

Attorney for Defendant

**IN THE DISTRICT COURT
FOR THE NINTH JUDICIAL DISTRICT
COUNTY OF SUBLETTE, STATE OF WYOMING**

Defendant.

Case No. 2025-CR-0001334

DEFENDANT'S MOTION FOR ORDER REQUIRING BILL OF PARTICULARS

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and Art. 1 §§ 6, 10, 14, and 15 of the Wyoming Constitution, to require the State to file a Bill of Particulars with respect to the allegations of Felony Cruelty to Animals allegedly in contravention of Wyo. Stat. Ann. § 6-3-1005(b)(ii) as alleged via *Amended Indictment* by the State, such *Information* having been filed with the District Court of the Ninth Judicial District, Sublette County, Wyoming on August 22nd, 2025. Such *Amended Indictment* alleges that the felony provisions of such statute apply in the instant case. In support of his *Motion*, Defendant avers as follows:

Statement of Facts

1. On or about February 29th, 2025, the Defendant is alleged to have captured and caused to be present at the Green River Bar in Daniel, Wyoming.
2. It is further alleged that the Defendant brought a male grey wolf into the bar on a lead, and that a collar was affixed to the wolf.
3. Though there has been widespread conjecture regarding the alleged use of a snowmobile to run down or otherwise injure the grey wolf, the State does not appear to have direct evidence to support this allegation.
4. In fact, the Defendant anticipates that one or more witnesses of the State *may* offer testimony that the said grey wolf was *not* struck with a snowmobile.
5. It is alleged that the collar was of a type used for dog training, which can, by remote control, deliver a correction to the dog wearing such collar.
6. The State does *not* allege that the Defendant used the collar to deliver a correction to the animal while inside the bar.
7. The State alleges that an unknown person or persons photographed the wolf with red or grey duct tape on its muzzle.
8. The State alleges that while in the bar, the wolf was behaving in an atypical manner and that it appeared to have submitted to the Defendant.
9. The State alleges that the Defendant threw the lead on which he allegedly walked the wolf into the bar over a coat rack, and that the animal quietly laid on the floor for some time.

10. The State does not appear to allege that the wolf was kicked, punched or otherwise physically harmed while inside the bar.

11. It is alleged that after keeping the wolf in the bar and walking it about on a lead, the wolf was subsequently shot and killed.

12. The State did not recover the animal's corpse; therefore, there was no formal necropsy.

13. The State did recover a grey wolf pelt it alleges may have been that of the grey wolf allegedly brought into the Green River Bar by the Defendant.

14. The State alleges that the wolf was *likely* killed by a single gunshot to the head and that the firearm used was *likely* a large caliber weapon.

15. The State conducted DNA testing to confirm the species of canid from which the pelt was harvested; however, the State does not appear to allege that examination of the pelt revealed any evidence of physical injury beyond the above-described gunshot wound.

16. On or about November 13th, 2025, the State provided its initial discovery, which was voluminous and highly technical.

17. Such discovery made moving the Court for a *Bill of Particulars* within Ten (10) days of arraignment virtually impossible.

18. The Defendant acknowledges the heavy burden on the State relating to the production of witness statements in this particular case and makes the foregoing averments not to cast aspersions but by way of explanation for the otherwise arguably untimely filing of the instant *Motion*.

19. Here, the State alleges that the foregoing conduct constitutes Cruelty to Animals in contravention of Wyo. Stat. Ann. § 6-3-1005(b)(ii).

20. That Statute reads in relevant part "...a person commits felony cruelty to animals if the person...[k]nowingly and with the *intent* to cause *death or undue suffering*...tortures or torments...an animal". (Emphasis added).

21. As the plain language of Wyo. Stat. Ann. § 6-3-1005(b)(ii) makes clear, it is prohibited to torture or torment an animal with the intent to cause death or undue suffering.

22. The information provided to the Defendant does not make clear what specific act or acts are alleged to have tortured or tormented the grey wolf in controversy.

23. At present, the Defendant does not know how the State alleges he tortured or tormented the grey wolf in controversy, or how such alleged torture and/or torment was carried out with the intent to cause death or undue suffering.

24. WYO. R. CRIM. P. 3(f) permits a Defendant to move the Court for a *Bill of Particulars* "...before arraignment, within 10 days after arraignment, or at such later time as the Court may permit. WYO. R. CRIM. P. RULE 3. (WestLaw 2022).

25. The Wyoming Supreme Court holds that the purpose of a *Bill of Particulars* is to "...make allegations more specific..." *Larkins v. State*, 429 P.3d 28, 47 (Wyo. 2018), quoting *Volpi v. State*, 419 P.3d 884, 899 (Wyo. 2018), and may be appropriate where "...counsel is confused about the State's theory of the case" *Id.*, quoting *Young v. State*, 121 P.3d 145, 149 (Wyo. 2005).

26. The function of a *Bill of Particulars* is to "...make more specific the general allegations...to enable the Defendant to prepare his defense and avoid being surprised at trial". *Heywood v. State*. 208 P.3d 71, 72, (Wyo. 2009), quoting *Booth v. State*, 517 P.2d 1034, 1036 (Wyo. 1974).

27. Counsel has reviewed Wyo. Stat. Ann. § 6-3-1005(b)(ii) as well as the available discovery and is confused as to the State's theory of the case.

28. Despite diligent review of the Statute and the evidence available at present, counsel cannot identify which precise act or acts the State alleges constitute torture or torment to the grey wolf at issue, nor how such alleged conduct of the Defendant is alleged to have been inflicted with the intent to kill or to cause undue suffering.

29. Defendant cannot formulate a defense, craft effective cross-examination strategies, or identify witnesses and evidence which might support his defense absent a *Bill of Particulars*.

30. The Defendant's right to effective assistance of Counsel, his right to a fair trial, the right to know the evidence against him and an adequate opportunity to defend pursuant to both the Wyoming and the United States Constitutions will be denied without a *Bill of Particulars*.

WHEREFORE, the Defendant respectfully requests this Court to grant his *Motion for Bill of Particulars*, or, alternatively, to set a hearing on this matter.

DATED this 24th day of November, 2025.

/s/ Robert C. Piper

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24th day of November, 2025, they served a true and correct copy of the foregoing *Motion for Order Requiring Bill of Particulars* upon the attorney for the State of Wyoming via the File and Serve Express online filing system:

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/s/ Robert C. Piper
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