IN THE FOURTH JUDICIAL DISTRICT COURT
UTAH COUNTY - STATE OF UTAH

STATE OF UTAH, *Plaintiff,* vs. TYLER JAMES ROBINSON, *Defendant.*	**RULING AND ORDER ON DEFENDANT'S OPPOSITION TO ELECTRONIC MEDIA COVERAGE FOR THE NOVEMBER 9, 2026 HEARING (DKT. 787)** Case No. 251403576 Honorable Tony F. Graf, Jr.

INTRODUCTION

Before this court is the defendant Tyler James Robinson's request to withdraw permission for video recording and live streaming of the November 9, 2026 trial scheduling hearing. Dkt. 787. Law&Crime/Court TV requested that coverage on October 26, 2026, and the court approved it that day. Dkt. 781. The News Media oppose the defendant's request. Dkt. 795. Electronic media coverage is referred to below as EMC.

The defendant contends that video recording and live transmission of the November 9, 2026 hearing would jeopardize his rights to a fair trial, due process of law, an impartial jury, and a reliable penalty determination under the Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution and article I, sections 7 and 12 of the Utah Constitution. The defendant renews his objection to the procedure in Docket 535, arguing that the limits placed on written submissions and the absence of oral argument deny due process. He also argues that live video adds little to a scheduling hearing and risks spreading statements taken out of context in a case already receiving extensive publicity.

In response, the News Media rely on the presumption favoring coverage under rule 4-401.01 of the Utah Code of Judicial Administration. They contend that the objections repeat arguments previously rejected by the court and that ending coverage would not prevent

online commentary. They also argue that live video permits firsthand public observation. Dkt. 795 at 1–2.

The court has reviewed the filings and the incorporated evidence. The defendant's request to prohibit video recording and live streaming of the November 9, 2026 hearing is **DENIED**, subject to rule 4-401.01, the Amended Standing Decorum Order, and the protections stated below.

BACKGROUND

On September 16, 2025, the Utah County Attorney's Office filed an Information charging the defendant Tyler James Robinson with Aggravated Murder, a capital felony, under Utah Code section 76-5-202; Felony Discharge of a Firearm Causing Serious Bodily Injury, a first-degree felony, under Utah Code section 76-11-210(2) and (3)(c); two counts of Obstruction of Justice, second-degree felonies, under Utah Code section 76-8-306(2); two counts of Witness Tampering, third-degree felonies, under Utah Code section 76-8-508; Violent Offense Committed in the Presence of a Child, a class A misdemeanor, under Utah Code section 76-3-203.10(2); and a Victim Targeting Enhancement under Utah Code section 76-3-203.14(2). The State subsequently filed a formal Notice of Intent to Seek the Death Penalty.

Under section 78A-2-201 and rules 3-414 and 4-401.01, the court issued standing decorum orders governing all court proceedings. *See* Dkt. 28, 138, 265, 414, 730. Most recently, on August 28, 2026, the court issued its Amended Standing Decorum Order, which governs all press and public attendance in Courtroom 4B.

I. The Earlier Coverage Challenge

On January 16, 2026, the defendant filed a Motion to Exclude Still Photographers, TV Cameras and Microphones from the Courtroom (Dkt. 305), seeking a categorical ban on all electronic media coverage for the duration of the litigation. On April 17, 2026, the court held a comprehensive, day-long evidentiary hearing on the defendant's motion. During the hearing, the defendant presented expert testimony from Dr. Bryan Edelman, a trial

consultant, and Dr. Christine Ruva, a cognitive psychologist specializing in pretrial publicity.

Dr. Edelman testified regarding a public opinion survey of 200 Utah County residents, which revealed that 99% of surveyed individuals recognized the case and 64% of those aware of the case believed the defendant was guilty based on what they had read, seen, or heard. Apr. 17 Tr. 122–23. Dr. Ruva described emotional audiovisual publicity, source confusion, and implicit biases that juror questionnaires may not detect. Dkt. 535 at 3. On cross-examination, Dr. Edelman acknowledged that many respondents had not heard certain reported details, including an alleged confession and DNA at the crime scene. Apr. 17 Tr. 151:4–25. That limited awareness does not negate the reported opinions about guilt or show that further publicity would be harmless.

On May 8, 2026, the court issued its Ruling and Order on the defendant's Motion to Exclude Still Photographers, TV Cameras and Microphones from the Courtroom (Dkt. 535). The court denied the defendant's motion for a categorical, case-wide ban on electronic media coverage, ruling that rule 4-401.01 requires individualized, request-by-request evaluations anchored in particularized findings for specific proceedings. To manage media requests efficiently and ensure adequate time for judicial review, Docket 535 established a mandatory standing procedure requiring news media organizations to submit EMC requests at least fourteen days prior to a scheduled proceeding, requiring motions at least ten days before the proceeding, limiting objection and response briefs to four pages, and providing for written decisions without oral argument.

Following a six-day preliminary hearing conducted in July and September 2026, the court found probable cause to bind the defendant over for trial on all counts. The defendant was arraigned in open court and entered pleas of Not Guilty. The court subsequently set a pretrial status and trial scheduling conference for October 23, 2026, which was later continued in part to November 9, 2026, for the purpose of establishing a trial schedule.

On October 20, 2026, the court issued a written Ruling and Order on the defendant's Opposition to Electronic Media Coverage Request for the October 23, 2026 Hearing (Dkt.

768). In that order, the court permitted still photography by a single pool photographer while establishing specific operational restrictions for that proceeding.

II. The Current Request and Objection

On October 26, 2026, Law&Crime/Court TV (Lacey LeCroy) submitted a formal Request and Order for Electronic Media Coverage of Court Proceedings (Dkt. 781), seeking video coverage and live streaming of the November 9, 2026 hearing at 1:00 p.m. The court approved the request that day. On October 30, 2026, the defendant filed his Opposition to the EMC Order (Dkt. 787). On November 4, 2026, the News Media filed their Response in Opposition to the defendant's Motion (Dkt. 795). The defendant now seeks relief from that approval.

LEGAL STANDARD

Rule 4-401.01 governs the coverage request. The court must also protect the defendant's right to a fair trial.

I. Constitutional Framework Governing Media Access and Fair Trial Rights

Under the Sixth Amendment to the United States Constitution and article I, section 12 of the Utah Constitution, a criminal defendant has the right to a fair trial by an impartial jury. The court must act against prejudicial publicity and disruption that threaten that right. *See Sheppard v. Maxwell*, 384 U.S. 333, 362–63 (1966). That duty extends beyond controlling camera noise or placement.

The public and the press enjoy a presumptive, common-law, and constitutional right of access to criminal court proceedings under the First and Fourteenth Amendments to the United States Constitution and article I, section 15 of the Utah Constitution. *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 572 (1980); *Press-Enter. Co. v. Superior Ct.*, 478 U.S. 1, 7 (1986); *Kearns-Tribune Corp. v. Lewis*, 685 P.2d 515, 521–22 (Utah 1984); *State v. Archuleta*, 857 P.2d 234, 237 (Utah 1993). This presumption of openness ensures public accountability, transparency, and confidence in the administration of justice. *Nixon v. Warner*

Communications, Inc., 435 U.S. 589, 610 (1978), explains that the public-trial guarantee permits attendance and reporting without requiring broadcast of the proceedings.

Chandler v. Florida, 449 U.S. 560 (1981), rejects a rule that broadcast cameras always violate due process. The Court held that states may constitutionally permit television and photographic coverage of criminal trials over a defendant's objection, provided that coverage is subject to judicial control and decorum controls. *See id.* at 574–75. *Chandler* requires an opportunity to establish prejudice. 449 U.S. at 577, 581–82. The preventive inquiry here is reasonable likelihood under rule 4-401.01(2)(B)(i), not proof of actual prejudice.

II. Rule 4-401.01 of the Utah Code of Judicial Administration

Rule 4-401.01 establishes a presumption favoring electronic media coverage:

> There is a presumption that electronic media coverage by a news reporter shall be permitted in public proceedings where the predominant purpose of the electronic media coverage request is journalism or dissemination of news to the public. The judge may prohibit or restrict electronic media coverage in those cases only if the judge finds that the reasons for doing so are sufficiently compelling to outweigh the presumption.

To evaluate whether the presumption favoring coverage has been overcome in a given proceeding, rule 4-401.01(2)(B) directs the court to consider the following non-exclusive factors:

> (i) whether there is a reasonable likelihood that electronic media coverage will prejudice the right of the parties to a fair proceeding;
> (ii) whether there is a reasonable likelihood that electronic media coverage will jeopardize the safety or well-being of any individual;
> (iii) whether there is a reasonable likelihood that electronic media coverage will jeopardize the interests or well-being of a minor;
> (iv) whether there is a reasonable likelihood that electronic media coverage will constitute an unwarranted invasion of personal privacy of any person;
> (v) whether electronic media coverage will create adverse effects greater than those caused by media coverage without recording or transmitting images or

sound;

(vi) the adequacy of the court's physical facilities for electronic media coverage;

(vii) the public interest in and newsworthiness of the proceeding;

(viii) potentially beneficial effects of allowing public observation of the proceeding through electronic media coverage; and

(ix) any other factor affecting the fair administration of justice.

Restrictions on coverage require particularized findings on the record. Those findings must relate to the specific circumstances of the proceeding rather than generalized views or preferences. Utah Code Jud. Admin. R. 4-401.01(2)(C)–(D).

ANALYSIS

The court addresses the defendant's procedural and substantive arguments in turn, applying the governing legal framework to the particular circumstances of the November 9, 2026 hearing.

I. Procedure for Considering the Request

The defendant renews his objection to the EMC procedure in Docket 535. The defendant asserts that the fourteen-day advance filing requirement for media, the deadline for motions at least ten days before the hearing, the four-page briefing limit, and the resolution of EMC objections without mandatory oral argument or evidentiary hearings deprive him of due process under *Coleman v. Alabama*, 377 U.S. 129 (1964), and *Chandler v. Florida*, 449 U.S. 560 (1981).

Procedural due process requires notice and a meaningful opportunity to be heard. *See Coleman*, 377 U.S. at 132–33. Docket 535 sets filing deadlines so the parties can submit objections and the court can decide them before coverage begins. Rule 4-401.01(3)(A), unless otherwise ordered by the court, allows news reporters to submit requests as late as one business day prior to a hearing—which may leave too little time for written objections and a ruling. The earlier filing deadline provides more time to respond; whether the process is sufficient also depends on the opportunity to present relevant evidence.

The court conducted an evidentiary hearing on April 17, 2026, at which the defendant presented expert testimony and survey evidence regarding pretrial publicity. That evidence and the current submissions are considered here. *Coleman* forbids rejecting a constitutional claim for lack of proof while excluding its supporting evidence. 377 U.S. at 132–33. Counsel or an affected witness may identify additional evidence or a safety or privacy concern and request supplemental briefing, a hearing, or protective relief. The court will resolve the request before the affected coverage and provide any additional process needed for a meaningful opportunity to be heard. With that opportunity, the procedural objection is overruled as applied to this request.

II. Applicability of the Presumption Favoring Electronic Media Coverage

Under rule 4-401.01(2)(A), the court must first determine whether the predominant purpose of the electronic media coverage request is journalism or the dissemination of news to the public. In Docket 768 and Docket 535, this court established that the inquiry under rule 4-401.01(2)(A) focuses on the requesting reporter's predominant purpose, rather than every later use of the footage.

The EMC request under consideration (Dkt. 781) was submitted by Law&Crime/Court TV (Lacey LeCroy), an established national news organization regularly engaged in legal reporting and court journalism. The request certifies that the predominant purpose of the coverage is journalism and news dissemination. Later uses of the footage may still cause prejudice and must be considered under subsection (2)(B). Consequently, the court finds that the threshold presumption favoring electronic media coverage under rule 4-401.01(2)(A) applies to the November 9, 2026 hearing.

III. Evaluation of Particularized Factors for the November 9, 2026 Hearing

The presumption applies, but does not decide the request. The court weighs the relevant factors under rule 4-401.01(2)(B). Any restriction requires findings specific to this hearing under subsections (2)(C) and (D).

A. Recording Risks

The defendant argues that allowing video camera recording and live streaming of the November 9 hearing will create severe adverse effects by generating video clips that will be disseminated online, aggravating public bias within Utah County. In support, the defendant incorporates the expert survey data of Dr. Edelman and the psychological findings of Dr. Ruva from the April 17, 2026 hearing.

B. The Planned Hearing

In evaluating the defendant's arguments under Factors (i) and (v), rule 4-401.01(2)(D) mandates that the court analyze the specific character of the proceeding. The November 9, 2026 hearing is scheduled as a trial scheduling and status conference. The planned agenda concerns scheduling and trial preparation. No testimony, exhibits, or argument about the merits of the charges is expected. If that changes, the pause and review requirement below applies.

C. What the Camera Controls Protect

Still photographs capture images; video also records words and tone. However, the physical placement of equipment under this court's Amended Standing Decorum Order reduces the risk of physical disruption and distraction. Under Paragraph 40(a) of the Decorum Order, the single pool video camera is stationary and restricted to the rear southeast corner of the courtroom. Paragraphs 54–57 require a wide video shot of counsel tables and prohibit close-ups of an individual there, readable writings or screens, conference audio, and readable lip images during counsel conferences. Under Paragraphs 49 and 50, media representatives are strictly prohibited from filming the defendant's restraints or recording the defendant as he enters or exits the courtroom.

D. Remaining Risks and Alternatives

The equipment limits reduce disruption, but do not prevent repeated publication of statements in ways that could prejudice a future jury. Still-only coverage would omit the spoken exchanges; delay could allow intervention before a sensitive statement is broadcast. Neither would prevent later commentary, and delayed video could still be excerpted. The

court will decide identified protection requests before the affected coverage and pause coverage before taking up a material agenda change. Those safeguards do not intercept every unexpected statement or ensure that jury selection will uncover every effect of publicity. The court weighs their limits with the expert evidence, the post, and the other factors below.

E. What the Political Post Adds

The defendant cites a post attributed to President Donald J. Trump that criticizes the judge's handling of the case and calls for trial within a month. The defendant argues that recording and transmitting the scheduling discussion could supply excerpts used out of context in commentary that places undue pressure on the proceedings. Dkt. 787 at 3–4. The News Media respond that the post is unrelated to electronic media coverage, that ending coverage would not prevent commentary, and that coverage permits firsthand public observation. Dkt. 795 at 2.

F. Weight and Limits of the Post

The post concerns trial timing, the subject of the planned hearing. The court considers it together with the expert evidence concerning pretrial publicity in assessing the risk that recorded scheduling discussions could be used out of context. The expected absence of merits testimony limits the content available for such use but does not eliminate that risk.

Commentary would remain possible without electronic coverage. The question under rule 4-401.01(2)(B)(v), however, is whether recording and transmission would create adverse effects beyond those associated with reporting alone. The court considers that risk under factors (i), (v), and (ix), alongside the public benefit of firsthand observation.

The limited agenda narrows the scope of coverage. The required pause before a material agenda change allows the court to reassess coverage before additional matters are discussed. Neither measure prevents later use of scheduling excerpts out of context. The court weighs that remaining risk with the other evidence and factors in the final balance below.

G. The Additional Benefit of Video

The added benefit of video is the opportunity to hear the scheduling discussion firsthand.

Under factors (vii) and (viii), the court gives that benefit modest weight. The schedule is newsworthy, and live video can make the discussion available to people unable to attend. Attendance, written reporting, and the public scheduling order also provide access without recording. Those alternatives limit the additional value assigned to video. This weighting is consistent with Docket 768.

H. Safety Privacy and Protected Images

Factors (ii), (iii), and (iv) address safety, protection of minors, and personal privacy. Because the November 9 hearing is an administrative scheduling conference, no jurors, prospective jurors, or minor witnesses are expected to participate. That expectation does not exclude minor observers; the rule's image protections still apply. Privacy and safety concerns regarding court personnel and counsel are addressed, subject to specific objections, by the mandatory restrictions set forth in rule 4-401.01(6) and the court's Amended Standing Decorum Order. Specifically, audio recording of confidential bench or counsel-client communications is strictly prohibited, and any identified safety or privacy concern will be considered before coverage.

IV. Synthesis and Ruling

The expert evidence and the post identify a genuine publicity risk. The court weighs it against the limited scheduling agenda, the modest added benefit of video, and the protections described above. On this record, those considerations do not establish a reasonable likelihood of prejudice or other reasons sufficiently compelling to outweigh the coverage presumption under rule 4-401.01(2). This conclusion rests on the court's assessment of the record, not solely on the absence of new defense evidence. For those reasons, the court finds still-only or delayed coverage unnecessary for this hearing. The defendant's opposition is denied for this hearing only. If the agenda materially changes, coverage shall pause pending renewed findings under rule 4-401.01(2).

CONCLUSION AND ORDER

Based upon the foregoing particularized findings, the procedural record, and the provisions of rule 4-401.01 of the Utah Code of Judicial Administration, **IT IS HEREBY ORDERED** that:

1. The defendant Tyler James Robinson's procedural objection to the EMC procedure (Dkt. 535) is **OVERRULED** as applied to this request, subject to the opportunity described above to submit additional evidence and seek protective relief.
2. The defendant Tyler James Robinson's Opposition to EMC Order for the November 9, 2026 Hearing (Dkt. 787) is **DENIED**.
3. Law&Crime/Court TV's Request for Electronic Media Coverage (Dkt. 781) is **CONFIRMED** for the trial scheduling and status hearing scheduled for November 9, 2026, at 1:00 p.m. in Courtroom 4B. Permission covers the planned scheduling agenda only. Before taking up a material change in that agenda, the court will direct recording and live transmission to stop and decide the scope of any further coverage on the record under rule 4-401.01(2) and (3)(B). Any party or the pool reporter may request that ruling before the affected discussion.
4. Electronic media coverage during the November 9, 2026 hearing shall be strictly limited to the approved pool video camera and associated audio. The camera shall occupy the designated rear southeast position, subject to court approval. This order grants no additional still-photography request.
5. Media representatives must follow rule 4-401.01, the Amended Standing Decorum Order effective August 28, 2026 and the Request and Order for Electronic Media Coverage of Court Proceedings (Dkt. 781).

IT IS SO ORDERED.

DATED November 6, 2026



BY THE COURT:

Judge Tony F. 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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11/06/2026 /s/ JAUZLYN TEMPLIN

Date: _____ _____

Signature