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Attorneys for Tyler James Robinson

IN THE FOURTH JUDICIAL DISTRICT COURT, PROVO DEPARTMENT

IN AND FOR THE COUNTY OF UTAH, STATE OF UTAH

STATE OF UTAH, Plaintiff, vs. TYLER JAMES ROBINSON, Defendant.	MOTION TO DISQUALIFY UTAH COUNTY DISTRICT ATTORNEY'S OFFICE Case No. 251403576 Honorable Tony F. Graf, Jr.
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Defendant, Tyler James Robinson, by and through undersigned counsel, hereby moves the Court to disqualify the Utah County Attorney Office due to a conflict of interest. It is anticipated that the Court will hear this issue during the previously scheduled hearing on January 16, 2026 at 1:00pm.

REQUESTED RELIEF

Mr. Robinson seeks an order of this Court finding that [REDACTED] [REDACTED] [REDACTED] [REDACTED] representing the State of Utah for the Utah County Attorney's Office ("UCAO") in this capital prosecution, has a concurrent conflict of interest based upon personal connections to a direct witness/victim to the events at issue in this case. Further, Mr. Robinson seeks findings from this Court that: 1) upon learning of the conflict, the UCAO did not employ any screening protocol and, 2) information pertaining to the personal involvement of Mr. [REDACTED] was shared amongst the assigned prosecutorial team, including the County Attorney. Based upon these findings and in the interest of protecting Mr. Robinson's federal and state rights to due process, Mr. Robinson requests that this Court order that the UCAO is disqualified from representing the State in this matter.

RELEVANT FACTS¹

On September 10, 2025, Charlie Kirk, the leader of Turning Point USA, appeared on the Utah Valley University Campus in Orem, Utah, to engage in a pre-arranged presentation to students and other observers/participants. At approximately 12:23 PM, Mr. Kirk was shot and killed. It has been estimated that approximately 3,000 students and other observers/participants

¹ Citations to documents in the existing record are referenced by the docket entry number and applicable page number, where appropriate.

were present at the time of the shooting. Of course, the scene was chaotic and for many in attendance, life changing.

One witness described hearing the shot, seeing Mr. Kirk, and observed that the crowd “all collectively dropped to the ground.” Exhibit A (Statement of GC). After a few moments, the crowd “collectively got up in unison and started to panic and run.” *Id.* As he and his friends reached their vehicle to leave, they “all were hysterical[.]” *Id.* Another witness who was 40-50 feet from the Turning Point booth described seeing the shooting and her cousin getting in front of her. Exhibit B (Statement of BB). The witness got down on the ground, trying to make herself “as small as possible.” *Id.* She thought more shots were coming and it was going to be a mass shooting. *Id.* She and her cousin sprinted to the nearest building where she “grabbed the nearest trash can and threw up.” *Id.* She described it as “traumatic” and she can’t stop replaying the event in her mind. *Id.* Another witness offered, “The atmosphere was of pure panic, and I was scared for my life.” Exhibit C (Statement of JH).

Another witness stated, “Right away everyone was on the ground trying to protect themselves from the possibility of more shots. I remember thinking I could not get low enough and I was instantly scared...I struggled to text my mom that I was safe with shaking hands.” Exhibit D (Statement of CJ). Yet another witness shared, “We were in shock in the crowd because there was so much blood...I was pulled to the ground and started praying. I thought I was about to die. I was on the ground wondering when the bullet was going to hit my back...I was so terrified that they wouldn't find the shooter and he'd start aiming at us.” Exhibit E (Statement of EL).

Even those who were present on campus but who did not see the shooting themselves were impacted and significantly traumatized. Students were locked down in classrooms,

experienced panic attacks, and experienced the traumatic aftermath comparable to those of for direct observers. See Exhibit F (TikTok Screenshots).

On September 16, 2025, Mr. Robinson was charged in a seven count Information with aggravated murder. The aggravating circumstance for this offense is that “the defendant knowingly created a great risk of death to another individual other than Charlie Kirk and the Defendant.” Dkt No. 1, at 1. The State has not yet identified the “other individual” supporting the aggravating circumstance. Also on September 16, 2025, Utah County Attorney Jeffrey Gray gave an hour-long press conference explaining the State’s intention to seek the death penalty against Mr. Robinson. [REDACTED] [REDACTED] [REDACTED] and other members of the prosecution team were present at that press conference. During the press conference Mr. Gray conveyed, “I also want to express my concern for everyone who was at Charlie’s Turning Point USA event at . . . Utah Valley University and all who have been impacted by this tragedy.”²

Unfortunately, one of the students in attendance at the Charlie Kirk presentation on September 10, 2025, was the [REDACTED] of Mr. [REDACTED]. At the time of the shooting, Mr. [REDACTED] was with Utah County Attorney Jeffrey Gray at a presentation in Davis County. Mr. [REDACTED] began receiving text messages from his [REDACTED] and shared those with Mr. Gray in real time. Mr. [REDACTED] also called another attorney at theUCAO almost immediately, told him about the shooting, and shared his [REDACTED]’s texts with him.

Mr. [REDACTED] has described the text message exchange as follows:

Charlie Kirk was shot at 12:23 PM and at 12:25 PM [REDACTED] texted my family text group, “SOMEONE GOT SHOT”, and almost immediately afterward [REDACTED] texted the same group, “I’m okay, everyone is going inside”. At 12:26 PM [REDACTED] texted the same group, “CHARLIE GOT SHOT”. At 12:30 PM [REDACTED] texted the same group, “People say he was shot in the neck

² *Utah County Attorney announces charges against alleged Charlie Kirk shooter: ABC News Special Report*, ABC News, lived streamed Sept. 16, 2025, available at <https://www.youtube.com/watch?v=hmPr3A6pxcQ>.

and his head like tilted or something". At 12:33 PM I texted my [REDACTED] "did you hear a gunshot or what sounded like a gunshot?" [REDACTED] responded to me at 12:38 PM, "I for sure heard it. Everyone started screaming and running. A few people said they saw the shot hit his neck... not sure."

Mr. [REDACTED] believes that he discussed his [REDACTED]'s presence at the event with others in the office at the time. He also discussed the exchange and the potential conflict issue with the entire prosecution team prior to disclosure to the defense. Mr. [REDACTED] holds a supervisory role at the UCAO as the [REDACTED] under Mr. Gray. *See Exhibit G (Utah County Attorney Press Release 9/13/2025).*

At the request of Mr. [REDACTED] he and a UCAO investigator went to the UVU campus to determine the exact distance his [REDACTED] was from Mr. Kirk. His [REDACTED] was approximately 85 feet to the North/East of where Mr. Kirk was seated when he was shot. *See Exhibit H (C. Christensen Report).* His [REDACTED]'s back-pack was left in the amphitheater as [REDACTED] fled the scene. *See id.; see also Exhibit I (photograph from Fox News).*

Mr. [REDACTED] disclosed this information by email to Mr. Robinson's counsel on October 1, 2025. Defense Counsel, Mr. [REDACTED] and another prosecution team member, Christopher Ballard, spoke about this issue on October 9, 2025, and additional information concerning communications within the UCAO was provided at that time.

Mr. [REDACTED] has stated to Mr. Robinson's counsel that his [REDACTED] will not be a witness for the State and that he does not believe that this circumstance presents a conflict precluding him from participating in the prosecution of Mr. Robinson.

Mr. [REDACTED] provided the same information to the State Bureau of Investigations.

ARGUMENT

I. Mr. [REDACTED]'s Conflict of Interest Requires His Disqualification as His Continued Participation in the Prosecution Would Violate Mr. Robinson's State and Federal Due Process Rights.

Mr. [REDACTED]'s familial relationship with a witness presents a concurrent conflict of interest and disqualifies him from participating in the prosecution of this case. Mr. Robinson's due process rights require Mr. [REDACTED]'s removal from the prosecution of this case.

Under Utah Code § 17-68-501, attorneys who serve as “a public prosecutor shall . . . conduct, on behalf of the state, all prosecutions for a public offense committed within a county or prosecution district.” Attorney's serving as public prosecutors are ethically bound by statute according to the following:

An attorney exercising public prosecutor duties under this chapter:

- (1) is a lawyer representing an organization as a client under the Rules of Professional Conduct, Rule 1.13;
- (2) represents the state as an organizational client;
- (3) is considered the representative of the state; and
- (4) is empowered to make commitments for and decisions on behalf of the state.

Utah Code § 17-68-502. Like all Utah lawyers, those serving as public employees are also subject to Utah Rules of Professional Conduct 1.7, which outlines when a lawyer “shall not” represent a client because of a “concurrent conflict of interest.” *See* Utah R. Prof'l Cond. 1.11(d)(1) (“a lawyer serving as a public officer or employee . . . is subject to Rule[] 1.7”).³

³ Special Conflicts of Interest for Former and Current Government Employees, <https://legacy.utcourts.gov/rules/view.php?type=ucja&rule=13-1.11>. See also Utah Code § 17-18a-801 (public prosecutors represents the State of Utah, “an organization as a client under the Rules of Professional Conduct, Rule 1.13”).

“A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice and that guilt is decided upon the basis of sufficient evidence.” Utah R. Prof’l Cond. 3.8, comment 1. To this end, “[i]t is clear that a prosecutor should be disqualified on a timely motion when he has a personal conflicting interest in a case.” *State v. Nickles*, 728 P.2d 123, 131 (Utah 1986).

Relevant here, a concurrent conflict exists if, “[t]here is a significant risk that the representation of one or more clients will be materially limited by the lawyer’s responsibilities to another client, a former client or a third person *or by a personal interest of the lawyer*.” *Id.* 1.7(a) (emphasis added). Utah courts have found that such a conflict exists “when counsel *may* make choices advancing other interests to the detriment of his client.” *State v. Balflour*, 2008 UT App 410, ¶ 33, 198 P.3d 471 (emphasis added) (clean up) (quotation omitted). Such conflicts are only waivable in specific circumstances. *See* Utah R. Prof’l Cond. 1.7(b).

Public officers prosecuting defendants while laboring under a personal conflict endangers a defendant’s right to due process. *See* U.S. Const. amend. V, XIV; Utah Const. art I, § 7. As stated by the United States Supreme Court, “injecting a personal interest, financial or otherwise, into the enforcement process may bring irrelevant or impermissible factors into the prosecutorial decision and in some contexts raise serious constitutional questions.” *Marshall v. Jerrico, Inc.*, 466 U.S. 238, 249-50 (1980); *see also Young v. U.S. ex rel. Vuitton et Fils S.A.*, 481 U.S. 787, 807-08 (1987) (discussing “[t]he requirement of a disinterested prosecutor”). Further, a prosecutor violates “the requirement of fundamental fairness assured by the Due Process Clause of the Fourteenth Amendment” by attempting to “serve two masters[.]” *Ganger v. Peyton*, 379 F.2d 709, 714 (1967); *See also State ex rel. Mitchell v. Palmer in and for County of Maricopa*,

546 P.3d 101, 107 (AZ 2024) (recognizing that prosecutorial conflicts may implicate a defendant's due process rights).

In this case, the personal relationship between Mr. [REDACTED] and his [REDACTED] a potential witness and victim raises serious concerns about past and future prosecutorial decision-making in this case. Mr. [REDACTED] cannot serve “two masters” and should not be permitted to do so.

Mr. [REDACTED]'s integrity is not the question, and his opinion that there is no conflict is not dispositive. Rather, his [REDACTED]'s experience raises an objective question as to whether or not the circumstance presents a “significant risk” that Mr. [REDACTED]'s personal family interests may materially limit his ability to represent the State of Utah in these proceedings in the manner that is ethically required. *See* Utah R. Prof'l Cond 1.7(a)(2). *See Wright v. U.S.*, 732 F.2d 1048, 1056 (2d Cir. 1984) (a prosecutor “is not disinterested if he has, or is under the influence of others who have, an axe to grind against the defendant”).

In assessing the irreconcilable conflict that exists here, the Court should consider that the production of discovery in this case has only recently begun and there is no way to say with absolute certainty that Mr. [REDACTED]'s [REDACTED] will not be a witness in this case. The defense is not in a position to make this assessment and should not be required to do so.

Similarly, expecting Mr. [REDACTED] to separate his role as a [REDACTED] with the wholly natural instinct to protect and shield his [REDACTED] from past and future harm, from his role in the prosecution of the individual alleged to have caused harm to many—including his [REDACTED] is not practical and defies common human experience. As described by witnesses on campus at the time of the shooting, the event and the aftermath were harrowing, even for those that did not see the shooting as it happened. Mr. [REDACTED] and his [REDACTED] are not immune to this trauma. There must have been fear, anxiety, anger, and a host of other emotions as the events unfolded

that day and throughout the investigation culminating in the arrest of Mr. Robinson. These feelings and impressions do not simply resolve because a criminal case has been filed.

There is no way to predict at this time what directions this case may take, what critical prosecutorial decisions will be required, and how they may be impacted by the experience Mr. [REDACTED] had with his [REDACTED] both in real time and after the initial crisis. These influences may be subtle. For example, Mr. [REDACTED] may be less inclined to believe a witness whose observations are not consistent with those of his [REDACTED]. Or he may make specific strategic decisions to avoid his [REDACTED] having to testify, even if that may not be in the best interests of the State's case. Mr. [REDACTED] is empowered by the Utah State Legislature "to make commitments for and decisions on behalf of the state." *See* Utah Code § 17-68-502. The wielding of the awesome powers of the government against a defendant must be beyond reproach to comport with due process protections.

The risk that Mr. [REDACTED]'s personal involvement may limit his ability to fulfill his obligation to the State of Utah must also be assessed within the context of the grave consequences being sought by the State—the death penalty. *See* U.S. Const. VIII; Utah Const. art. I, § 9. Less than one week after Mr. [REDACTED]'s communications with his [REDACTED] while [REDACTED] was at the Turning Point event were provided to the County Attorney, the County Attorney and his team (including Mr. [REDACTED]) filed notice of the State's intent to seek the death penalty against Mr. Robinson. Such notice is not required to be filed until 60 days after arraignment (which occurs after the preliminary hearing) and yet it was filed concurrently with the charging Information. *See* Utah Code § 76-5-202(3)(c); Dkt No. 10. The rush to seek death in this case evidences strong emotional reactions by Mr. [REDACTED] the County Attorney, and the entire prosecution team, all of whom were informed of his and his [REDACTED]'s personal experiences.

The risk here is substantial. Mr. [REDACTED] has a concurrent conflict of interest and must be disqualified.

II. Mr. [REDACTED]'s Conflict Must be Imputed to the Entire Prosecution Office and TheUCAO Should be Disqualified.

“When disqualification is appropriate, it is usually sufficient to disqualify the particular attorney with a conflict rather than the entire office.” *Balfour*, 2008 UT App 410, ¶ 34 (citing authority). However, whether a prosecutor’s office should be permitted to remain on a case despite an individual prosecutor’s personal conflict is dependent upon the mechanisms utilized to cordon off the potential conflict to prevent the conflict tainting the rest of the office.

In the matter of *State v. McClellan*, the Utah Supreme Court found the Utah County Attorney’s Office should have been disqualified from the defendant’s prosecution. 2009 UT 50, ¶ 26, 216 P.3d 956. The conflict in *McClellan* arose from defendant’s former counsel joining the county attorney’s office, creating a “presumption of shared confidences between former defense counsel and the county attorney’s office[.]” *Id.* ¶ 20. The prosecutor’s office was afforded the opportunity to rebut this presumption by providing evidence that former defense counsel was properly screened from participation in McClellan’s case. *Id.* ¶ 25. Finding there was “no evidence of any attempt” to screen the attorney from the case, the district court “was under an obligation to disqualify the entire Utah County Attorney’s Office.” *Id.* ¶ 26. *See also State v. Cater*, 2014 UT App 207, ¶ 15, 336 P.3d 32 (“What constitutes an effective screening procedure will depend on the particular circumstances of each case.” (quoting *State v. Kinkennon*, 747 N.W.2d 437, 578 (Neb. 2008))).

Also, in the case of *State v. Balfour*, the Utah Court of Appeals found that where the district attorney with the potential conflict voluntarily recused herself to “avoid even an appearance of impropriety[.]” the State rebutted the presumption of prejudice stemming from the

preexisting political relationship between the defendant and the district attorney. 2008 UT App 410, ¶¶ 32-35, 198 P.3d 471. The conflicted attorney also “transferred supervisory authority” to another in the office, effectively screening herself from the case. *Id.* ¶ 35.

There is no Utah case factually analogous to the circumstances here—the [REDACTED] being the [REDACTED] of a witness to a homicide at a crowded event whose traumatic experiences were conveyed to the prosecution team in real time. However, the same core principles espoused by *McClellan* should apply. Where [REDACTED] has a personal conflict of interest, prejudice to Mr. Robinson should be presumed unless the State is able to rebut it. As to the ability of theUCAO to rebut prejudice, there has already been significant communication between Mr. [REDACTED] and the entire prosecutorial team, including the County Attorney (and potentially others in that office who are not on the team) about his experience and his [REDACTED]’s experience. Further, it appears that no effort has been made by theUCAO to mitigate the possible prejudice from Mr. [REDACTED]’s personal conflict, as he remains on and is still the [REDACTED] of the prosecution team. TheUCAO should be disqualified from prosecuting this case.

Cases from other jurisdictions are instructive and support this conclusion. In *People v. Connor*, the California Supreme Court considered the disqualification of a prosecutor’s office where a prosecutor was “a witness to, and a potential victim of, defendant’s alleged criminal conduct[.]” 666 P.2d 5, 9 (Cal. 1983). In upholding the trial court’s determination of a conflict, the *Conner* Court notes, “[b]ecause of the dramatic and gripping nature of the circumstances, the pervasiveness of the communications regarding [the prosecutor’s] relationship to the incident, and the difficulty in gauging their cumulative effect” there was substantial evidence supporting the conflict. *Id.* at 9. The information was disclosed to “a substantial number of his fellow workers” and the size of the felony division (25 attorneys) was relatively small, supporting the

assumption “that there is a commendable camaraderie which exists among these officials.” *Id.*

The court concluded:

While it may be difficult, if not impossible, to prove that a bias of the DA's office will definitely affect the fairness of a trial, the trial court is in a better position than are we to assess the likely effect of the shooting incident. We will not disturb the court's conclusion that the DA's discretionary powers exercised either before or after trial (e.g., plea bargaining or sentencing recommendations), consciously or unconsciously, could be adversely affected to a degree rendering it unlikely that defendant would receive a fair trial.

Id.

The supervisory nature of Mr. [REDACTED]'s position with theUCAO also contributes to the need for disqualification of the entireUCAO from the prosecution of this death penalty case. In *State v. Tate*, the Tennessee Court of Criminal Appeals concluded that the entire district attorney general's staff should be disqualified from participation in a prosecution due to the attorney general's conflict—having first appeared as a judge in the case, then becoming employed with that prosecutor's office. 925 S.W.2d 548, 555 (TN 1995). The *Tate* Court commented that the prosecutor “as the representative of the people in state criminal prosecutions, must always endeavor to promote the public confidence in the integrity and impartiality of the criminal justice system” and the prosecutor should be disqualified either based upon an actual conflict “or the mere appearance of impropriety.” *Id.* In finding that the disqualification should extend to the entire office, the court noted that there were no screening procedures, the prosecutor “maintained the role of supervisor”, and there was open discussion of the case amongst him and the other prosecutors. *Id.* In determining that the appointment of entirely new prosecution team was necessary, the *Tate* Court found, “[t]he perception of a fair trial is just as important as the reality.” *Id.* at 558.

The perception of a fair trial is critical in any case and nowhere more than here, where Mr. Robinson's life is in the balance. The rigors of the Eighth Amendment of the United States Constitution, and article I, § 9 of the Utah Constitution, demand exacting scrutiny on those tasked with enforcing the law. These protections demand the disqualification of theUCAO.

CONCLUSION

Based upon the foregoing, this Court should find that Mr, [REDACTED] has a conflict of interest and must be disqualified. The disqualification should extend to the Utah County Attorney's Office because no effort has been made to shield their prosecution of this case from his conflict.

RESPECTFULLY SUBMITTED this 10th day of December, 2025.

/s/ Kathryn N. Nester
Kathryn N. Nester

/s/ Michael N. Burt
Michael N. Burt

/s/ Richard G. Novak
Richard G. Novak

/s/ Staci Visser
Staci Visser

Attorneys for Defendant, Tyler James Robinson

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served via the Court's electronic filing system on the 10th day of December, which served all attorneys of record.

/s/ Staci Visser

Exhibit A



Utah Department of Public Safety

State Bureau of Investigation

Voluntary Statement / Affidavit



Name: [REDACTED] Date: 9/25/25 Time: 10:13am hours

Address: [REDACTED] Phone: (hm) n/a (wk) [REDACTED]

City: [REDACTED] State: [REDACTED] DOB: [REDACTED] SSN: [REDACTED]

Email: [REDACTED]

Type of Incident: Charlie Kirk Shooting Location: UVU Campus

(For Officer: Statement Collected by: Brian Schultz Case Number: 2025-23000468)

STATEMENT OF INCIDENT, OR WHAT YOU KNOW OF THIS INCIDENT:

Prior to arriving at the UVU campus I dropped off my son at my inlaws to babysit him. My friends H [REDACTED] & T [REDACTED] picked me up there & we headed to the Charlie Kirk event. We parked. Walked around the the place where the location on campus where the event was being held. We got to the event area and made our way down to the front row in the corner of the barricade. So we were right in the front row on the left if your facing the booth. We arrived around 11:19 at that location. I actually just checked my cell records & we got there at 11:09. I was on the phone with my other friend [REDACTED] who was already there & we were trying to find him. He was in the front row right in the center. Between then & the shooting we were just talking.

Pursuant to Rule 1102, Utah Rules of Evidence, and Utah Code Ann. §76-8-504.5: You are notified that statements you are about to make in this document may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary hearing examination. Any false statements you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor.

I, [REDACTED], declare this statement which consists of 4 page(s) is true and correct to the best of my knowledge. I have read the content and initialed all corrections. I personally witnessed the events described, except as otherwise indicated above.

Signature: [REDACTED] Date: 9/25/25

Witness (if available): [REDACTED]

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time chatting & playing on our phones. After a while things were starting to ramp up as the crowd got there first glimpse of Charlie as he taking pictures with the UVU turning point USA team by the water fountain, they were taking the pictures by the fountain so at my angle I was able to see him through the tunnel. As he ~~approached~~ approached with his team I took a video of him walking up & starting to throw hats out into the crowd. Before Charlie spoke, a spokesperson from the UVU turning point team talked on the mic for a bit, next a sponsor for the event that was talking about student loan aid. Then Charlie sat down acknowledged the crowd & thanks for everyone who came. then just cut right to the chase & Charlie said lets get started. First person went up & asked his question about the LDS Church having more evidence than any other Christian Church. they debated for a bit. then the crowd was getting tired of that guy who asked that question so they decided to move on & the second person asked his question. the question was along the lines of "should trans people get their gun rights taken away?" Because apparently the last couple of shootings in the US were transgender people. Charlie asked a brief

clarifying question. The guy answered. Then Charlie got out about 2 or 3 words went the shot went off. My eyes flicked back behind me & to the right slightly. So I was looking over my right shoulder. It sounded like it came from the very back of that area we were in, & it sounded like it came from an elevated position. Definitely sounded like it came from up high & not ground level. After my eyes flicked into that direction, not even a second later I looking back at Charlie & that's when I saw the blood coming out like a fountain coming out of his neck. I saw him slump back in his chair, & his head bobbed down to what would've been HIS right. That was the last look at Charlie I got as the crowd all collectively dropped to the ground. On the ground it was silent for a few moments. It seemed like the crowd was waiting for the shooter to magically be put in handcuffs & it felt like everyone was waiting for the "Coast to be clear." Then everyone immediately realizing that, that probably isn't going to happen collectively got up in unison & started to panic & run.

I knew me & my friends may get separated but I felt like we all knew to just get back to the car ASAP. I filed out with a portion of the crowd for a few moments through the walkway barricades under the tunnel that was behind the booth. I ~~go~~ was able to get into the center of the tunnel where there wasn't a ton of people. In the middle, there was a barricade on the right & left with about a 4ft gap in the middle, with an officer in that gap directing foot traffic. I then decided to jump the left side barricade then made a full dead sprint back to the truck. We all were hysterical, we got into the truck, & drove away.

I estimate the time from hearing the shot going off & when we got back to the truck was no ~~more~~ more than 2 minutes. So we left before the campus went on lockdown.

Exhibit B



Utah Department of Public Safety
State Bureau of Investigation
Voluntary Statement / Affidavit



Name: [REDACTED] Date: 11/24/2025 Time: 9:54 hours

Address: [REDACTED] Phone: (hm [REDACTED] k) [REDACTED]

City: [REDACTED] State: [REDACTED] DOB: [REDACTED] SSN: [REDACTED]

Email: [REDACTED]

Type of Incident: UVU Shooting Location: UVU University, Orem

(For Officer: Statement Collected by: Brian Schultz Case Number: 2025-2300468)

STATEMENT OF INCIDENT, OR WHAT YOU KNOW OF THIS INCIDENT:

Myself [REDACTED] and [REDACTED] arrived at UVU we came in through the North building by the food place inside I noticed how many people were there and I was expecting to be searched because that's what the tickets said online. There were more people there than I thought. We were probably 40-50 ft away from the tent on the left side of the pit looking at the tent. He answered 1 question and then in the middle of the second he was about to pick up the microphone and we heard a pop sound. It was a lot quieter than I thought a gun shot would sound like. I saw Charlie go limp, lifeless and kinda slouch back to the left and then saw a stream of blood come out of the left side of his neck. Everyone kinda froze for .1 seconds and then my cousin in front of me told me to get down get down I got down and made myself as small as possible. I was waiting for more shots because I thought it was a mass shooting or something like that. I heard the shot come from my right and kinda up towards the mountains on the east.

Pursuant to Rule 1102, Utah Rules of Evidence, and Utah Code Ann. §76-8-504.5: You are notified that statements you are about to make in this document may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary hearing examination. Any false statements you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor.

I [REDACTED] [REDACTED] this statement which consists of 2 page(s) is true and correct to the best of my knowledge. I have read the content and initialed all corrections. I personally witnessed the events described, except as otherwise indicated above.

Signature: [REDACTED] Date: 11/24/25

Witness (if available): [Signature]

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we were probably on the ground for 5-10 seconds and then immediately up and sprinting to the nearest building. We ran to the southeast-ish building. Everyone you could tell was in shock. We ran in and I grabbed the nearest trash can and threw up (maybe shock or the gore I don't know). I held my cousins tight and we sat on a little ledge in that building for 5-7 minutes probably. A police officer came in to tell everyone to hide or shelter in place. We decided to exit the building and we walked out by the ambulances and walked completely south to the McDonalds. It was traumatic I was in shock/fight or flight mode for a couple hours after. It was something that I couldn't stop replaying it in my mind. I saw security on top of the ledge above the tent but didn't notice them that much after ~~the initial~~ when I saw them initially.

Exhibit C



Utah Department of Public Safety
State Bureau of Investigation
Voluntary Statement / Affidavit



Name: J [REDACTED] H [REDACTED] Date: 09/25/25 Time: 10:50 hours

Address: [REDACTED] Phone: (hm) [REDACTED] (wk) [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED] DOB: [REDACTED] SSN: [REDACTED]

Email: [REDACTED]

Type of Incident: Shooting of Charlie Kirk Location: Orem, Utah

(For Officer: Statement Collected by: _____ Case Number: _____)

STATEMENT OF INCIDENT, OR WHAT YOU KNOW OF THIS INCIDENT:

I arrived at the event at 10:00am, right after my classes. I got ^{there} ~~called~~ early to get front row, of which I was. I was about 5 feet away from the debator (to the right) and 15 feet from Charlie. About an hour before the crowd grew and it was packed. When Charlie came out there was much excitement, but also some boos and hissing. But that was expected. The 1st debator was normal, but the 2nd is when we heard the gun shot. It was probably 1-1.5 minutes into the debate about transgender shooters when Charlie got shot. Right before the gunshot, the question was asked about how many trans shooters have there been. To which Charlie responded "Too many". A little more dialogue happened, then we heard a sound, as if it were a firecracker. I believe it came from behind me to my left. But hard to say because of the echo. I then looked back at Charlie, and saw him ~~go~~ cease up and an unexplainable amount of blood gushing from his neck. We all got down to take cover, not knowing if more shots would follow. While ducked it hit me that Charlie just got shot, and I needed to get out of there. After 10-15 seconds, I got back up and ran to the side of the barriers (close to where Charlie was taken out), and fled campus. The atmosphere was of pure panic, and I was scared for my life. After fleeing I made it back to my apartment at [REDACTED] by foot.

Pursuant to Rule 1102, Utah Rules of Evidence, and Utah Code Ann. §76-8-304.5, you are notified that statements you are about to make in this document may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary hearing examination. Any false statements you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor.

I J [REDACTED] H [REDACTED] declare this statement which consists of 1 page(s) is true and correct to the best of my knowledge. [REDACTED] read the content and initialed all corrections. I personally witnessed the events described, except as otherwise indicated above.

Signature [REDACTED] Date: 09/25/2025

Witness (if available): _____

Page 1 of

Exhibit D



Utah Department of Public Safety

State Bureau of Investigation

Consent to Interview a Juvenile

I have been asked to permit officers to interview

[Redacted], my [Redacted]
Name of Juvenile Relationship

I voluntarily authorize Agents of the State Bureau of Investigation (SBI) to interview the juvenile identified above. I have been advised of my right to refuse to allow SBI to interview the juvenile, and I hereby voluntarily waive this right.

This authorization is valid from the date and time of the signature. I understand that this consent will remain in effect until I revoke it.

1. I have not been threatened, forced, or coerced in any way.
2. I freely consented to the interview and was present for the advisement of constitutional rights.
3. I understand I may contact the State Bureau of Investigation to revoke consent should I wish to do so at any time.

Signature:

[Handwritten Signature]

Print Name:

L [Redacted] H [Redacted] J [Redacted]

Date:

10-2-25

Signature of witness:

Print name of Witness:



Utah Department of Public Safety
State Bureau of Investigation



Voluntary Statement / Affidavit

Name: [REDACTED] Date: [REDACTED] Time: 15:28 hours

Address: [REDACTED] Phone: (hm) [REDACTED] wk) [REDACTED]

City: [REDACTED] State: [REDACTED] DOB: [REDACTED] SSN: [REDACTED]

Email: [REDACTED]

Type of Incident: UVU shooting Location: UVU

(For Officer: Statement Collected by: _____ Case Number: _____)

STATEMENT OF INCIDENT, OR WHAT YOU KNOW OF THIS INCIDENT:

We arrived about 2 hours before the scheduled event and arrived about 10am in a white Subaru forester. We originally were sitting on a grassy slope but once more people started arriving we moved up to the barricade to be as close as possible. We noticed the few security guards and were just talking. Eventually we saw a new SUV arrive so everyone started cheering assuming it was Charlie. He took some pictures with the UVU FPSA chapter kids. Eventually he came out to the crowd and the crowd was super enthusiastic. He and his team were throwing out hats and eventually he sat down and took his first question. The first question was about LDS vs. Christianity and they went back and forth for about 7 minutes and then the crowd urged the guy to move on. The second speaker came up and asked his question about whether or not trans people should be allowed to own guns.

Pursuant to Rule 1102, Utah Rules of Evidence, and Utah Code Ann. §76-8-504.5: You are notified that statements you are about to make in this document may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary hearing examination. Any false statements you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor.

I [REDACTED] declare this statement which consists of 2 page(s) is true and correct to the best of my knowledge. I have read the content and initialed all corrections. I personally witnessed the events described, except as otherwise indicated above.

Signature: [REDACTED] Date: 10/2/25

Witness (if available): [REDACTED]

Page 1 of 2

Charlie thought they should not and before the guy finished his question Charlie asked for a clarification on whether this included gang violence or not. While the man at the microphone was still speaking, there was a very loud noise and I genuinely thought it was a balloon but when I saw a huge amount of blood pouring out of the side of Charlie's neck I realized what had happened. Right away everyone was on the ground trying to protect themselves from the possibility of more shots. I remember thinking I could not get low enough and I was instantly scared. My thoughts quickly turned to disbelief. I could not comprehend what had happened. I struggled to text my mom that I was safe with shaking hands and then my friend right next to me pulled me up so that we could leave. There was a stampede of people trying to leave the courtyard and as we were leaving we saw two body guards dragging a man out on his knees. Me and Ashley sat beneath a tree briefly to call our parents. We very slowly tried to make our way back to my car without going back through the courtyard. The whole time I was in tears just praying that Charlie would live. We eventually made it back to my car and I gathered myself to be able to drive, and we began the slow process of getting off campus and to a nearby home depot to meet our parents.



Exhibit E



Utah Department of Public Safety
State Bureau of Investigation
Voluntary Statement / Affidavit



Name: [REDACTED] Date: 09/25/25 Time: 9:29 hours

Address: [REDACTED] Phone: (hm) [REDACTED] (wk) [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED] DOB: [REDACTED] SSN: [REDACTED]

Email: [REDACTED]

Type of Incident: Shooting Location: Utah Valley University

(For Officer: Statement Collected by: _____ Case Number: _____)

STATEMENT OF INCIDENT, OR WHAT YOU KNOW OF THIS INCIDENT:

I've been following politics for about 5 years, I study political science and English at Weber State University. This I heard about the event, I also have followed Charlie Kirk for a while so I was looking forward to him being in Utah. I parked at the UVU parking garage with my neighbor [REDACTED]. We walked to the event and I took a picture from the walkway directly across from the tent. I found the event because there were protestors standing on the walkway above the tent where he would be speaking, they were holding a pride flag. So I walk through the building north of the venue and walk towards the tent where they were handing out pins and constitutions. My friend [REDACTED] was volunteering with TPUSA so I talked to him. Then at about 10:30 I walked down the steps to the barrier where I waited for the event to start. I was talking with people in the crowd, debating and asking questions of the people around me. This is where I met [REDACTED], [REDACTED], and [REDACTED]. Eventually Charlie arrived and I saw him take some pictures with the students working with TPUSA. Then he was introduced by 2 people, one of them from Yreka.

Pursuant to Rule 1102, Utah Rules of Evidence, and Utah Code Ann. §76-8-504.5: You are notified that statements you are about to make in this document may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary hearing examination. Any false statements you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor.

I [REDACTED] declare this statement which consists of 3 page(s) is true and correct to the best of my knowledge. I have read the content and initialed all corrections. I personally witnessed the events described, except as otherwise indicated above.

Signature: [REDACTED] Date: 09/25/25

Witness (if available): [Signature]

Page 1 of 1

When he walked out, he throw hats in the Crowd for about 5-10 minutes. Then Charlie sat down and addressed the crowd. He said something along the lines of "give me Utahs best liberals." Then somebody ~~asked~~ ^{made} the question made the claim to him that "Mormonism has more historical claims for it than protestantism." Charlie then spent about 5 minutes talking about ~~the~~ what he loves about Mormons. Then he went back and forth about it. Then the Crowd started yelling "Next question" so he moved on. Then he began answering the next question which was "How many shooters have been Trans in the past 20 years?" Charlie then said "too many." The student who asked the question ~~he~~ said something I didn't hear. Charlie then responded with something like "Counting or not counting Gang Violence." Then I was turning back to look at the stage and I heard a loud pop that I thought was a balloon. I then saw Charlies Body jump from the impact. I was able to see the spot that it hit in Charlies Neck, Originally I had thought the bullet had hit the other side but it was on his left side where I was standing. Where it hit, it was a dime size impact, very dark red, then bright red blood sprayed forward and down about a foot and a half in front of him. We were in shock in the crowd because there was so much blood. ~~the~~ He ~~sto~~ slumped back in the chair ~~and~~ but stayed propped up. Then I was pulled to the ground, ~~and~~ and started praying, I thought I was about to die. I was on the ground wondering where the bullet was going to hit my back. ~~then~~ I thought I was about to meet God so I was praying, repenting. I was waiting for the rest of the shots to ring out, either someone shooting ~~the~~ the Killer down or ~~the~~ shots into the crowd. Then I started getting stepped on and trampled. J [REDACTED] then turned around and

pulled me off the ground and we started running through the fountain and up the steps. As I was running out I saw people standing up on the walkway above the venue and they ~~were all~~ didn't realize what happened so I yelled at them that "Charlie Kirk got shot and everyone needs to Run." We then ran through the Hallways and after 5 minutes about we knelt down to say a prayer. Then I called my parents and brother to pick me up. I was so terrified that they wouldn't find the shooter and ~~they~~^{he'd} start aiming at us. I left my [REDACTED] there at the UVU parking Garage until Saturday or Sunday.



Exhibit F



Find related content



unfriendly friendly
reminder that for uvu
students, this isn't just a
national headline!!



Comments (637)

Creator videos

View 1 reply



mo

im watching a lot of people make fun of it, but i saw a guy bleed out from his neck in front of me, no clue if there would be more shots at us. i don't agree with a single thing charlie kirk has ever done, i'm having a hard time feeling any sympathy for him, but his children were watching, along with 1,000 students. we didn't to see deserve that. this whole thing was preventable too with gun regulation laws that charlie kirk fought against, and too many safety precautions that uvu did not take.



1194

9-11 Reply

View 66 replies



Emily 🍌🇺🇸

I'm so scared that someone might attack the school in retaliation. I'm terrified about returning to campus and I don't think I'll feel safe there again. I've heard that Utah's democratic party has been receiving threats, so I can imagine that the university probably is too



49

9-11 Reply

View 40 replies



DeeDee214

I literally walk past that exact spot everyday class... I don't know if I'll ever be able to walk that

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132



Add comment...



Post



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unfriendly friendly
reminder that for uvu
students, this isn't just a
national headline!!



Comments (637)

Creator videos

9-11 Reply

View 40 replies



DeeDee214

I literally walk past that exact spot everyday to my class... I don't know if I'll ever be able to walk that route again without feeling terrible

132

9-11 Reply

View 3 replies



annie

scariest experience of my life i never want to go back

39

9-11 Reply



maely may

i got locked down in my astronomy class. all we heard was there was an active shooter and someone died. the kid next to me had a panic attack and all my roomates were panicking texting everyone to get off campus.

476

9-11 Reply



Renee Hall · Creator

it was horrible that we weren't given clear answers or direction, if any at all. hope you're doing better today.

92

9-11 Reply

View 2 more

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Add comment...



Post



Find related content



unfriendly friendly
reminder that for UVU
students, this isn't just a
national headline!!



Comments (637)

Creator videos



I was there and running with people for were scared that it was a mass shooting was so traumatizing.



14

9-11

Reply



TheRatWagon

I was in the Clarke building. I had been in his crowd 15 min prior before deciding I was getting too upset and angry and left. Then when I had a girl come up to me telling me an active sh00ter was on campus, my immediate thought was "Is my brother okay?" cause me and my older brother go to college together. It was terrifying. I saw that man in his last 15 min then he's just dead, it's been so surreal.



42

9-11

Reply



View 14 replies



aves

I'm a student at UVU and was on my way to the debate right as it happened. People screaming and running. Breakdowns on the lawns and in the parking lots. Students frantically calling their parents and loved ones. This was not just a national headline, it was a traumatic event for many. I pray that all my fellow students get the help they need in order to cope with this. I can't imagine seeing it firsthand and being expected to go on Monday.



34

9-11

Reply



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Add comment...



Post

Exhibit G



UTAH COUNTY ATTORNEY PRESS RELEASE

Jeffrey S. Gray, Utah County Attorney

Chad E. Grunander, Chief Deputy

Christopher D. Ballard, General Counsel, Public Information Officer

Christine Scott, Major Crimes Division Chief

Ryan McBride, General Crimes Division Chief

Paul Jones, Civil Division Chief

Steven G. Adams, Bureau of Investigations Chief

Haley Christensen, Office Manager

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September 13, 2025

Arrest of Tyler James Robinson

Potential Charges

Press Conference at Noon MDT, Tuesday, September 16th

Utah County Attorney Jeff Gray provides the following statement on the arrest of Tyler James Robinson and the potential charges to be filed.

Arrest. Tyler James Robinson, of Washington, Utah, was arrested and booked into the Utah County Jail early Friday morning on suspicion of committing three crimes related to the murder of Charlie Kirk on Wednesday, September 10, 2025, at Utah Valley University in Orem, Utah.

Those crimes are:

- (1) aggravated murder, in violation of Utah Code § 76-5-202;
- (2) obstruction of justice, in violation of Utah Code § 76-8-306; and
- (3) felony discharge of a firearm causing serious bodily injury, in violation of Utah Code § 76-11-210.

Under Utah law, aggravated murder carries a penalty of either death, life in prison without the possibility of parole, or twenty-five years to life in prison with the possibility of parole.

Obstruction of justice carries a penalty of one to fifteen years in prison.

Felony discharge of a firearm causing serious bodily injury carries a penalty of five years to life in prison.

September 13, 2025

Page 2

Mr. Robinson is being held without bail.

Potential charges. Now that a suspect has been arrested, my office will carefully review all the evidence that law enforcement has gathered and decide on the appropriate charges to file. Those charges will be listed in a document called a Criminal Information. Filing that document will begin the formal criminal case against Mr. Robinson.

We anticipate filing the Criminal Information by noon on Tuesday, September 16.

Although we will make every effort to meet that schedule, we may need additional time to prepare the charges. By court rule, we may extend the time to file charges by up to three days, or until Friday, September 19. Our ability to file charges depends on how quickly we can gather and carefully review mountains of evidence. We will be thorough and deliberate at every stage of this case.

Given the very early stages of this investigation, and the fact that the investigation is ongoing, we cannot comment on the specific charges that we will file. However, we do anticipate that those charges will likely be consistent with the preliminary charges that supported Mr. Robinson's booking into jail.

It is important to note that at this stage, the charges on which Mr. Robinson was booked, and the formal charges we plan to file on Tuesday, are only allegations. Under both the Federal Constitution and the Utah Constitution, Mr. Robinson is presumed innocent until he is proven guilty beyond a reasonable doubt in a court of law.

Press conference. Assuming that we can file charges by Tuesday, we will hold a press conference to explain those charges and the next steps in this case. That press conference will be held:

Tuesday, September 16, 2025, at noon MDT.

September 13, 2025

Page 3

Location:

Utah County Health & Justice Building
Room 1600
151 South University Avenue
Provo, UT 84601

See the map below for building location and available public parking lots. As indicated on the map, enter through the building's east doors.

If we do not file charges on Tuesday, then we will reschedule the press conference to coincide with our filing of the formal charges.

First appearance. If we file charges on Tuesday, then Mr. Robinson will make his first appearance in court that same day, **September 16, 2025, at 3:00 p.m. MDT**. That hearing is known as a Felony First Appearance. The judge will conduct that hearing remotely via Webex.

A link to view the hearing will be available for the media on the Utah State Court's X account: @UtahStateCourts.

The purpose of that hearing is to inform Mr. Robinson of the charges against him and provide him with an attorney, if he has not already retained one to represent him. The hearing will likely be brief.

If we do not file charges on Tuesday, then Mr. Robinson's first appearance will be rescheduled. It will coincide with filing the charges.

We are deeply grateful for the tireless effort and support of our local, state, and federal law enforcement partners. Their dedicated and relentless work has brought us to this point. We will continue to work closely with them as this case progresses.

As with so many others, we express our deepest concern for Mr. Charlie Kirk's wife, his children, and his parents. My office is committed to supporting and assisting them throughout this criminal case.

We also express our concern for everyone who was at Wednesday's event, and everyone across our community, state, nation, and beyond, who has been impacted by this horrific tragedy.

September 13, 2025

Page 4

My office's mission is to protect our community by vigorously investigating and prosecuting crime, compassionately assisting crime victims, and seeking justice for all. We will spare no effort to achieve those ends in this, and every case.

###

Media Contact:

Christopher Ballard

General Counsel and Public Information Officer

Utah County Attorney's Office

cballard@utahcounty.gov

801-851-8073



Exhibit H



Utah County Attorney's Office Summary Report

Case # 25CA00061

Date: 09/30/2025

Investigators: C. Christensen

Synopsis:

On 09/29/2025, I was contacted by [REDACTED] [REDACTED] [REDACTED] regarding some assistance he needed relating to the Charlie Kirk shooting. Mr. [REDACTED] informed me his [REDACTED] was at the scene when Mr. Kirk was shot and he further explained that he intended to disclose that fact to the defense counsel. Mr. [REDACTED] advised his [REDACTED] was there at the event with [REDACTED] bag and once Mr. Kirk had been shot [REDACTED] left [REDACTED] bag where [REDACTED] was located and fled the scene. Mr. [REDACTED] stated he had photographs of his [REDACTED]'s bag at the crime scene. Mr. [REDACTED] asked if I could assist him in collecting an approximate measurement of his [REDACTED]'s location to the approximate location where Mr. Kirk was shot.

On 9/30/2025, Mr. [REDACTED] and I traveled to UVU and I advised UVU dispatch that we would be in the crime scene area collecting a measurement.

With the assistance of Mr. [REDACTED] via photographs he had of his [REDACTED]'s bag, we were able to locate the approximate location his [REDACTED] was in relation to where Mr. Kirk was located when he was shot. We ran a tape measure from Mr. Kirk's approximate location to where his [REDACTED]'s bag was according to the photographs. That distance was approximately 85 feet.

After collecting that measurement we left the area with no additional actions taken.

Exhibit I



KING NEWS

FBI: RECEIVED 130+ TIPS

FOX NEWS ALERT

TH ANN DARLING

9/11

ANNETTE ANDREA DATARAM

9/11