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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.	**DEFENSE CORRECTION TO THE RECORD FROM OCTOBER 23, 2026 HEARING** Case No. 251403576 Honorable Tony F. Graf, Jr.

Defendant, Tyler James Robinson, by and through undersigned counsel hereby files this notice to correct the record from oral arguments on October 23, 2026 regarding the anticipated length of time that may be necessary for individualized voir dire in this case.

During the October 23, 2026 hearing, counsel for Mr. Robinson ("Mr. Novak") provided incorrect information concerning individualized voir dire currently underway in another high-profile capital prosecution, *U.S. v. Payton Gendron*, a federal case in the Western District of New York.

The information below is based upon Mr. Novak's close review of the docket in that matter, corrects the record, and accurately informs the Court as to how jury selection is actually proceeding in the *Gendron* matter.

1. On May 21, 2026, the court in *Gendron* finalized the jury questionnaire, based upon separate proposed questionnaires earlier submitted by the parties and a subsequent joint proposed questionnaire.
2. From June 15, 2026 through June 26, 2026, summoned jurors came to the courthouse in small groups, just to complete the juror questionnaire in person. Each morning, between 55 and 69 jurors completed the juror questionnaire in person and were then excused. Each afternoon, another group of between 56 and 69 jurors completed the juror questionnaire in person and were then excused. A total of 1,074 prospective jurors completed the questionnaire.
3. One month later, on July 28, 2026, the parties filed under seal their joint stipulated strikes, which proposed that the court excuse 539 of the jurors (approximately 50 percent).

4. On August 7, 2026, the court granted all of the stipulated strikes and struck four additional jurors.
5. On October 13, 2026, the court began individualized voir dire **with groups of 7 to 12 jurors per day**. Of the 128 jurors who have participated in individualized voir dire on 13 court days between October 13 and November 3, 3036, the Court has excused 72 of them for cause (approximately 56 percent). Jury selection is presently set to resume on November 4, 2026.

RESPECTFULLY SUBMITTED this 4th day of November, 2026.

/s/ Richard G. Novak
Richard G. Novak

/s/ Kathryn N. Nester
Kathryn N. Nester

/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 4th day of November, 2026, thereby serving all attorneys of record.

/s/ Staci Visser