

# SECRET INDICTMENT

## COURT OF COMMON PLEAS FOR VAN WERT COUNTY, OHIO

STATE OF OHIO,

Plaintiff

VS.

SETH MARBAUGH

Defendant.

CASE NO. **CP-25-08-078**

**On the term May**

*The Jurors of the Grand Jury of the State of Ohio, within and for the body of Van Wert County, being duly impaneled and sworn and charged to inquire of and present that:*

### Count One

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010 when Seth Marbaugh purposely compelled her to submit by force or threat of force in violation of Ohio Revised Code §2907.02(A)(2), 2907.02(B), **Rape**, a felony of the first degree.

### Count Two

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010 when Seth Marbaugh purposely compelled her to submit by force or threat of force in violation of Ohio Revised Code §2907.02(A)(2), 2907.02(B), **Rape**, a felony of the first degree.

### Count Three

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010 when Seth Marbaugh purposely compelled her to submit by force or threat of force in violation of Ohio Revised Code §2907.02(A)(2), 2907.02(B), **Rape**, a felony of the first degree.

### Count Four

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 14th day of October, 2024 through the 18th day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010 whose age at the time of the said sexual conduct was less than thirteen years of age, to wit: 12, whether or not the offender knew the age of K.M. 07/28/2010 in violation of Ohio Revised Code §2907.02(A)(1)(b), 2907.02(B), **Rape**, a felony of the first degree.

#### Count Five

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010, when Seth Marbaugh knowingly coerced her to submit by any means that would have prevented resistance by a person of ordinary resolution in violation of Ohio Revised Code §2907.03(A)(1), 2907.03(B), **Sexual Battery**, a felony of the third degree.

#### Count Six

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010, when Seth Marbaugh knowingly coerced her to submit by any means that would have prevented resistance by a person of ordinary resolution in violation of Ohio Revised Code §2907.03(A)(1), 2907.03(B), **Sexual Battery**, a felony of the third degree.

#### Count Seven

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, did engage in sexual conduct with K.M. 07/28/2010, when Seth Marbaugh knowingly coerced her to submit by any means that would have prevented resistance by a person of ordinary resolution in violation of Ohio Revised Code §2907.03(A)(1), 2907.03(B), **Sexual Battery**, a felony of the third degree.

#### Count Eight

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, was eighteen years of age or older, to wit: Seth Marbaugh was born on 09/12/1991, and did engage in sexual conduct with another person, K.M. 07/28/2010, when the offender knew the other person was thirteen years of age or older but less than sixteen years of age, or the offender was reckless in that regard, to wit: K.M. 07/28/2010 was born on 07/28/2010 in violation of Ohio Revised Code §2907.04(A), 2907.04(B)(3), **Unlawful Sexual Conduct With A Minor**, a felony of the third degree.

FURTHERMORE, the offender was ten or more years older than the other person.

**Count Nine**

*The Grand Jurors, on their oaths, further find that:*

Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, was eighteen years of age or older, to wit: Seth Marbaugh was born on 09/12/1991, and did engage in sexual conduct with another person, K.M. 07/28/2010, when the offender knew the other person was thirteen years of age or older but less than sixteen years of age, or the offender was reckless in that regard, to wit: K.M. 07/28/2010 was born on 07/28/2010 in violation of Ohio Revised Code §2907.04(A), 2907.04 (B)(3), **Unlawful Sexual Conduct With A Minor**, a felony of the third degree.

FURTHERMORE, the offender was ten or more years older than the other person.

**Count Ten**

*The Grand Jurors, on their oaths, further find that:*


Seth Marbaugh, on or about the 1st day of May, 2023 through the 31st day of October, 2024, at the county of Van Wert aforesaid, was eighteen years of age or older, to wit: Seth Marbaugh was born on 09/12/1991, and did engage in sexual conduct with another person, K.M. 07/28/2010, when the offender knew the other person was thirteen years of age or older but less than sixteen years of age, or the offender was reckless in that regard, to wit: K.M. 07/28/2010 was born on 07/28/2010 in violation of Ohio Revised Code §2907.04(A), 2907.04 (B)(3), **Unlawful Sexual Conduct With A Minor**, a felony of the third degree.

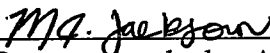
FURTHERMORE, the offender was ten or more years older than the other person.

*The offenses are contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.*

**A TRUE BILL**

**EVA J. YARGER  
VAN WERT COUNTY  
PROSECUTING ATTORNEY**

  
\_\_\_\_\_  
Foreperson of the Grand Jury

  
\_\_\_\_\_  
Prosecutor or by her Assistant

NOTICE: Revised Code 2923.13 states that:

No person shall knowingly acquire, have, carry or use any firearm or dangerous ordnance if such person is under indictment for any felony of violence, or any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.

NOTICE: Revised Code 2937.99 states that:

(A) No person shall fail to appear as required, after having been released pursuant to section 2937.29 of the Revised Code. Whoever violates this section is guilty of failure to appear and shall be punished as set forth in division (B) or (C) of this section. (B) If the release was in connection with a felony charge or pending appeal after conviction of a felony, failure to appear is a felony of the fourth degree. (C) If the release was in connection with a misdemeanor charge or for appearance as a witness, failure to appear is a misdemeanor of the first degree.

## SUMMARY OF INDICTMENT

Case No. CP-25-08-078

May Term

**Seth Marbaugh**

DOB: 9/12/1991

SSN:           

Indictment for:

- Count 1: Rape, ORC §§2907.02(A)(2), 2907.02(B), F1
  - Count 2: Rape, ORC §§2907.02(A)(2), 2907.02(B), F1
  - Count 3: Rape, ORC §§2907.02(A)(2), 2907.02(B), F1
  - Count 4: Rape, ORC §§2907.02(A)(1)(b), 2907.02(B), F1
  - Count 5: Sexual Battery, ORC §§2907.03(A)(1), 2907.03(B), F3
  - Count 6: Sexual Battery, ORC §§2907.03(A)(1), 2907.03(B), F3
  - Count 7: Sexual Battery, ORC §§2907.03(A)(1), 2907.03(B), F3
  - Count 8: Unlawful Sexual Conduct With A Minor, ORC §§2907.04(A), 2907.04(B)(3), F3
  - Count 9: Unlawful Sexual Conduct With A Minor, ORC §§2907.04(A), 2907.04(B)(3), F3
  - Count 10: Unlawful Sexual Conduct With A Minor, ORC §§2907.04(A), 2907.04(B)(3), F3
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**A TRUE BILL:**

This Bill of Indictment found upon testimony sworn and sent before the Grand Jury at the request of the Prosecuting Attorney.

*Gene C. Beckler*

Foreperson of the Grand Jury

*M. J. Jackson*

Eva J. Yarger

Prosecutor or by her Assistant

**The State of Ohio, Van Wert County.**

I, the undersigned, Clerk of the Court of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the original indictment, with the endorsements thereon, now on file in my office.

WITNESS my hand and the seal of said Court at Van Wert, Ohio

this 7 day of August, 2025.

Cindy Mollenkopf

Clerk of Courts

by Brenda Hutchner  
Deputy



## PRECIPE FOR CAPIAS

THE STATE OF OHIO,

vs.

SETH MARBAUGH

In The Court of Common Pleas  
Van Wert County

May Term

TO THE CLERK OF SAID COURT:

Issue SUMMONS for Defendant.

SETH MARBAUGH  
210 DILLON STREET, OHIO CITY, OH 45874

SSN: [REDACTED]

D.O.B.: 9/12/1991

- 1 Count: Rape, O.R.C. §2907.02(A)(1)(b), 2907.02(B), F1
- 3 Counts: Rape, O.R.C. §2907.02(A)(2), 2907.02(B), F1
- 3 Counts: Sexual Battery, O.R.C. §2907.03(A)(1), 2907.03(B), F3
- 3 Counts: Unlawful Sexual Conduct With A Minor, O.R.C. §2907.04(A), 2907.04(B)(3), F3

*Eva J. Yarger*  
Eva J. Yarger  
Prosecutor or by her Assistant