
IN THE THIRD JUDICIAL DISTRICT COURT

SUMMIT COUNTY, STATE OF UTAH

STATE OF UTAH,

Plaintiff,

vs.

KOURI RICHINS,

Defendant.

**RULING AND ORDER DENYING
DEFENDANT’S MOTION TO
RECONSIDER BAIL AND
CONDITIONS OF RELEASE**

Case Number 231500139

Judge Richard Mrazik

Before the court is Defendant Kouri Richins’ (second) Motion to Reconsider Bail and Conditions of Release (dkt 1025), through which Defendant requests the court “reconsider its previous detention ruling and grant her the privilege of pretrial release.” (Mot. at 6.) Under Utah Code § 77-20-207(1)(b), Defendant may move to modify the court’s pretrial detention order “only upon a showing that there has been a material change in circumstances.” Defendant asserts there has been a material change in circumstances because recent statements by one the State’s witnesses, Mr. Crozier, “changes the landscape to a degree that cannot be ignored.” (Mot. at 4.) Specifically, Defendant asserts Mr. Crozier’s recent recantation of his prior statement that he sold pills containing fentanyl to Ms. Lauber changes the evidentiary landscape in a way that precludes a finding of substantial evidence to support the charge of Aggravated Murder. (*See Reply at 3.*)

Substantial Evidence Standard

A necessary element of the foundation for the court’s pretrial detention order is the court’s finding that there is substantial evidence to support the charge of Aggravated Murder.

In Utah, criminal defendants have a constitutional right to bail. Utah Const. art. I, § 8; *see also State v. Barnett*, 2023 UT 20, ¶ 2, 537 P.3d 212. The Utah Constitution establishes this right, and it specifies some exceptions to it. Article I, section 8 states:

All persons charged with a crime shall be bailable except:

(a) persons charged with a capital offense when there is substantial evidence to support the charge; or

(b) persons charged with a felony while on probation or parole, or while free on bail awaiting trial on a previous felony charge, when there is substantial evidence to support the new felony charge; or

(c) persons charged with any other crime, designated by statute as one for which bail may be denied, if there is **substantial evidence** to support the charge and the court finds by clear and convincing evidence that the person would constitute a substantial danger to any other person or to the community or is likely to flee the jurisdiction of the court if released on bail.

Utah Const. art. I, § 8(1).

The Bail Statute mirrors the language of article I, section 8 and designates the “other crime[s]” for which bail may be denied. *Id.* art. I, § 8(1)(c); *see Utah Code* § 77-20-201(1). Relevant here, it states:

An individual charged with, or arrested for, a criminal offense shall be admitted to bail as a matter of right, except if the individual is charged with ... a felony when there is **substantial evidence** to support the charge and the court finds, by clear and convincing evidence, that ... the individual would constitute a substantial danger to any other individual or to the community ... [or] is likely to flee ... if the individual is released on bail.

Utah Code § 77-20-201(1)(c).

State v. Jennings, 2025 UT 1, ¶¶ 30-31, 565 P.3d 523 (emphasis added).

“The substantial evidence standard is met when the prosecution presents evidence capable of supporting a jury finding that the defendant is guilty beyond a reasonable doubt.”

Randolph v. State, 2022 UT 34, ¶ 73, 515 P.3d 444. When making this determination, “a district court may make a series of credibility assessments” and may weigh conflicting evidence. *Id.* ¶¶ 75, 77. “The district court’s task is to decide whether the State has, even in light of the

defendant's contrary evidence, placed into the record evidence sufficient to permit a reasonable jury to conclude that the defendant committed the charged offense.” *Id.* ¶ 77.

Indeed, “[e]vidence may be substantial even in the face of contradicting pieces of credible evidence” because “substantial evidence exists when ‘the facts adduced by the State, notwithstanding contradiction of them by defense proof, ... furnish a reasonable basis for a verdict of [guilty].’” *Id.* ¶ 77 (quoting *Chynoweth v. Larson*, 572 P.2d 1081, 1082 (Utah 1977)).

Relevant Factual and Procedural Background

On June 12, 2023, the court took evidence and heard argument on the State’s Motion for Pretrial Detention. (Dkt 2.) At the conclusion of the hearing, ruling from the bench, the court determined substantial evidence supported the charge of Aggravated Murder because the court found that the evidence of means, motive, and consciousness of guilt—considered as a whole—could permit a reasonable jury to conclude that Defendant committed the charged offense. The court specifically referenced, among other pieces of evidence it considered, the following:

- (1) Evidence showing Eric Richins died of fentanyl ingestion;
- (2) Evidence showing Defendant purchased 15-30 pills from Ms. Lauber approximately one month prior to Eric Richins’s death;
- (3) Sworn testimony from Ms. Lauber that she acquired fentanyl pills from a source and handed them to Defendant in a hand-to-hand transaction in Defendant’s driveway;¹
- (4) Evidence indicating that Defendant’s subjective understanding at the time of Eric Richins’s death was that she would get a greater share of the marital estate if Eric died during the marriage than if he and Defendant divorced;

¹ According to Ms. Lauber’s 1102 statement, in February 2022, Mr. Crozier told Ms. Lauber that he could get her fentanyl and on two occasions that month she purchased from him what she believed to be fentanyl.

(5) Evidence showing that in the months leading to Eric's death, Defendant's personal and business bank accounts were overdrawn, she was making significant recurring debt service payments, and the lines of credit available to her were maxxed out.

(6) Evidence showing that at the time of his death, Eric's life was insured in a substantial amount with Defendant listed as the beneficiary on the policy

(7) Evidence showing consciousness of guilt, including evidence regarding Defendant's internet search history in the aftermath of Eric's death, and evidence regarding the movement and manipulation of Defendant's phone that is not consistent with her statements to first responders regarding what she did between discovering Eric dead and calling 911.²

On November 12, 2024, the court heard argument on Defendant's (first) Motion to Reconsider Bail and Conditions of Release. (Dkt 653.) Notably, Defendant did not challenge the court's determination regarding substantial evidence to support the charge of Aggravated Murder. Rather, Defendant argued that less restrictive conditions were reasonably available to ensure public safety and guard against Defendant's risk of flight. The court denied Defendant's motion for the reasons stated on the record.

But now, through her (second) Motion to Reconsider Bail and Conditions of Release (dkt 1025), Defendant does challenge the court's determination regarding substantial evidence. Specifically, Defendant asserts Mr. Crozier's recent recantation of his prior statement that he sold pills containing fentanyl to Ms. Lauber changes the evidentiary landscape in a way that precludes a finding of substantial evidence to support the charge of Aggravated Murder.

The parties' briefing shows some ambiguity has arisen regarding Mr. Crozier's recollection as to whether he sold fentanyl pills to Ms. Lauber:

² Cognizant of the media attention this case garners and the fact that jury selection begins in less than three months, the court's summary of this body of evidence—which was discussed in detail on the record at the detention hearing and preliminary hearing—is intentionally vague.

(1) On May 4, 2023, during an interview with Summit County detectives, Mr. Crozier confirmed that he sold fentanyl to Ms. Lauber. Further, he rejected the possibility that Ms. Lauber asked for “oxys or something like that” and got fentanyl instead. (State’s Opp. at 2.)

(2) On March 28, 2025, Mr. Crozier participated in a trial preparation interview with Chief Prosecutor Brad Bloodworth and Chief Investigator Travis Hopper. Mr. Hopper remembers the following from that interaction:

a. Mr. Bloodworth reviewed his outline summarizing the information obtained from the May 2023 interview with Mr. Crozier.

b. Mr. Crozier did not say that any part of the outline was false or misleading.

c. Mr. Crozier did state that he was unable to recall all the details because the events being discussed had occurred approximately three years earlier.

(Hopper Aff. ¶ 13 (dkt 1052)).³

(3) In two affidavits signed on September 10, 2025, Mr. Crozier tells a different story.

a. Mr. Crozier states that during the trial preparation interview with Mr. Bloodworth and Mr. Hopper, he told them he “was certain that [he] had sold Carmen Lauber Oxycontin 30 mg pills, otherwise known as Roxy’s or Roxy 30’s.” (Dkt. 1026 at p.3, ¶ 10; p. 7 ¶ 16.)

b. Mr. Crozier explains that in early 2022, he knew the term “blues” to mean Oxycontin. He asserts he did not associate the term “blues” with fentanyl until late 2022. He asserts he did not begin selling fentanyl until “the end of 2022.” (Dkt. 1026 at p. 5,

³ The court may properly consider Mr. Hopper’s affidavit, and his recollection of what Mr. Crozier said, because the Utah Rules of Evidence—including rules regarding hearsay—do not apply to “proceedings with respect to release on bail or otherwise.” Utah R. Evid. 1101(c)(4).

¶¶5, 7.)

c. Mr. Crozier explains that he “was very confused” and “very ‘out of it’” when he was interviewed in May 2023 because he was detoxing from drugs. (Dkt. 1026 at p. 5, ¶9.)

RULING

A party may move to amend a pretrial detention order “only upon a showing that there has been a material change in circumstances.” Utah Code § 77-20-207(1)(b). Defendant asserts that the material change in circumstances is the effect Mr. Crozier’s September 2025 affidavits has upon the court’s prior determination that there is substantial evidence to support the charge of Aggravated Murder. Specifically, Defendant argues that because Mr. Crozier now asserts that he sold only Oxycontin to Ms. Lauber and that he did not begin selling fentanyl until late 2022, there is insufficient evidence to permit a reasonable jury to find beyond a reasonable doubt that Defendant was in possession of fentanyl in 2022 or that she could have used it to kill her husband. Therefore, Defendant argues, there has been a material change in circumstances that requires the court to hold a detention hearing and determine conditions of Defendant’s release.

Defendant’s argument is unpersuasive for three reasons.

First, a reasonable jury could choose to credit Mr. Crozier’s statements to detectives in May 2023 over his statements in September 2025 given that they were made two years closer in time to the events in question. Indeed, if Mr. Crozier testifies consistent with his September 2025 affidavits, the State may impeach him with his prior statement that he sold fentanyl to Ms. Laubner on two occasions in 2022. Mr. Crozier’s retraction of his former statement does not render his former statement inadmissible.

Second, Defendant fails to acknowledge or address the other evidence from which a

reasonable jury could find Defendant had a motive to commit the crime charged and exhibited consciousness of guilt. Mr. Crozier's recent recantation does not affect the weight of that evidence at all.

Third, Defendant's argument implicitly misunderstands the substantial evidence standard. In determining whether the State has shown substantial evidence to support the charge of Aggravated Murder, the court is not required to determine that a reasonable jury *will*, *would*, or *is likely to* convict Defendant. Rather, the "district court's task is to decide whether the State has, even in light of the defendant's contrary evidence, placed into the record evidence sufficient to permit a reasonable jury to conclude that the defendant committed the charged offense"—*i.e.*, stated plainly, whether a reasonable jury *could* convict Defendant of the charge.

While Defendant may be able to use Mr. Crozier's recent recantation to poke holes in the State's case, the holes are not substantial enough to undermine the court's prior determination regarding substantial evidence. *See Randolph v. State*, 2022 UT 34, ¶ 80 ("[P]oked holes do not demand that the district court conclude that the substantial evidence standard has not been satisfied."). The fact that a reasonable jury could choose to credit Mr. Crozier's statements to detectives in May 2023 over his statements in September 2025—combined with the body of evidence showing motive and consciousness of guilt—is sufficient to permit a reasonable jury to conclude that Defendant committed the charged offense of Aggravated Murder.

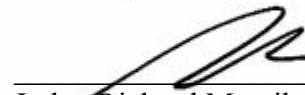
Accordingly, the court determines that Defendant has failed to show a material change in circumstances.

ORDER

Defendant's (second) Motion to Reconsider Bail and Conditions of Release (dkt 1025) is respectfully denied.

DATED 17th day of November 2025.

BY THE COURT:



Judge Richard Mrazik
Third District Court



CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 231500139 by the method and on the date specified.

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11/17/2025

/s/ BRITTANIE MARTINDALE

Date: _____

Signature