

I. JEAN MECKSTROTH
CLERK OF COURTS
 AUGLAIZE COUNTY, OHIO

I. Jean Meckstroth
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 Wapakoneta, OH 45895-0409

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FAX TRANSMISSION COVER SHEET

DATE: September 20, 2021

TO: LIMA NEWS- 419-229-2926- MCKENZIE

FROM: KRISTY

MEMO: COLE FISCHBACH

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9-1-2021/ACSO

AUGLAIZE COUNTY
COMMON PLEAS COURT
FILED

2021 SEP -1 PM 3:22

I. JEAN BECKSTROTH
CLERK OF COURTS

INDICTMENT

Criminal Rule 6, 7

THE STATE OF OHIO
Auglaize County, ss.

COURT OF COMMON PLEAS
Case No.: _____

2021 CR 0161

Of the Term September in the year Two Thousand Twenty-one

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 1st day of May, 2021 and the 30th day of June, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH knowing that an official proceeding or investigation is in progress, or is about to be or likely to be instituted, did alter, destroy, conceal, or remove any record, document, or thing, with purpose to impair its value or availability as evidence in such proceeding or investigation. Said act is a felony of the third degree in violation of Ohio Revised Code Title 29, §2921.12(A)(1), and against the peace and dignity of the State of Ohio.

COUNT TWO

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 24th day of May, 2021 and the 30th day of May, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH with knowledge of its character or content, did recklessly, directly sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to a juvenile, a group of juveniles, a law enforcement officer posing as a juvenile, or a group of law enforcement officers posing as juveniles any material or performance that is obscene or harmful to juveniles. Said act

is a felony of the fifth degree in violation of Ohio Revised Code Title 29, §2907.31(A)(1), and against the peace and dignity of the State of Ohio.

COUNT THREE

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 31st day of May, 2021 and the 6th day of June, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH with knowledge of its character or content, did recklessly, directly sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to a juvenile, a group of juveniles, a law enforcement officer posing as a juvenile, or a group of law enforcement officers posing as juveniles any material or performance that is obscene or harmful to juveniles. Said act is a felony of the fifth degree in violation of Ohio Revised Code Title 29, §2907.31(A)(1), and against the peace and dignity of the State of Ohio.

COUNT FOUR

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 7th day of June, 2021 and the 13th day of June, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH with knowledge of its character or content, did recklessly, directly sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to a juvenile, a group of juveniles, a law enforcement officer posing as a juvenile, or a group of law enforcement officers posing as juveniles any material or performance that is obscene or harmful to juveniles. Said act is a felony of the fifth degree in violation of Ohio Revised Code Title 29, §2907.31(A)(1), and against the peace and dignity of the State of Ohio.

COUNT FIVE

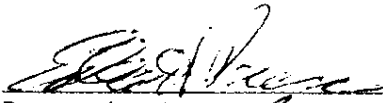
THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 14th day of June, 2021 and the 20th day of June, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH with knowledge of its character or content, did recklessly, directly sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to a juvenile, a group of juveniles, a law enforcement officer posing as a juvenile, or a group of law enforcement officers posing as juveniles any material or performance that is obscene or harmful to juveniles. Said act is a felony of the fifth degree in violation of Ohio Revised Code Title 29, §2907.31(A)(1), and against the peace and dignity of the State of Ohio.

COUNT SIX

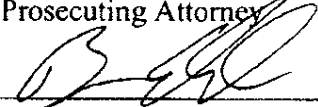
THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 1st day of May, 2021 and the 30th day of June, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH did have sexual contact with another, not the spouse of the offender, when the other person is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person. Said act is a misdemeanor of the third degree in violation of Ohio Revised Code Title 29, §2907.06(A)(4), and against the peace and dignity of the State of Ohio.

COUNT SEVEN

THE JURORS OF THE GRAND JURY of the State of Ohio, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present that at or between the 1st day of May, 2021 and the 30th day of June, 2021, at Auglaize County, Ohio, the said COLE DONALD FISCHBACH did have sexual contact with another, not he spouse of the offender, when the other person is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person. Said act is a misdemeanor of the third degree in violation of Ohio Revised Code Title 29, §2907.06(A)(4), and against the peace and dignity of the State of Ohio.



Prosecuting Attorney



Assistant Prosecuting Attorney


September Term, 2021 Common Pleas Court Auglaize County, Ohio

THE STATE OF OHIO vs. COLE DONALD FISCHBACH

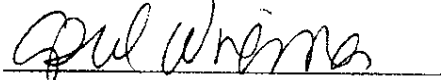
Indictment for: One Count Tampering with Evidence; Four Counts Disseminate Matter Harmful to Juvenile; Two Counts Sexual Imposition


Prosecuting Attorney

A TRUE BILL


Foreperson, Grand Jury

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


Foreperson, Grand Jury

On this _____ day of _____, 20____, the within named _____ Defendant arraigned, and pleads _____ guilty to this Indictment.

I. JEAN MECKSTROTH, CLERK OF COURTS

by: _____
Deputy Clerk

The State of Ohio, Auglaize County, Ohio.

I, the undersigned, Clerk of 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 Wapakoneta, Auglaize County, Ohio, this _____ day of _____, 20_____.

I. JEAN MECKSTROTH, CLERK OF COURTS

by: _____
Deputy Clerk