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

THE STATE OF UTAH, Plaintiff, -vs- TYLER ROBINSON, Defendant.	**VICTIMS' MOTION TO ENFORCE THE RIGHT TO A SPEEDY DISPOSITION AND RESPONSE TO PROPOSED TRIAL SCHEDULES** Case No. 251403576

Erika Kirk, individually and on behalf of her minor children, through counsel, asks the Court to reject the defense's tentative third-quarter 2029 trial target, a timeline which is grossly out of line with comparable cases, and set trial for the earliest practicable date in 2027, no later than the government's proposed readiness date of October 4, 2027.

If the defense's request is granted, the trial would take place more than four years after the defendants' arrest, and more than three years following the week-long preliminary hearing and subsequent decision by the Court that the defendant would stand trial.

Every additional day of delay carries the weight of all that Charlie's murder has taken from his family, especially his two young children who were just three and one years old when their father was murdered and would be seven and five years old by the time a verdict is handed down under the Defense's proposed schedule. What's worse, the defendant's core argument for delay is

that there is such an overwhelming amount of evidence – a perverse position that has no legal basis. Utah law requires that the victims' interests receive actual weight in setting trial, and for the reasons laid out here, those interests include a judicial process that is fair, transparent, and without needless delay.

I. The Kirk Family Has A Right To A Speedy Trial Under the Utah Constitution and the Utah Code.

Article I, section 28 of the Utah Constitution provides the right to justice and due process, including fair and dignified treatment for victims of crime. More specifically the Utah Code includes an express speedy-disposition protection in Utah Code § 77-38-7: "The victim of a crime has the right to a speedy disposition of the charges free from unwarranted delay caused by or at the behest of the defendant." The Court is required to consider the victims' right to a speedy trial "under the same standards that govern a defendant's . . . right to a speedy trial."

II. The Defendants Proposed Schedule Does Not Adequately Protect the Kirk Family's Right to A Timely Resolution.

In its Prehearing Scheduling Memorandum, the State expressly says it could be prepared to begin October 4, 2027. The defense proposes a third-quarter 2029 start to the trial, which would place the beginning of the trial four years after the brutal assassination by the Defendant. Moreover, the defense, which anticipates a six-to-seven-month trial, requests quarterly reassessment of that target trial date. Dkt. 773, Defense Scheduling Memorandum, at 2–3, 18–19, 23–26. The defense justifies its request for this time based on the need for "legal challenges," "expert review," "mitigation work," and "jury preparation." What is clear from the Defendant's filings is that his primary strategy is delay; at great cost to the taxpayers of Utah, the Defendant is content to sit in jail year after year while his lawyers propose an absurd schedule of quarterly motions that could easily be filed and resolved in a more routine way.

The Defense points to the fact that the State has overwhelming evidence, as evidenced by having turned over 31,000 documents, as a basis for delay. This perverse position, that the more evidence the state has accumulated the more need for delay, is not found in the law. Any challenges the defense wishes to put forth in this case can also be done simultaneously to other motions they may seek, like change of venue.

The Defendants' proposed schedule is so out of line with the timeline of comparable cases that it instead demonstrates how adopting the Defendants' proposed schedule would violate the Kirk family's right to a speedy disposition. First, prominent public violent attacks have resulted in much quicker trials. For example in the Hi-Fi shop murders case Defendants Pierre and Andrews were tried six months after their murders, including a successful change of venue motion to Davis County.

More recent death penalty litigation also shows how out of touch with reality the Defendant's motion is. Martin Chris Nelson was charged with murdering two men in February 2008 and his capital murder trial began the next year, in November 2009. Statements by the Nelson case victims show just how harmful long delays are to victims. One of the victims' mothers explained why she supported a life without parole sentence even after the jury found the defendant guilty of capital murder.

> "I don't want to do this anymore," Grijalva's mother, Pennie Grijalva, told the Deseret News. "I don't want to spend the rest of my life going to court for appeal hearings. I had so much anxiety, … my mind can't think clearly. The only way we can move forward is to have him put away."[1]

[1] "Iron County man spared death penalty in double murder," Emily Morgan, Deseret News (February 6, 2010) available at https://www.deseret.com/2010/2/6/20094623/iron-county-man-spared-death-penalty-in-double-murder/ (last accessed October 22, 2026).

III. Delay Harms The Victims And Comes At A Significant Public Cost, Including Quantifiable Financial Cost.

The Kirk family has a right to a "speedy disposition" of this case. Under the Defendants' proposed schedule, Mr. Kirk's two children, who were one and three at the time he was murdered, will be six and eight years old by the time the trial concludes. They will face the uncertainty of this criminal proceeding longer than they had their father in their lives. Each hearing induces anxiety, pain, and mourning. The Kirk family deserves to have this matter resolved expeditiously.

The cost to the public is also significant. Not only are conspiracy theorists, trolls, click chasers, and rage-baiters willing to exploit the uncertainty resulting from delay to spin tails that undermine confidence in the State of Utah and its justice system, the taxpayers are also paying an unprecedented financial cost that will only grow as the trial date is delayed. On September 10, 2026, The Salt Lake Tribune reported the defense in this case has already spent approximately $1.6 million in the first year of Mr. Robinson's defense.[2] The family does not ask the Court to infer misconduct from public payment, deny necessary defense services, or impose an unsupported dollar ceiling. However, with seemingly no limits on spending the Defense has the resources to prepare for trial on a reasonable schedule. Charlie's death should not lead to the lawyers defending his assassin becoming millionaires.

Once a reasonable trial schedule has been set, the Court should reserve regular motions hearings and promptly address discovery disputes that otherwise could become reasons for avoidable delay.

[2] "A year after Charlie Kirk's killing, Tyler Robinson's defense has cost taxpayers $1.6 million—so far," Jessica Schreifels, Salt Lake Tribune (September 10, 2026) available at https://www.sltrib.com/news/2026/09/10/charlie-kirk-murder-case-utah/ (last accessed October 22, 2026).

IV. Requested relief

The family respectfully requests an order:

1. Setting trial for October 4, 2027, or the earliest practicable date in 2027; if a later date is necessary, stating the case-specific reasons and expressly considering the family's interests under § 77-38-7;
2. Rejecting the tentative 2029 target and requiring, within 14 days, proposed overlapping deadlines for discovery disputes, legal challenges, suppression motions, expert disclosures, venue, mitigation preparation, and jury procedures, with an explanation of disputed dependencies;
3. Requiring monthly progress reports and/or status conferences, reserving recurring motions hearings, and directing prompt identification and resolution of outstanding discovery issues;
4. Requiring any extension request to identify the obstacle, diligence, available alternatives, and minimum additional time, and applying § 77-38-7(3) to any continuance of an established setting; and
5. Providing notice and an opportunity for victims' counsel to address material scheduling changes, and designating Erika Kirk under § 77-38-9(2) if necessary.

/s/ JEFFREY A. NEIMAN
JEFFREY A. NEIMAN
Attorney for Erika Kirk

CERTIFICATE OF DELIVERY

I certify that I e-filed a copy of the foregoing Motion, thereby providing notice to the parties in this case, on October 22, 2026.

/s/ *Clifford B. Parkinson*
Clifford B. Parkinson