

Jeffrey A. Neiman
Neiman Mays Floch & Almeida PLLC
Brennan Moss
Utah Bar #10267
Parkinson Benson Potter
2750 Rasmussen Road
Park City, Utah 84098
Attorney for Erika Kirk

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.

**SUPPLEMENTAL NOTICE
CONCERNING
ACCESS TO
EVIDENCE PRESENTED IN OPEN
COURT**

Case No. 251403576

COMES NOW Erika Kirk, the widow and duly recognized victim representative of Charlie Kirk, together with the parents of Charlie Kirk (collectively, the “Victim’s Family”), by and through undersigned counsel, and respectfully files this Supplemental Notice. This Notice supplements the Notice re Media Access filed February 2, 2026. As before, Ms. Kirk asserts her right, upon request, to be present at and to be heard on matters affecting her interests, and does so on behalf of the Victim’s Family.

**I. THE VICTIM’S FAMILY TRAVELED TO BEAR WITNESS BUT WAS NOT
PREMITTED TO VIEW THE EVIDENCE.**

1. For ten months, the Victim’s Family has waited for this preliminary hearing. Erika Kirk, the widow of Charlie Kirk, and his grieving parents traveled to this courtroom for one reason: to be present at these proceedings and to bear witness to the evidence concerning the death of their husband and son. At certain points throughout the preliminary hearing, the Kirk family sat in the

room while evidence was admitted but not presented for their viewing. They were present in body, yet denied the very thing their presence was meant to secure: their ability to *meaningfully* observe the preliminary hearing.

2. The Victim's Family's position is simple. At a minimum, every exhibit entered into evidence during the preliminary hearing must be visible to every person lawfully present in the courtroom. To receive evidence in a manner shielded from those seated in the courtroom—as happened today—is not transparency. And in the absence of transparency, speculation and conspiracy theories related to the tragic assassination of Mr. Kirk will continue to proliferate in the public domain, breeding doubt and distrust in the judicial system. This is not what anyone should want.

II. UNDER UTAH LAW, CRIME VICTIMS AND THEIR REPRESENTATIVES HAVE AN INDEPENDENT RIGHT TO BE PRESENT AT, AND MEANINGFULLY OBSERVE, THESE PROCEEDINGS.

3. Utah law affords crime victims and their lawful representatives independent rights in criminal proceedings. Under Utah law, crime victims and their legal representatives have the right, upon request, “to be informed of, be present at, and to be heard at important criminal justice hearings related to the victim, either in person or through a lawful representative.” Utah Const. art. I, § 28(1)(b); *State v. Casey*, 44 P.3d 756, 762 (Utah 2002); Utah Code § 77-38-4(1)(b).

4. These are not aspirational courtesies. The Legislature has directed that the rights extended to crime victims (and by extension their representatives) “are to be honored and protected by law in a manner no less vigorous than protections afforded criminal defendants.” *Casey*, 44 P.3d at 764 (quoting Utah Code § 77-37-1). The Utah Supreme Court has confirmed that “crime victims have extensive rights in criminal justice proceedings in Utah,” and that victims are to “be

treated with fairness, respect, and dignity,” and to “be free from harassment and abuse throughout the criminal justice process.” *State v. Lopez*, 2020 UT 61, 474 P.3d 949 (Utah 2020).

5. The right “to be present” is hollow if the victim or his representative is physically in the room but is prevented from seeing the evidence the Court is receiving. A right to attend that does not include the ability to perceive what is happening is not meaningful presence at all. Consistent with the statutory command that victims’ rights be protected “no less vigorous[ly]” than the defendant’s, the Victim’s Family’s presence must be a real one: the ability to observe, in real time, the evidence presented in the courtroom they are entitled to occupy.

III. RELIEF REQUESTED

6. For the foregoing reasons, Erika Kirk, on behalf of the Victim’s Family, respectfully requests that the Court, at a minimum:

- a. Order that all exhibits admitted into evidence during the last three days that were not published to the courtroom be so published during the proceedings scheduled for July 9, 2026, so that all persons lawfully present in the courtroom may view them;
- b. Order that any exhibit admitted into evidence during the remainder of this preliminary hearing be displayed openly and in real time, so that all persons lawfully present in the courtroom may see it; and
- c. Order that no evidence be received by the Court in a manner that conceals it from those lawfully present in the courtroom.

/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 SUPPLEMENTAL NOTICE, thereby providing notice to the parties in this case, on July 8, 2026.

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