



Written by [R. Cort Kirkwood](#) on April 1, 2026

Robinson Defense: Bullet That Killed Kirk Does Not Match Rifle

Defense attorneys for Tyler Robinson, who faces a capital murder charge in connection with the assassination of Charlie Kirk in July 2025, have moved to delay a preliminary hearing set for May because they have not received requested discovery material from Utah prosecutors.

But buried in Robinson's motion is a startling claim. Federal investigators have not matched the bullet that killed Kirk with Robinson's rifle.

If true, that evidence adds an unanticipated wrinkle to the case, particularly given the motion's demand for DNA evidence that it wants to submit to experts.

A legal expert says that trouble with ballistics isn't enough to acquit Robinson, particularly given his confession to parents and on social media.



AP Images
Tyler Robinson

Bullet used to kill Charlie Kirk did NOT match rifle allegedly used by suspect Tyler Robinson, new court filing claims <https://t.co/l70QXvGBrb>

— Daily Mail (@DailyMail) [March 30, 2026](#)

The Assassination

The Turning Point USA founder and chieftain [was speaking](#) at Utah Valley University on September 10 last year as part of his American Comeback tour, and, as was his custom, engaging and debating attendees.

At about 12:20 p.m., a bullet struck Kirk on the left side of his neck as he answered a question about mass shootings.

“Do you know how many mass shooters there have been in America over the last 10 years?” someone asked.

“Counting or not counting gang violence?” Kirk replied.

As Kirk finished, he jerked upward, then fell, blood spurting from the bullet wound.

Robinson's roommate turned over Discord messages to investigators, including one that said he needed to retrieve a rifle from the scene. The messages also discussed a rifle scope.

The rifle was a [30.06 Mauser 98](#) wrapped in a “dark-colored towel.” Bullet casings were marked with “anti-fascist” messages, including *Bella Ciao*, the anthem of the communist-influenced Italian resistance in World War II.



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Utah Gov. Stephen Cox reveals inscriptions written on Charlie Kirk shooters bullet casings:

Fired Casing:

“Notices, bulges, OWO what’s this?”

3 unfired casings:

“Hey Fascist! Catch. ↑→↓↓↓↓.”

“Oh Bella, Ciao, Bella Ciao, Ciao, Ciao.”

“If you read this you are gay. Lmao.” pic.twitter.com/w7HwrdaJ2g

— Oli London (@OliLondonTV) [September 12, 2025](#)

The Motion

Now comes Robinson’s legal team of four, arguing that it has not received enough discovery to proceed with the preliminary hearing.

[The motion claims](#) the hearing must be delayed until “missing discovery” is “provided to his counsel” and it “has a reasonable opportunity for defense experts to review those materials and consult with defense counsel concerning their own findings.”

Discovery is so complex and voluminous, the motion avers, that a defense paralegal must spend hours organizing it before attorneys and their experts can examine it thoroughly.

“The defense has received approximately 20,000 files, excluding digital electronic discovery provided on a hard drive” during a meeting with prosecutors on March 12. Documents and images run to 61,500 pages, while audio files are 31 hours long. And “5,000 video files contain more than 700 hours of video,” the [motion continues](#):

The digital electronic discovery received on March 12, 2026, amounts to approximately 12 terabytes of data and over 600,000 files. The initial review of the digital electronic discovery is anticipated to take sixty days to complete, after which time it can be determined if the downloads are complete, or if additional time is necessary to obtain complete downloads.

Reviewing all that will take hundreds of hours, the motion argues.

DNA, No Bullet

The motion also raises the issue of DNA and whether the bullet that killed Kirk matches Robinson’s Mauser.

For instance, the motion argues that DNA found on evidence comes from “five or more” individuals.

“There are two federal agencies testing DNA evidence in this case,” says defense expert Libby Johnson, a defense expert cited in the motion. Johnson expects to receive more “for some time to come,” and she will work with other experts.



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“Given the complexity of the case, the need to coordinate with other experts, and my existing schedule, it is my professional opinion that in order to perform a complete and reliable review I will need approximately six months after all discovery material has been produced,” she said.

But the claim about the bullet is the most interesting.

“Regarding the firearm evidence, the defense has been provided with an ATF summary report which indicates that the ATF was unable to identify the bullet recovered at autopsy to the rifle allegedly tied to Mr. Robinson,” the motion avers:

Although the State has not indicated an intent to produce this report at the preliminary hearing, the defense may very well decide to offer the testimony of the ATF firearm analyst as exculpatory evidence. In order to make this determination, it is necessary for the defense and its firearm expert to review the ATF case file and protocols relating to this examination, which have not yet been provided. The State has also indicated that the FBI is in the process of conducting a second comparative bullet analysis, as well as a bullet lead analysis, but that these analyses are not yet complete. Again, until the defense receives the case files and protocols relating to these analyses, and has them independently evaluated by its expert, they will not be in a position to assess the reliability of this evidence if either the State or the defense decides to proffer it.

That said, a legal expert told *People* magazine that questionable ballistic evidence is not unusual in murder cases. Former federal prosecutor [Neama Rahmani told](#) the magazine that other evidence links Robinson to the murder and that the bullet evidence isn’t necessarily exculpatory:

Rahmani pointed to several other pieces of evidence that authorities have submitted, including alleged admissions authorities claimed Robinson made on Discord, as potential strengths of the prosecution’s case.

“It’s not like he’s necessarily going to walk away from this just because there’s an inconclusive ballistics report,” Rahmani says. “But it’s certainly a good step in the right direction for the defense.”

[Robinson confessed](#) to family members, [who arranged](#) for his arrest. [He also confessed](#) to friends in social-media messages. “Hey guys, I have bad news for you all,” [he wrote](#) on Discord:

It was me at UVU yesterday. im sorry for all of this.



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