

STATE 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 COSTS**

I. 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

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 WIHOUT 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 WIHOUT 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 WIHOUT 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 WIHOUT 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,

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