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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 CLASSIFY MOTION TO EXCLUDE STILL PHOTOGRAPHERS, TV CAMERAS AND MICROPHONES FROM THE COURTROOM AS PRIVATE** Case No. 251403576 Honorable Tony F. Graf, Jr.

Defendant, Tyler James Robinson, by and through undersigned counsel hereby moves this Court pursuant to Utah Rule of Judicial Administration 4-202.04(3) to classify Defendant Tyler James Robinson's *Motion to Exclude Still Photographers, TV Cameras and Microphones from the Courtroom* and the concurrently filed exhibits as "private."

The primary basis for this request is that the motion compiles a substantial number of electronic media references that evidence violations of Utah state law, violations of this Court's decorum orders, and overall threaten Mr. Robinson's constitutional rights to due process, to a fair and impartial jury, to counsel, to be free from unreasonable searches and seizures, and to be free from cruel and unusual punishment, as required by the Fourth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution and article I, sections 7, 9, 10, 12, and 14 of the Utah Constitution.

Requiring Mr. Robinson to essentially "republish," through public filing the litany of unfairly prejudicial and oftentimes inaccurate electronic media interviews, comments, photographs (along with the necessary link citations) compounds the very issue Mr. Robinson seeks to address by the motion—limiting the overwhelming electronic media exposure in this case that fixates on every sound and image produced from the courtroom. To be sure, the inclusion of the publications (which are by no means exhaustive) in the motion is necessary to fully present all aspects of the constitutional problems presented and to create an adequate record. Mr. Robinson should not be forced to sacrifice his right to a fair trial in republishing prejudicial materials necessary to adequately raise the issue before the Court.

Next, Mr. Robinson is concerned that republication of the harmful materials will materially impact the case. In the past, electronic media have utilized public case filings to make inquiries of local officials about whether their commentary about Mr. Robinson and the case

have negatively impacted Mr. Robinson's ability to attain a fair trial. *See, e.g.*, Wendy Hollaran, *Gov. Cox questioned on accusations of prejudicing accused assassin Tyler Robinson's case*, KUTV (Nov. 25, 2025, at 8:27 PM), https://kutv.com/news/2news-investigates/do-you-think-tyler-robinson-can-receive-an-impartial-trial-in-utah.[1] The cited electronic media article is demonstrative how public filings raising important concerns can develop into media coverage that impacts the proceedings, as noted in the motion to exclude.

In addition to the republication issue, Mr. Robinson makes reference in the motion to existing filings in the court record that are currently classified as private, namely the private portion of the December 11, 2025 hearing transcript[2] from the closure hearing, and the *State's Response to Defendant's Motion to Appear at all In-Person Proceedings in Civilian Clothing and Without Restraints* (Dkt. 109). Given the classifications of these records, it would violate the Utah Rules of Judicial Administration for Mr. Robinson to publicly file the motion with these references.

Finally, Mr. Robinson raises several points in the motion concerning the publication of the private information of individuals involved in this case by state and federal government officials in violation of GRAMA and federal rules. These arguments necessarily require descriptions of the private information that should not have been disclosed. Requiring Mr. Robinson to "republish" private information that should not have been public in the first instance, again, compounds the problem and perpetuates the harm to Mr. Robinson and the other

[1] Mr. Robinson even hesitates to include this reference here for the same reasons. However, the Court should be aware that the negative impact of republication through public filing is very real.

[2] Defense counsel is working with the State and media counsel to agree upon redactions to this transcript and acknowledges that the portions referenced in the motion are likely to become public. However, at present, the transcript is currently private and thus defense counsel notes this in an abundance of caution.

individuals whose private information was made public. Mr. Robinson should not be put in the position of choosing between fully raising the privacy violation issues or foregoing these important arguments out of concern that further privacy violations will occur through public filing.

Pursuant to Rule 4-202.04(3)(A), upon the filing of a motion, "the court must deny access to the record until the court enters an order." Accordingly, Mr. Robinson requests that this Court classify the motion and exhibits as private pending any further order of the Court.

RESPECTFULLY SUBMITTED this 16th day of January, 2026.

/s/ Kathryn N. Nester
Kathryn N. Nester

/s/Richard G. Novak
Richard G. Novak

/s/ Michael N. Burt
Michael N. Burt

/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 16th day of January, 2026, which served all attorneys of record.

Further, undersigned certifies that a copy of this pleading was served by email on the same date upon counsel for the media entities previously identified as *Deseret News, et al.*, see Docket Entry 150, namely:

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And by email upon on counsel for the media entities identified as *The Salt Lake Tribune, et al.*, see Docket Entry 164, namely:

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/s/ Staci Visser
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