Rule 23, Section 25, provides that I am immune from civil suit against me based on the content of my allegations of attorney misconduct to the extent those allegations are made to the Commission or in the course of the Commission's investigation or hearing procedures under Ind. Admission and Discipline Rule 23. Therefore, I am not immune from civil suit for any allegations I make public or which I communicate to any entity other than the Commission.

(Electronic signature is acceptable: i.e., the indicator /s/ followed by the person's name)

/s/ Jess Sampson
Signature

12/17/2025
Date

See attached narrative of circumstances.

See attached complaint filed by Rokita.

See Motion to Disqualify.

See IA generated response to the following inquiry:

May a state attorney general use his office to resolve his own personal debt or grievance?

AI Overview

No, a state attorney general cannot use their official office, letterhead, or authority to collect their own personal debt. Such an action would be an abuse of power and a significant ethical and legal violation, likely constituting a severe conflict of interest and potentially violating state and federal laws such as the Fair Debt Collection Practices Act (FDCPA) and general ethics statutes.

Legal and Ethical Implications

Abuse of Public Office: The primary role of the Attorney General's office is to serve the public interest and enforce state laws, not to conduct personal business or pursue private gain.

Conflict of Interest: Using state resources and authority for a personal financial matter creates a direct conflict of interest, as personal financial interests would interfere with the duty to act impartially and in the best interest of the government.

Misrepresentation of Authority: Communications on official letterhead for personal matters would falsely imply the weight and authority of the state government is behind a private claim, which could be considered a deceptive practice.

Violation of FDCPA: While a state, in its official capacity, can collect debts owed to it (and can hire outside counsel to do so using state letterhead), the FDCPA prohibits abusive, unfair, or deceptive practices by debt collectors for personal debts. An Attorney General acting on a personal debt would not be acting as a state officer in that context.

Potential Penalties: An Attorney General who engages in such conduct could face severe penalties, including disbarment, fines, civil lawsuits, and potentially criminal charges for official misconduct or corruption.

The Attorney General, like any other citizen, must pursue personal debts through standard legal channels (e.g., small claims court, private attorneys, or collection agencies) without involving their official government position or resources.

On July 14 2025 I recived a facebook message from Todd Rokita asking for assistance to get his jet ski running he asked a bunch of questions and sent a couple videos and i told him with out doing my on diagnostics i couldn't help him because it could be a number of different things at this point i told him my name and gave him my personal contact info and if he needed further assistance or wanted me to do diagnostics on jet ski to get ahold of me on July 17 he replied ok thanks he would contact me the next day to set up a time and date to drop off his jet ski. On July 18 Todd Rokita called my personal contact and i missed the call then i received a text message and never responded to either as i was super busy at the time. On July 19 i received another text message from Todd Rokita asking if it was ok to drop his jet ski off the next day i responded thru text message and told him yes i would be around all day and gave him my home address. Todd Rokita showed up in person with his jet ski to my residents and dropped it off for a diagnostic test for a no start problem at this time i tested many electrical parts as a couple parts failed all tests at this point i diagnosed a no spark issue i contacted Todd Rokita via text and informed him of the test results of a bad cdi box and a pulsar coil which are componits that provide spark to the engine i also told him it could possibly be more but without tearing the jet ski down to physically see what was going on i couldnt be for sure it was just them 2 parts that finialized the diagnostic proceedure he then asked what the procedure was to move forward with the jet ski i gave him some prices that i had found on ebay for the parts and a labor price to do the work he asked if i sourced the parts i told him i would need him to cover parts cost and he would pay the labor and diagnostic when the job was complete and he was in agreence to i then sent him direct ebay links so he could order his own parts and have them shipped to my address in the mean time i tore the jet ski down to find that the parts that i diagnosed bad were bad along with another part which was a flywheel i contacted mr.rokita and advised him he was gonna need to replace the flywheel i sent him several photos of all damage that was done and of all parts that were bad he then asked were to get a flywheel once again i sent him a direct link to purchase one and send it just like he did the other parts once i received the flywheel i then put the jet ski all back together will all the new parts and success it ran the way it should no issues july 31i then sent him a text message letting him know it was done and ready to be picked along with a bill for \$800.00 he said great ill be there to pick it up this weekend on august 1he texted messaged me and asked me to write a paper invoice for the repairs on the jetski i told him i would but i would have to charge him tax and he informed me he didnt have to pay tax so against my better judgement i wrote the invoice for him with no tax attached as he stated he may need it for engine builder or small claims court purposes. on aug 3 todd rokita showed up to my residents to pick up his jetski as well as pay the bill on it and at the same time we went over the old parts and showed him it ran as it should now and should be good to go that completed the job. later on the same evening Todd Rokita called and stated he was riding the jet ski and it quit running on him i told him to bring it back and i would go over it and see what was going on with it he brought it back i took it apart and found that the flywheel

was loose at this point i checked everything and put the jet ski back together for second time and took it out to my local lake myself and rode it after a hour of riding the jet ski perfomed the same problem for me as it did for him so at this point i know for certain it has a crankshaft issue i then informed mr rokita that it has a crank shaft issue he then sends me photos and mesages from previous owner and the jet ski having crank shaft problems in the past at that time i told him i know its not what you wanna hear but your gonna have to either replace the crankshaft or have it fixed to solve the problem he then asked me if i had a local machine shop i could go thru and i advised him i would take the engine out and he could take it to his own choice of place to perform the work it needed to have done as it was a very critical job and i didnt want any liability issue's so he would have to do that also gave him a couple other opitions of how to take care of the issue but none of the choices were a cheap fix and wasnt sure what kind of money he was looking to spend he then states he is sick and livid about it he then asked about selling it for parts and i told him it was a big hassel and takes someone that does it all the time and he would never get his money out of it he then attempted to get me to fix it in many different ways that was not correct and would lead to failure i then advised him again i woudnt do any work that way because of the liability issues.on aug13 i sent mr.rokita a couple photos of personal jet skis i was gonna sell do to i dont ride them enough i sent photos and descriptions of the jet skis and told him i didnt need to or have to sell them but would if he knew what i meant told him he could check them out and ride them no commitments he said he wanted to buy one or the other he then asked my opnion which one i though would be best for him i gave him my honest opinion from the questions he asked me but told him he could deciede for himself at this point he say lets talk tomorow to finialize what jet ski he wants to buy and what to do with his original jet ski he brought .on aug 15 Todd Rokita and i talked and he had decided he wanted to buy a 2001 seadoo gtx limited and wanted to pick up on Aug 16 and was trying to get me to take his original jet ski i told him i didnt want it.at this point i unloaded the original jet ski Todd Rokita had from his trailer and loaded the 2001 seadoo gtx he was coming to get and sent him a photo of it and told him it was ready to go.on aug16 Todd Rokita showed up to my residence to finish up the purchase of the 2001 seadoo gtx at this time we went over it having a new built motor and it was under break in period and he had to follow break in conditions or it could cause major engine failure told him no consist rpms and definintly no full throttle runs for atleast 10 hours and he said he completly understand i also told him he could find the same proceedure in the seadoo owners manual he went over the jet ski showed him everything was is perfect working order showed it ran no issues and tried to get him to take to my local lake and ride it to make sure it was what he wanted and there was no issues he was concerned with he told me he didnt have time as he has to meet someone at his place really soon and i told him i wished he would ride it first to make me feel more comfortable about it and he still insisted he was okay with not riding it at this point i gave Todd Rokita a clean clear title signed off from previous owner no date no selling price as i never

registered the jet ski and a bill of sale from myself stating i sold him the jetski as is for the selling price of \$3000 dollars and away he went. On aug 17 later in the evening Todd Rokita sent me a text message video saying i took this thing out for a full throttle run it bogged down and died and he was stuck on the water i tried to navigate him on some ways to get it to start to get him back to land with no success i then told him to bring the jet ski back and we would go over it together to see what was wrong with it he brought it back the same evening and we did just that first we did a compression check front cylinder 100 psi back cylinder 0 psi which both cylinders should read the same psi i told him it was blown up but we would use an endoscope to look down in the cylinders to confirm that was what was going for sure and indeed it was found to be blown up at this point Todd Rokita demanded i give his money back and i advised him that's not how it works when you buy something as is and have already been out beating on it after knowing no full throttle runs during break in period was a condition of the sale but me being who i am i told him i would meet him in the middle with the issue as my reputation means more than the money at this point i told him i would order all replacement parts out of my pocket and do all the labor to get it back to right if he would like me to do that and he was in agreeance that would make him happy so i ordered all replacement parts including upgraded parts he wanted installed that cost me \$400 dollars extra that he said he would pay for. when parts arrived i rebuilt complete top of engine on aug 31 Todd Rokita text me and asked if we was good to meet the next day to test the jet ski out i told him that was fine. on sep 1 Todd Rokita texted and said he would be at my residence at 12:30 when he arrived we went over several steps to ensure everything was good on the jet ski we first did a compression check both cylinders checked out at 100 psi which is perfect and he agreed next we hooked a water hose up to the jet ski and started it ran it for a short bit with a few slight throttle increase to show no running issues as well as no over heating issues at this point we go over the same break in conversation as the first time and told him anytime you build or rebuild an engine it requires 10 hours break in time period if you dont follow the correct break in strategy it will destroy the engine again and he said he completely understood when we done with that he noticed another personal jet ski of mine and told me he has a buddy looking for one and i told him i didnt really wanna sell it but i would for the right price and then we left to my local boat ramp on lake manitou rochester indiana for the last step and that was a test ride Todd Rokita rode the jet ski for 1 hour and 15 mins no issues at all at this time we loaded jet ski on the trailer and pulled it out of the water and pulled in a parking spot and park at this moment Todd Rokita shook my hand and said he was completely happy with the jet ski and thank you for doing what i did we good in his eyes i advised him it wasnt a problem and just know from here on out any damages or problems that occur was his own personal problem at this point and he agreed to that as well. On Sep2 Todd Rokita texted me and said he had put more hours on the jet ski at his lake and everything was good he also said he was reading the owners manual for the 2001 seadoo gtx about different things and also asked for photos and info on the jet ski he thought

his buddy may want to buy so i sent him 2 photos and info about the jet ski never heard anything else. On Sep 18 16 days later i messaged Todd Rokita and asked him whatever happen with his buddy and the jet ski at this time i advised him that i was trying to buy a corvette and need the extra cash so i would make someone a great deal on the jet ski if it was bought by friday he asked what kind of corvette i was buying and he said he may have corvette he could sell me i told him he couldnt come close to the deal i had going on plus his car wasnt what i was looking for he then said he was gonna go ahead and buy the other jet ski he then asked if the title was in my name and i told him it was an open title just like the last jet ski was signed off from previous owner no date no selling price also sent him photos of front and back of title and he said ok let plan for 2:30 tomorrow. On Sep 19 Todd Rokita messaged me and said im bringing the money today but may not have a vechile to take it with me he said he would come back and get it sunday or monday and i told him that was fine id give him the title and keys and he could pick it up at his convenience he said ok later on the same day he sends me a video of himself riding the 2001 seadoo gtx jet ski i sold him having and issue i asked him what was up with it he stated so far looks like a fouled spark plug said he checked compression both was at a 100 psi just like the day he got it back he also stated that after 7 hours of 4500 rpm or less break in time i took it out for it first open throttle run he also stated he wanted to square up on the \$400 dollars he owed me that was never paid at the time he got the jet ski back the second time he stated he replaced the spark plugs and was good to go and was gonna take it out for another run he said it ran well for a while and then died heard some clunking around wont turn over doesnt sound good still on the water a few minutes later he messaged said he was getting towed in at this time he sent me a video of what it was doing and asked what i thought it was i told him i wasnt 100% sure what was up but at this point he is late as im waiting on him to show up to complete the deal on the second jet ski so i message and ask him if he is still coming my way to finish deal and he says not really in the mood to buy another jet ski anymore given this event but dont wanna leave you stranded either do you have a backup plan/buyer? i told him i was depending on his word to make my deal happen for sure but could not make him buy something if he didnt want to period so i told him to tell me what it was gonna be id let him make the decision but either way i needed to know i never got a response so i called Todd Rokita and he stated he was thinking he should be able to bring the first jet ski back after messing it up a second time and give me \$500 for the jet ski he was supposed to purchasing from me at this time i told him he was absolutely nuts i wasnt selling him anything and that he could take the jet ski i sold him along with the \$400 he owed me and come get his original jet ski outta my yard and shove all three of them up his ass and loose my number and thats the last i ever heard from the guy.

Invoice

[illegible]

OFFICE OF THE ATTORNEY GENERAL
STATE OF INDIANA



302 W. WASHINGTON ST. 5TH FLOOR
INDIANAPOLIS, IN 46204-2770

November 18, 2025

TODD ROKITA
ATTORNEY GENERAL

Jess Sampson
5943 N 600 E
Rochester, IN 46975

VIA CERTIFIED MAIL

Re: Notice of Violations

Dear Mr. Sampson,

The Office of the Indiana Attorney General ("OAG") has been investigating your business practices involving the advertising and sale of used vehicles and parts.

It is the OAG's position that you have committed violations of the Deceptive Consumer Sales, Indiana Code § 24-5-0.5-1 *et seq.*, specifically as follows:

- You have advertised for sale and/or sold various motor vehicles, watercraft, and trailers without the proper dealer licenses issued by the Indiana Secretary of State, in violation of Ind. Code § 24-5-0.5-3(a) and Ind. Code § 24-5-0.5-10.
- You have stored and advertised for sale and/or sold various salvage vehicle/watercraft parts without a salvage recycler license issued by the Indiana Secretary of State, in violation of Ind. Code § 24-5-0.5-3(a) and Ind. Code § 24-5-0.5-10.
- You represented on certain online advertisements posted to Facebook Marketplace that you are "licensed." It does not appear that you hold any motor vehicle dealer license, watercraft dealer license, or salvage recycler license issued by the Indiana Secretary of State's Office. Such a misrepresentation is a violation of Ind. Code § 24-5-0.5-3(a) and Ind. Code § 24-5-0.5-3(b)(7).
- You have acquired and sold numerous motor vehicles, watercraft and trailers without titling the vehicles/trailers in your name prior to sale, in violation of Ind. Code § 24-5-0.5-3(a), as well as various Indiana titling and sales tax statutes.

TELEPHONE: 317-232-6201
www.in.gov/attorneygeneral/

- You have made misrepresentations regarding the quality of vehicles sold to consumers in violation of Ind. Code § 24-5-0.5-3(a) and Ind. Code § 24-5-0.5-3(b)(1) and (2). Specifically, you represented the quality of a watercraft sold to consumer Todd Rokita. Initially, you attempted to repair a Yamaha watercraft for Mr. Rokita in the amount of \$1,400.00. The repairs were unsuccessful, and you instead sold Mr. Rokita a 2001 Seadoo watercraft for \$3,000.00. You represented in text messages to Mr. Rokita that the 2001 Seadoo had a rebuilt engine and a new oil pump. The Seadoo did not have a rebuilt engine or new oil pump as represented. Mr. Rokita incurred a repair bill of \$5,912.33 to attempt to get the watercraft into the condition you represented at the time of sale.

As it appears you have not had any prior violations with the OAG, and in accordance with the OAG's policy to prioritize consumer restitution in lieu of litigation and civil penalties where appropriate, the OAG would propose to resolve this matter with your payment of consumer restitution in the amount of \$8,912.33 and the OAG's warning to cease the conduct referenced above.

If this resolution is acceptable, please notify me in writing of your acceptance no later than November 26, 2025 and provide a check for consumer restitution in the amount of \$8,912.33, representing the cost of the 2001 Seadoo and the subsequent repairs, payable to Todd Rokita and sent to my attention at:

Office of the Indiana Attorney General
Attn: Mark Snodgrass
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

If I do not hear from you by November 26, 2025, the OAG may pursue all available remedies against you, including the filing of a Complaint for the violations outlined herein seeking consumer restitution, costs and civil penalties of \$5,000.00 per violation.

If you have any questions or wish to discuss this matter further, please do not hesitate to contact me. Your time and attention in this matter is greatly appreciated.

Sincerely,



Mark Snodgrass
Deputy Attorney General
Consumer Protection Division

Phone: (317) 234-6784

Email: Mark.Snodgrass@atg.in.gov

On July 14 2025 I recived a facebook message from Todd Rokita asking for assistance to get his jet ski running he asked a bunch of questions and sent a couple videos and i told him with out doing my on diagnostics i couldn't help him because it could be a number of different things at this point i told him my name and gave him my personal contact info and if he needed further assistance or wanted me to do diagnostics on jet ski to get ahold of me on July 17 he replied ok thanks he would contact me the next day to set up a time and date to drop off his jet ski. On July 18 Todd Rokita called my personal contact and i missed the call then i received a text message and never responded to either as i was super busy at the time. On July 19 i received another text message from Todd Rokita asking if it was ok to drop his jet ski off the next day i responded thru text message and told him yes i would be around all day and gave him my home address. Todd Rokita showed up in person with his jet ski to my residents and dropped it off for a diagnostic test for a no start problem at this time i tested many electrical parts as a couple parts failed all tests at this point i diagnosed a no spark issue i contacted Todd Rokita via text and informed him of the test results of a bad cdi box and a pulsar coil which are componits that provide spark to the engine i also told him it could possibly be more but without tearing the jet ski down to physically see what was going on i couldnt be for sure it was just them 2 parts that finialized the diagnostic proceedure he then asked what the procedure was to move forward with the jet ski i gave him some prices that i had found on ebay for the parts and a labor price to do the work he asked if i sourced the parts i told him i would need him to cover parts cost and he would pay the labor and diagnostic when the job was complete and he was in agreence to i then sent him direct ebay links so he could order his own parts and have them shipped to my address in the mean time i tore the jet ski down to find that the parts that i diagnosed bad were bad along with another part which was a flywheel i contacted mr.rokita and advised him he was gonna need to replace the flywheel i sent him several photos of all damage that was done and of all parts that were bad he then asked were to get a flywheel once again i sent him a direct link to purchase one and send it just like he did the other parts once i received the flywheel i then put the jet ski all back together will all the new parts and success it ran the way it should no issues july 31i then sent him a text message letting him know it was done and ready to be picked along with a bill for \$800.00 he said great ill be there to pick it up this weekend on august 1he texted messaged me and asked me to write a paper invoice for the repairs on the jetski i told him i would but i would have to charge him tax and he informed me he didnt have to pay tax so against my better judgement i wrote the invoice for him with no tax attached as he stated he may need it for engine builder or small claims court purposes. on aug 3 todd rokita showed up to my residents to pick up his jetski as well as pay the bill on it and at the same time we went over the old parts and showed him it ran as it should now and should be good to go that completed the job. later on the same evening Todd Rokita called and stated he was riding the jet ski and it quit running on him i told him to bring it back and i would go over it and see what was going on with it he brought it back i took it apart and found that the flywheel

was loose at this point i checked everything and put the jet ski back together for second time and took it out to my local lake myself and rode it after a hour of riding the jet ski performed the same problem for me as it did for him so at this point i know for certain it has a crankshaft issue i then informed mr rokita that it has a crank shaft issue he then sends me photos and messages from previous owner and the jet ski having crank shaft problems in the past at that time i told him i know its not what you wanna hear but your gonna have to either replace the crankshaft or have it fixed to solve the problem he then asked me if i had a local machine shop i could go thru and i advised him i would take the engine out and he could take it to his own choice of place to perform the work it needed to have done as it was a very critical job and i didnt want any liability issue's so he would have to do that also gave him a couple other options of how to take care of the issue but none of the choices were a cheap fix and wasnt sure what kind of money he was looking to spend he then states he is sick and livid about it he then asked about selling it for parts and i told him it was a big hassel and takes someone that does it all the time and he would never get his money out of it he then attempted to get me to fix it in many different ways that was not correct and would lead to failure i then advised him again i woudnt do any work that way because of the liability issues.on aug13 i sent mr.rokita a couple photos of personal jet skis i was gonna sell do to i dont ride them enough i sent photos and descriptions of the jet skis and told him i didnt need to or have to sell them but would if he knew what i meant told him he could check them out and ride them no commitments he said he wanted to buy one or the other he then asked my opnion which one i though would be best for him i gave him my honest opinion from the questions he asked me but told him he could decide for himself at this point he say lets talk tomorow to finialize what jet ski he wants to buy and what to do with his original jet ski he brought .on aug 15 Todd Rokita and i talked and he had decided he wanted to buy a 2001 seadoo gtx limited and wanted to pick up on Aug 16 and was trying to get me to take his original jet ski i told him i didnt want it.at this point i unloaded the original jet ski Todd Rokita had from his trailer and loaded the 2001 seadoo gtx he was coming to get and sent him a photo of it and told him it was ready to go.on aug16 Todd Rokita showed up to my residence to finish up the purchase of the 2001 seadoo gtx at this time we went over it having a new built motor and it was under break in period and he had to follow break in conditions or it could cause major engine failure told him no consist rpms and definintly no full throttle runs for atleast 10 hours and he said he completly understand i also told him he could find the same proceedure in the seadoo owners manual he went over the jet ski showed him everything was is perfect working order showed it ran no issues and tried to get him to take to my local lake and ride it to make sure it was what he wanted and there was no issues he was concerned with he told me he didnt have time as he has to meet someone at his place really soon and i told him i wished he would ride it first to make me feel more comfortable about it and he still insisted he was okay with not riding it at this point i gave Todd Rokita a clean clear title signed off from previous owner no date no selling price as i never

registered the jet ski and a bill of sale from myself stating i sold him the jetski as is for the selling price of \$3000 dollars and away he went. On aug 17 later in the evening Todd Rokita sent me a text message video saying i took this thing out for a full throttle run it bogged down and died and he was stuck on the water i tried to navigate him on some ways to get it to start to get him back to land with no success i then told him to bring the jet ski back and we would go over it together to see what was wrong with it he brought it back the same evening and we did just that first we did a compression check front cylinder 100 psi back cylinder 0 psi which both cylinders should read the same psi i told him it was blown up but we would use an endoscope to look down in the cylinders to confirm that was what was going for sure and indeed it was found to be blown up at this point Todd Rokita demanded i give his money back and i advised him that's not how it works when you buy something as is and have already been out beating on it after knowing no full throttle runs during break in period was a condition of the sale but me being who i am i told him i would meet him in the middle with the issue as my reputation means more than the money at this point i told him i would order all replacement parts out of my pocket and do all the labor to get it back to right if he would like me to do that and he was in agreeance that would make him happy so i ordered all replacement parts including upgraded parts he wanted installed that cost me \$400 dollars extra that he said he would pay for. when parts arrived i rebuilt complete top of engine on aug 31 Todd Rokita text me and asked if we was good to meet the next day to test the jet ski out i told him that was fine. on sep 1 Todd Rokita texted and said he would be at my residence at 12:30 when he arrived we went over several steps to ensure everything was good on the jet ski we first did a compression check both cylinders checked out at 100 psi which is perfect and he agreed next we hooked a water hose up to the jet ski and started it ran it for a short bit with a few slight throttle increase to show no running issues as well as no over heating issues at this point we go over the same break in conversation as the first time and told him anytime you build or rebuild an engine it requires 10 hours break in time period if you dont follow the correct break in strategy it will destroy the engine again and he said he completely understood when we done with that he noticed another personal jet ski of mine and told me he has a buddy looking for one and i told him i didnt really wanna sell it but i would for the right price and then we left to my local boat ramp on lake manitou rochester indiana for the last step and that was a test ride Todd Rokita rode the jet ski for 1 hour and 15 mins no issues at all at this time we loaded jet ski on the trailer and pulled it out of the water and pulled in a parking spot and park at this moment Todd Rokita shook my hand and said he was completely happy with the jet ski and thank you for doing what i did we good in his eyes i advised him it wasnt a problem and just know from here on out any damages or problems that occur was his own personal problem at this point and he agreed to that as well. On Sep2 Todd Rokita texted me and said he had put more hours on the jet ski at his lake and everything was good he also said he was reading the owners manual for the 2001 seadoo gtx about different things and also asked for photos and info on the jet ski he thought

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FULTON CO CLERK OFFICE
815 MAIN ST RM 206
ROCHESTER, IN 46975-1546

ELECTRONIC SCAN REQUIRED

G

USPS GROUND ADVANTAGE™

FULTON CO CLERK OFFICE
815 MAIN ST RM 206
ROCHESTER, IN 46975-1546



Zone 1

JESS SAMPSON
5943 N 600 E
ROCHESTER, IN 46975-9754

**GROUND
ADVANTAGE™**

Nonstandard Parcel

USPS SIGNATURE TRACKING



9202 1901 0661 5400 0213 7462 09

Electronic Rate Approved #901066154

Attention Carrier on Route #R005

This piece is being monitored for
Delivery and Scanning accuracy



25D01-2512-PL-000903



3:00 P.M.

25D01-2512-PL-000903

Fulton Superior Court

Filed: 12/4/2025 9:48 AM
Clerk
Fulton County, IndianaSTATE OF INDIANA
IN THE FULTON COUNTY SUPERIOR/CIRCUIT COURT

CAUSE NO. _____

STATE OF INDIANA,

Plaintiff,

v.

JESS SAMPSON,

Defendant.

SUMMONS

TO DEFENDANT: Jess Sampson
 5943 N 600 E
 Rochester, IN 46975

You have been sued by the person named "Plaintiff," in the court stated above.

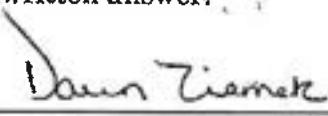
The nature of the suit against you is stated in the complaint that is attached to this summons. It also states the relief sought or the demand made against you by the Plaintiff.

You must answer the complaint in writing, by you or your attorney, within twenty (20) days, commencing the day after you receive this summons (you have twenty-three (23) days to answer if this summons was received by mail), or a judgment by default may be rendered against you for the relief plaintiff has demanded.

If you have a claim for relief against the plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

12/4/2025

Dated: _____


Clerk of the Court of Fulton County

(Seal)

Plaintiff designates the following manner of service:

Certified Mail at the above address



THE OFFICE OF THE INDIANA
ATTORNEY GENERAL

By: /s/ Mark M. Snodgrass
Mark M. Snodgrass
Deputy Attorney General
Attorney Number 29495-49

Office of Attorney General
Indiana Government Center South
302 West Washington St., 5th Floor
Indianapolis, IN 46204
Telephone: (317) 234-6784
Fax: (317) 233-4393
Mark.Snodgrass@atg.in.gov

25D01-2512-PL-000903

Fulton Superior Court

Filed: 12/4/2025 9:46 AM
Clerk
Fulton County, IndianaSTATE OF INDIANA
IN THE FULTON COUNTY SUPERIOR/CIRCUIT COURT

CAUSE NO. _____

STATE OF INDIANA,

Plaintiff,

v.

JESS SAMPSON,

Defendant.

COMPLAINT
FOR INJUNCTION,
RESTITUTION, CIVIL
PENALTIES, AND COSTSI. INTRODUCTION

1. The State of Indiana, by Attorney General Theodore E. Rokita and Deputy Attorney General Mark M. Snodgrass, commences this civil action under the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1 *et seq.*, and the Regulation of Vehicle Merchandising Act, Ind. Code § 9-32-11-1 *et seq.*, for injunctive relief, consumer restitution, civil penalties, costs, and other relief.
2. The Defendant, Jess Sampson, frequently advertises and sells vehicles on Facebook Marketplace while engaging in a variety of deceptive and unfair acts and practices. Sampson advertises and sells numerous motor vehicles, watercraft, trailers, and vehicle parts despite not having any of the required licenses issued by the Indiana Secretary of State to do so. Sampson also does not obtain titles in his name for the vehicles he owns and sells as required by Indiana law. Sampson instead "title jumps" the vehicles from the previous owners to his buyers, skipping titling the vehicles in his own name. Sampson

has also made multiple misrepresentations in Facebook Marketplace advertisements, as well as directly to consumers. Sampson has represented in Facebook Marketplace advertisements that he is "licensed" when he is not. Sampson also has misrepresented the quality of the vehicles he sells by representing the engine of a specific vehicle had been rebuilt when it had not, as well as represented specific repairs had been made to the vehicle when such repairs had not been performed. Sampson's misrepresentations and actions are unfair, abusive, and deceptive, and constitute violations of Indiana's Deceptive Consumer Sales Act and Regulation of Vehicle Merchandising Act.

II. PARTIES

3. The plaintiff, the State of Indiana, is authorized to bring this action and to seek injunctive and other statutory relief under Ind. Code § 24-5-0.5-4(c).
4. The defendant, Jess Sampson, is an individual engaged in the repair, advertisement and sale of used motor vehicles, watercraft, trailers, and vehicle parts to Indiana consumers, with a principal place of business in Fulton County, located at 5943 N 600 E, Rochester, Indiana, 46975.

III. FACTS

A. Selling Motor Vehicles and Watercraft without a License

5. Under Ind. Code § 9-32-11-1(a)(3), all dealers advertising and selling used motor vehicles, watercraft and trailers operating within the State of Indiana must obtain a dealer license from the Indiana Secretary of State ("SOS").
 6. Sampson has never held a license issued by the Indiana SOS to sell motor vehicles, watercraft or trailers.
 7. Sampson has offered for sale and/or sold numerous motor vehicles, watercraft and trailers, in-person and through Facebook Marketplace utilizing the account name "JessMarcy Sampson."
 8. The exact number of motor vehicles, watercraft and trailers offered for sale and/or sold by Sampson is unknown but on information and belief, the number of motor vehicles, watercraft and trailers Sampson has offered for sale and/or sold requires him to obtain the relevant licenses under Ind. Code § 9-32-2.1-44 and Ind. Code § 9-32-2.1-46.
- B. Storing, Rebuilding, and Selling Vehicle Parts Without a Salvage Rebuilder's License**
9. Under Ind. Code § 9-32-11-1(a)(5), all Automotive Salvage Recyclers operating within the State of Indiana must obtain a license from the Indiana Secretary of State ("SOS"). An Automotive Salvage Recycler is defined by Ind. Code § 9-32-9-1 in part as "any person that acquires, sells, or advertises for sale a used major component part of a motor vehicle; wrecks, dismantles, shreds, compacts, crushes or otherwise destroys a motor vehicle for resale of the major component parts of the motor vehicle...or engages in the business

of storing, disposing, salvaging or recycling of operable or inoperable motor vehicles, vehicle hulks, or parts of motor vehicles."

10. Sampson engages in the business of storing, disposing, salvaging and recycling of motor vehicles, vehicle hulks, and parts of motor vehicles, including watercraft, at his home address, located at 5943 N 600 E, Rochester, Indiana, 46975.
11. Sampson advertises the sale of used watercraft parts, including major component parts, through Facebook Marketplace utilizing the account name "JessMarcy Sampson."
12. In one such Facebook Marketplace advertisement titled "2021 Jetski Parts" Sampson represented that "I have tons of Jetski parts for sale all makes and models..." accompanied by a picture of numerous salvage jet skis arrayed and stored on Sampson's property.
13. Sampson sells major component parts of motor vehicles, including watercraft parts.

C. Title Jumping Motor Vehicles, Watercraft and Trailers

14. Indiana residents must obtain certificates of title for all vehicles they own under Ind. Code § 9-17-2-1. An Indiana resident must apply for the certificate of title within forty-five (45) days of purchasing the vehicle in accordance with Ind. Code § 9-17-2-14.7. The resident would also pay all sales tax owed to the state upon applying for a certificate of title with the Indiana Bureau of

Code
only
apply
to new
Indiana
Resident

Motor Vehicles ("BMV") if the consumer purchased the vehicle from a private seller.

15. Sampson purchased and owned numerous motor vehicles, watercraft, and trailers including all motor vehicles, watercraft, and trailers he advertised and sold on Facebook Marketplace, without applying for a title to the motor vehicles, watercraft, and trailers in his name.
16. Failure to obtain a title in the current owner's name and simply signing the title to the next purchasing consumer is referred to as "title jumping."
17. Title jumping a vehicle requires falsely representing to the purchasing consumer and the BMV, that the prior owner of the vehicle, rather than the current owner, is the seller of the vehicle to the purchasing consumer.
18. Title jumping creates numerous issues, including failure to pay the required sales tax for the vehicle purchase, creates a false transaction record, creates potential title issues for the new purchasing consumer due to the falsified transaction log on the title, as well as potentially leaves the new purchasing consumer with late fee charges with the BMV.

D. Misrepresentations Regarding Licensure

19. In Facebook Marketplace advertisements under the account name "JessMarcy Sampson," Sampson represented that he "H[as] tons of jetski parts for sale all makes and models also buy and service all power sports jet skis, atv's boats, snowmobiles, and motorcycle's I am licensed and insured...."

20. Sampson is not currently, nor has he ever been licensed to advertise or sell any type of motor vehicle or watercraft in the state of Indiana, nor is Sampson licensed to advertise or sell motor vehicle or watercraft parts.

E. Misrepresentations Regarding Repairs and Quality of Vehicles

21. Sampson represented to Todd Rokita that he could repair Rokita's Yamaha jet ski.

22. Roktia paid Sampson \$1,400.00 to perform the repairs, plus supplied Sampson with \$700.00 worth of parts.

23. Sampson was unable to repair the Yamaha jet ski as represented and instead urged Rokita to purchase a 2001 Seadoo RX 951 ("the Seadoo") that Sampson owned and was advertising for sale.

24. Sampson made multiple representations through text messages to Rokita regarding quality of the Seadoo, including the following statements:

24.1. "I have been completely thru it with every single piece of the engine being brand new other than the block so I know what's been done...."

24.2. "It has a brand new oil pump...."

24.3. "Food for thoughts 01 Seadoo gtx direct port fuel injection 135 hp has completely rebuilt engine...."

24.4. "The Seadoo pics are when I bought it and yes it's been completely gone thru new crank, bearings seal pistons rings when I say completely I mean everything...."

25. On August 16, 2025, Rokita purchased the Seadoo from Sampson for \$3,000.00.
26. The title for the Seadoo was not in Sampson's name when Sampson turned the title over to Rokita and as a result, Rokita incurred additional fees from the BMV.
27. Upon launching the Seadoo, Rokita found the Seadoo needed major repairs.
28. The Seadoo's engine had not been rebuilt with every piece of the engine being "brand new," it did not have a "brand new" oil pump, and the Seadoo needed a new crankshaft and rod bearing, despite Sampson's explicit representations to the contrary.
29. On September 26, 2025, Rokita paid a mechanic \$5,912.33 to replace many of the engine parts Sampson had represented as "rebuilt" and "brand new" to get the Seadoo running and into the approximate condition Sampson had represented.
30. Sampson knowingly committed the actions described in this Complaint.

IV. CAUSES OF ACTION

COUNT I:

VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT- ADVERTISING VEHICLES FOR SALE WITHOUT A LICENSE

31. The State realleges Paragraphs 1 through 30 of this Complaint.
32. Sampson regularly engages in "consumer transactions" under Ind. Code § 24-5-0.5-2(a)(1).
33. Sampson is a "supplier" under Ind. Code § 24-5-0.5-2(a)(3).

34. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by advertising motor vehicles and watercraft for sale without a license as required by Ind. Code § 9-32-11-1.
35. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-10(a)(1)(A) by soliciting to engage in consumer transactions for the sale of motor vehicles, watercraft, and trailers without a dealer license required by Ind. Code § 9-32-11-1.
36. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-10(a)(1)(B) by soliciting to engage in consumer transactions for the sale of motor vehicles, watercraft, and trailers without a dealer license required by Ind. Code § 9-32-11-1, without intending or being eligible to obtain such a license.

COUNT II:

VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT- SELLING
VEHICLES WITHOUT A LICENSE

37. The State realleges Paragraphs 1 through 36 of this Complaint.
38. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by selling motor vehicles and watercraft without a license as required by Ind. Code § 9-32-11-1.
39. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-10(a)(1)(C) by engaging in consumer transactions for the sale of motor vehicles, watercraft, and trailers without a dealer license required by Ind. Code § 9-32-11-1.

COUNT III:VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT- ADVERTISING
THE SALE OF MAJOR COMPONENT PARTS WITHOUT A LICENSE

40. The State realleges Paragraphs 1 through 39 of this Complaint.
41. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by advertising for sale the major component parts of motor vehicles and watercraft without a license as required by Ind. Code § 9-32-11-1.
42. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-10(a)(1)(A) by advertising for sale major component parts of motor vehicles and watercraft without a license as required by Ind. Code § 9-32-11-1.

COUNT IV:VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT- SELLING MAJOR
COMPONENT PARTS WITHOUT A LICENSE

43. The State realleges Paragraphs 1 through 42 of this Complaint.
44. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by selling major component parts of motor vehicles, watercraft, and trailers without a license as required by Ind. Code § 9-32-11-1.
45. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-10(a)(1)(C) by selling major component parts of motor vehicles, watercraft, and trailers without a license as required by Ind. Code § 9-32-11-1.

COUNT V:

VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT- STORING,
DISPOSING, AND SALVAGING VEHICLES WIHOUT A LICENSE

46. The State realleges Paragraphs 1 through 45 of this Complaint.
47. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by storing, disposing, salvaging or recycling of operable or inoperable motor vehicles, including watercraft, vehicle hulks, or parts of motor vehicles without a license as required by Ind. Code § 9-32-11-1.
48. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-10(a)(1)(C) by storing, disposing, salvaging or recycling of operable or inoperable motor vehicles, including watercraft, vehicle hulks, or parts of motor vehicles without a license as required by Ind. Code § 9-32-11-1.

COUNT VI:

VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT- FAILURE TO
TITLE VEHICLES

49. The State realleges Paragraphs 1 through 48 of this Complaint.
50. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by failing to title in his name motor vehicles, watercraft, and trailers that he owned, as required by Ind. Code § 9-17-2-1 and 9-17-2-14.7.
51. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by "title jumping" motor vehicles,

watercraft, and trailers and incorrectly completing titles to create false paperwork that incorrectly showed an individual other than Sampson was the seller of the vehicles.

COUNT VII:
VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT-
MISREPRESENTATIONS REGARDING LICENSURE

52. The State realleges Paragraphs 1 through 51 of this Complaint.
53. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by representing in Facebook Marketplace advertisements that he was "licensed" when he was not.

COUNT VIII:
VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT-
MISREPRESENTATIONS REGARDING QUALITY OF WATERCRAFT

54. The State realleges Paragraphs 1 through 53 of this Complaint.
55. Sampson committed unfair and deceptive acts, omissions, and practices violating Ind. Code § 24-5-0.5-3(a) by making various representations to Todd Rokita as recounted in Paragraphs 21-29 above when such representations were false.
56. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-3(b)(1) by making various representations to Todd Rokita as recounted in Paragraphs 21-29 above when such representations were false.

57. Sampson committed deceptive acts violating Ind. Code § 24-5-0.5-3(b)(2) by making various representations to Todd Rokita as recounted in Paragraphs 21-29 above when such representations were false.

COUNT IX:

KNOWING VIOLATIONS OF THE DECEPTIVE CONSUMER SALES ACT

58. The State realleges Paragraphs 1 through 57 of this Complaint.
59. Sampson committed the unfair and deceptive acts asserted in this Complaint with knowledge of his unfair and deceptive acts, subjecting Sampson to penalties under Ind. Code § 24-5-0.5-4(g).

COUNT X:

INCURABLE DECEPTIVE ACTS

60. The State realleges Paragraphs 1 through 59 of this Complaint.
61. The unfair and deceptive acts asserted in this Complaint are incurable deceptive acts and were committed by Sampson as part of a scheme, artifice, or device with intent to defraud or mislead, subjecting Sampson to penalties under Ind. Code § 24-5-0.5-8.

COUNT XI:

VIOLATIONS OF THE REGULATION OF VEHICLE MERCHANDISING ACT

62. The State realleges Paragraphs 1 through 61 of this Complaint.
63. Sampson violated Ind. Code § 9-32-11-1 by advertising, offering for sale, and/or selling motor vehicles, watercraft, and trailers without a license.
64. Sampson violated Ind. Code § 9-32-11-1 by advertising and/or selling major component parts of motor vehicles, including watercraft, without a license.

65. Sampson violated Ind. Code § 9-32-11-1 by storing, disposing, salvaging or recycling of operable or inoperable motor vehicles, including watercraft, vehicle hulks, or parts of motor vehicles without a license.

V. RELIEF

66. The State requests the Court enter judgment against the Defendant, Jess Sampson, for the relief described in Paragraphs 67 through 73 of this Complaint.
67. The State seeks a permanent injunction, under Ind. Code § 24-5-0.5-4(c)(1), enjoining Jess Sampson, his agents, representatives, employees, successors, and assigns, from:
- 67.1. Advertising or offering for sale, in any medium, including online, the sale of any vehicle or watercraft without a valid Indiana motor vehicle dealer license issued by SOS, unless the vehicle is titled in the name of Jess Sampson and is his personal vehicle, and such sales do not exceed the number of sales which would require licensure;
 - 67.2. selling any vehicle or watercraft without a valid Indiana motor vehicle dealer license issued by SOS, unless the vehicle is titled in the name of Jess Sampson and is his personal vehicle and such sales do not exceed the number of sales which would require licensure;
 - 67.3. advertising or offering for sale, in any medium, including online, the sale of any major component part of a motor vehicle without a valid Indiana Automotive Salvage Recycler license issued by SOS;

- 67.4. selling any major component part of a motor vehicle without a valid Indiana Automotive Salvage Recycler license issued by SOS;
- 67.5. storing, disposing, salvaging or recycling of operable or inoperable motor vehicles, vehicle hulks, or parts of motor vehicles without a valid Indiana Automotive Salvage Recycler license issued by SOS;
- 67.6. engaging in any other activities defined under Ind. Code § 9-32-9-1 without a valid Indiana Automotive Salvage Recycler license issued by SOS;
- 67.7. failing to apply for a title with the Indiana BMV in his name for any vehicle or watercraft in which he has an ownership interest within forty-five (45) days from the date Sampson purchased the vehicle;
- 67.8. representing to consumers or in advertisements that he is "licensed" when he is not;
- 67.9. representing vehicles or watercraft are of a certain quality when they are not or representing engines or parts have been replaced or are new when they are not;
- 67.10. committing an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction, in violation of Ind. Code § 24-5-0.5-3(a);
- 67.11. representing that the subject of a consumer transaction has characteristics, uses, or benefits that it does not have, which Sampson

knows or reasonably should know it does not have, in violation of Ind.

Code § 24-5-0.5-3(b)(1); and

67.12. representing that the subject of a consumer transaction is of a

particular standard, quality, grade, style or model if it is not, and if

Sampson knows or reasonably should know it is not, in violation of Ind.

Code § 24-5-0.5-3(b)(2).

68. The State seeks consumer restitution, under Ind. Code § 24-5-0.5-4(c)(2) and Ind. Code § 9-32-16-13(b)(2)(C), in the amount of eleven thousand, twelve dollars and thirty-three cents (\$11,012.33) payable to the Office of the Attorney General, for the benefit of Todd Rokita.
69. The State seeks costs, under Ind. Code § 24-5-0.5-4(c)(4), awarding the Office of the Attorney General its reasonable expenses incurred in the investigation and prosecution of this action.
70. The State seeks civil penalties, under Ind. Code § 24-5-0.5-4(g), on Count IX of this Complaint, for Sampson's knowing violations of Ind. Code § 24-5-0.5-3(a) and Ind. Code §§ 24-5-0.5-3(b)(1) and (2), payable to the State of Indiana, in the amount of five thousand dollars (\$5,000.00) per violation.
71. The State seeks civil penalties, under Ind. Code § 24-5-0.5-8, on Count X of this Complaint, for Sampson's incurable deceptive acts, payable to the State of Indiana, in the amount of five hundred dollars (\$500.00) per violation.
72. The State seeks civil penalties, under Ind. Code § 9-32-17-1, on Count XI of this Complaint, for Sampson's violation of the Vehicle Merchandising Act,

payable to the State of Indiana for the benefit of the Secretary of State's Dealer Enforcement Account, in the amount of ten thousand dollars (\$10,000.00) per violation.

73. The State seeks all other just and proper relief.

Respectfully submitted,

THEODORE E. ROKITA
Indiana Attorney General
Attorney No. 18857-49

By: /s/ Mark M. Snodgrass

Mark M. Snodgrass
Deputy Attorney General
Attorney No. 29495-49

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Indiana Government Center South
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Fax: (317) 233-4393
Mark.Snodgrass@atg.in.gov

From: [Dan May](#)
To: [DC Grievance](#)
Subject: Theodore E. Rokita v. Jess Sampson
Date: Friday, December 19, 2025 10:09:04 AM
Attachments: [gform.pdf](#)
[Narrative.pdf](#)
[Invoice for repairs.pdf](#)
[Demand from Rokita AG.pdf](#)
[complaint.pdf](#)
[summons.complaint.pdf](#)

You don't often get email from danjmayattorney@gmail.com. [Learn why this is important](#)

CAUTION: External email

See grievance form attached and documents in support.

EXHIBIT B

STATE OF INDIANA)
) SS:
COUNTY OF FULTON)

IN THE FULTON SUPERIOR COURT
CONTINUOUS TERM
CAUSE NO. 25D01-2512-PL-000903

STATE OF INDIANA
Plaintiff

VS

JESS SAMPSON
Defendant

ORDER
Motion to Disqualify
Motion to Dismiss
2/16/2026 Hearing

On February 16, 2026 hearing was held on (1) Defendant's Motion to Stay Discovery Pending Disqualification of Counsel filed 12/18/2025 ("Motion to Disqualify"),¹ (2) Plaintiff's Motion for Extension of Time to Answer Discovery Pending Hearing on Motion to Stay Discovery Pending Hering [sic] on Motion to Disqualify Counsel filed 1/8/2026 ("Motion to Disqualify"), and (3) Defendant's Motion to Dismiss filed 1/12/2026.² Plaintiff appears by counsel, Mark Snodgrass. Defendant appears by counsel, Dan May. At the conclusion of the hearing the Court ordered Defendant to file a Brief by March 18, 2026; and Plaintiff to file a Reply within 15 days after Defendant's filing. After consideration of the evidence presented, the arguments made, the law and the record of the proceeding, the Court now issues the following Order denying Defendant's motions to dismiss and disqualification of Plaintiff's counsel.

¹ The Court issued an Order on 1/8/2026 granting Defendant an additional 30 days to respond to discovery after the ruling on the Motion to Stay.

² The Court issued an Order on 1/13/2026 granting Defendant an additional 30 days to respond to Plaintiff Complaint after ruling on the Motion to Dismiss. Note: Defendant's submitted Order that the Court signed contained a scrivener's error in the last paragraph referencing response to "discovery" rather than the "complaint."

ISSUE

The dispositive issue is whether the Office of the Indiana Attorney General (“OAG”) can file an action pursuant to the Indiana Deceptive Consumer Sales Act, I.C. 24-5-0.5-1 et seq. (“DCSA”), and the Regulation of Vehicle Merchandising Act, 9-32-11-1 et seq. (“RVMA”), where the elected Indiana Attorney General (“AG”) is the only named alleged victim seeking restitution.

FINDINGS

1. On 12/4/2025 Plaintiff (OAG) filed its Complaint for Injunction, Restitution, Civil Penalties, and Costs pursuant to the DCSA and the RVMA.
2. Plaintiff’s Complaint includes ten (10) Counts of alleged violations of the DCSA and one (1) Count of an alleged violation of the RVMA by Defendant of various practices in violation of various statutes:
 - a. Selling Motor Vehicles and Watercraft Without a License (I.C. § 9-32-11-1(a)(3); § 9-32-2.1-44; and § 9-32-2.1-46).
 - b. Storing, Rebuilding, and Selling Vehicle Parts Without a Salvage Rebuilder’s License (I.C. § 9-32-11-1(a)(5); and § 9-32-9-1).
 - c. Title Jumping Motor Vehicles, Watercraft and Trailers (I.C. 9-17-2-1; and § 9-17-2-14.7.
 - d. Misrepresentations Regarding Licensure.
 - e. Misrepresentations Regarding Repairs and Quality of Vehicles.
3. The Court takes judicial notice of the cases cited in Plaintiff’s footnotes 2 and 3 of Plaintiff’s Response to Defendant’s Brief on Pending Motions filed 3/25/2026.
4. Plaintiff’s Complaint involving the DCSA was brought pursuant to I.C. 24-5-0.5-4(c) that allows for injunctive and other statutory for an action brought by the attorney general. This section does not require a private action by an individual consumer or a class of consumers.
5. Defendant’s Motion to Dismiss is based upon Indiana Trial Rule 12(B)(6), failure to state a claim upon which relief can be granted, which shall include failure to name the real party in interest under Rule 17; and Indiana Trial Rule 12(B)(7), failure to join a party needed for just adjudication under Rule 19.

6. By the strict language of the DCSA § 24-5-05.-4(c), and the plain intent of the RVMA Plaintiff has stated a claim upon which relief can be granted, and Plaintiff has not failed to name the real party in interest or failed to join a party needed for just adjudication.
7. Defendant's Motion to Disqualify is based upon the AG being named as an individual entitled to receive restitution in Count XI of Plaintiff's Complaint.
8. The AG is not an attorney of record for the Plaintiff's Complaint.
9. The Court does not find, and Defendant has not cited, any authority that all attorneys of the OAG are disqualified from an action filed pursuant to the DCSA or the RVMA because the AG is an alleged victim and seeking restitution.
10. The action and claims before this court do not violate the Indiana Rules of Professional Conduct.³

ORDER

1. The Court DENIES Defendant's Motion to Disqualify.
2. The Court DENIES Defendant's Motion to Dismiss.
3. As previously ordered, Defendant shall have an additional thirty (30) days from the date of this Order to respond to discovery.
4. As previously ordered, Defendant shall have an additional thirty (30) days from the date of this Order to file a responsive pleading to Plaintiff's Complaint.

Date: June 8, 2026



Gregory L. Heller, Judge
Fulton Superior Court

³ The Court questions whether it has the authority to make a finding of a violation of the Indiana Rules of Professional Conduct, and concludes that the Indiana Supreme Court Disciplinary Commission is the ultimate authority to determine if a violation has occurred.

EXHIBIT C

STATE OF INDIANA
IN THE FULTON COUNTY SUPERIOR COURT

CAUSE NO. 25D01-2512-PL-000903

STATE OF INDIANA,

Plaintiff,

v.

JESS SAMPSON,

Defendant.

**ORDER GRANTING
PLAINTIFF'S MOTION TO
STRIKE DEFENDANT'S THIRD-
PARTY COMPLAINT**

This matter having come before the Court upon the Plaintiff's Motion to Strike Defendant's Third-Party Complaint, and the Court having read the Motion and being duly advised now finds that the Plaintiff's Motion should be GRANTED. The Defendant's Third-Party Complaint against Todd Rokita in his individual capacity is struck from the Cause.

Dated: 8/17/2026


Judge, Fulton County Superior Court

Distribution List:

All parties of record by operation of the Court's electronic filing system.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Theodore E. Rokita

(b) County of Residence of First Listed Plaintiff Hendricks
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

See attached

DEFENDANTS

Bernard A. Carter, et al. [see attached]

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S. Code § 1983, 28 U.S.C. § 2201(a)

Brief description of cause:

First Amendment Retaliation, Fourteenth Amendment Due Process, Declaratory Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

10/01/2026

SIGNATURE OF ATTORNEY OF RECORD

/s/ Gene C. Schaerr

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RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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List of Defendants:

BERNARD A. CARTER, J. DAVID ROELLGEN, DENISE ROSE, PETER RUSTHOVEN, EDWARD A. SULLIVAN, III, DANIEL B. VINOVIKH, TERRY A. WEBSTER, SR., CARA S. WIENEKE, and HOLLY WOJCIK, in their individual and official capacities as Members of the Disciplinary Commission of the Supreme Court of Indiana;

BRIAN K. CARROLL, MOLLY KITCHELL, JOHN L. KRAUSS, LEANNA K. WEISSMANN, and KIRK WHITE, former Members of the Disciplinary Commission of the Supreme Court of Indiana, in their individual capacities;

ADRIENNE L. MEIRING, in her individual capacity and official capacity as Executive Director of the Disciplinary Commission of the Supreme Court of Indiana

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

THEODORE E. ROKITA,

Plaintiff,

v.

Civil Action No. 1:26-CV-2118

BERNARD A. CARTER, J. DAVID ROELLGEN, DENISE ROSE, PETER RUSTHOVEN, EDWARD A. SULLIVAN, III, DANIEL B. VINOVICH, TERRY A. WEBSTER, SR., CARA S. WIENEKE, and HOLLY WOJCIK, in their individual capacities and official capacities as Members of the Disciplinary Commission of the Supreme Court of Indiana; BRIAN K. CARROLL, MOLLY KITCHELL, JOHN L. KRAUSS, LEANNA K. WEISSMANN, and KIRK WHITE, former Members of the Disciplinary Commission of the Supreme Court of Indiana, in their individual capacities; ADRIENNE L. MEIRING, in her individual capacity and official capacity as Executive Director of the Disciplinary Commission of the Supreme Court of Indiana,

Defendants.

SUMMONS IN A CIVIL ACTION

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A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it)—or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3)—you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Paul O. Mullin
8777 Purdue Road, Suite 330
Indianapolis, IN 46268

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action Number: _____