IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR UTAH COUNTY, STATE OF UTAH

STATE OF UTAH, Plaintiff, vs. TYLER JAMES ROBINSON, Defendant.	**RULING AND ORDER ON DEFENDANT'S MOTION TO VACATE OR CONTINUE PRELIMINARY HEARING PENDING DISCOVERY AND TO PERMIT CONSTITUTIONALLY ADEQUATE TIME FOR PREPARATION (DOCKET 466)** Case No. 251403576 Judge Tony F. Graf, Jr.

Per the State's request during the December 11, 2025 hearing, the court scheduled a preliminary hearing for May 18-19, and 21, 2026, but noted that the date was not set in stone and could be moved if needed. Defendant now seeks to continue the scheduled preliminary hearing via his Motion to Vacate or Continue Preliminary Hearing Pending Discovery. (Dkt. 466). For the following reasons, the court determines that a continuance is both reasonable and necessary to safeguard Defendant's procedural rights while ensuring the orderly and fair administration of these proceedings, with due consideration for the interests of the victim representative, the parties, and the public.

The purpose of a preliminary hearing is for the prosecution to present evidence from which the court may find "probable cause to believe the crime charged has been committed and that the defendant has committed it." Utah R. Crim. P. 7B(b). A preliminary hearing serves the essential purpose of "ferret[ing] out groundless and improvident prosecutions" early in the process. *State v. Virgin*, 2006 UT 29, ¶ 20, 137 P.3d 787, 792. Indeed, "[t]he preliminary hearing

is a fundamental procedural right guaranteed by article I, section 13 of the Utah Constitution." *State v. Prisbrey*, 2020 UT App 172, ¶ 19, 479 P.3d 1126, 1132.

The decision to continue a preliminary hearing rests within the sound discretion of the trial judge. *See State v. Roger*, 2006 UT 85, ¶ 18, 151 P.3d 171, 174. Generally, a continuance is considered reasonable when there is a showing of "good cause" and the request is made for legitimate reasons rather than dilatory purposes. *See Layton v. Longcrier*, 943 P.2d 655, 659 (Utah Ct. App. 1997) (listing factors relevant to deciding motion for continuance).

The court notes that the May preliminary hearing dates, which allotted some five months between the scheduling of the prelim and the hearing itself, were set as a goal post for the parties and to preserve time on the court's calendar. This is Defendant's first request for a continuance and, given the volume of discovery, the request is neither unexpected nor unreasonable. At the time the present motion was filed, the digital electronic discovery had reached 12 terabytes and defense counsel estimated they would need at least approximately 60 days to conduct an initial review and possibly hundreds of hours to conduct a comprehensive review. *See* Def.'s Mot to Vacate or Continue at 4. Substantial discovery continued to be produced as of March of this year. The court recognizes that additional delay imposes real burdens on the parties, the victim representative, and the public's interest in the timely administration of justice.

A defendant's constitutional right to effective assistance of counsel is no less important at the preliminary hearing than it is at any other stage. *See State v. Montes,* 2019 UT App 74, ¶ 38, 442 P.3d 1247, 1260 (recognizing preliminary hearing as critical stage requiring effective assistance of counsel). Providing defense counsel sufficient time to review the extensive discovery is necessary to ensure effective representation and, under the circumstances presented here, establishes good cause for a continuance.

The scope of a preliminary hearing, however, is admittedly narrow and utilizes the lower evidentiary bar of probable cause as opposed to beyond a reasonable doubt. *See* Utah R. Crim P. 7B(b). Furthermore, the court "must view all evidence in the light most favorable to the prosecution and draw all reasonable inferences in favor of the prosecution" for purposes of making the requisite bindover decision. *State v. Lopez*, 2020 UT 61, ¶ 48, 474 P.3d 949, 964.

The preliminary hearing is not the time to "weigh credible but conflicting evidence." *Id. at* ¶ 47, 963. Accordingly, any future request for additional delay to obtain further expert analysis—such as DNA testing—must be supported by a particularized showing that the requested analysis is reasonably necessary to the fair resolution of issues, particularly where the existing evidence is sufficient for the limited probable-cause determination at issue.

The court is also mindful of the impact a delayed trial may have on the victim's representative constitutional rights. To mitigate this impact, Utah Code section 77-38-7(3) directs the court to "consider the interests of the victim of a crime to a speedy resolution of the charges under the same standards that govern a defendant's . . . right to a speedy trial." Utah Code § 77-38-7(1).

The court remains committed to the victim representative's interest in the speedy disposition of this case, just as it is committed to protecting Defendant's constitutional rights and maintaining the fair and impartial administration of justice.

The court also concludes that the revised hearing dates reasonably balance defense counsel's need to review the presently disclosed discovery with the victim representative's and the public's interest in the timely progression of the proceedings.

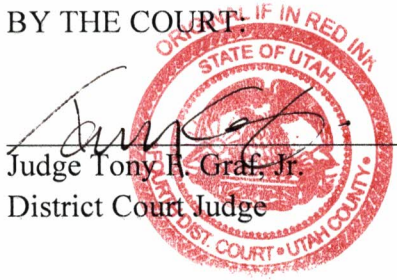
Therefore, the court grants Defendant's motion and reschedules the preliminary hearing for July 6, 7, the afternoon of July 8, 9, and 10, 2026, in order to protect Defendant's

constitutional rights while minimizing unnecessary delay and preserving the fair, prompt, and impartial administration of justice.

This is the order of the court.

Dated this 8th day of May, 2026.

BY THE COURT:



Judge Tony R. Graf, Jr.
District Court Judge

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 251403576 by the method and on the date specified.

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05/08/2026 /s/ SHIRLEY MOLINA

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