

IN THE SECOND DISTRICT COURT
WEBER COUNTY, STATE OF UTAH

STATE OF UTAH,
Plaintiff,

v.

JOSHUA DAVID NEIWERT,
Defendant.

Case No.: 25G45427

ADDENDUM TO MOTION TO DISMISS
RE: FAILED SUBPOENA COMPLIANCE

COMES NOW the Defendant, Joshua David Neiwert, and respectfully submits this Addendum to his Motion to Dismiss, to formally note the failure of a subpoenaed witness to appear during prior proceedings.

On or about [INSERT DATE IF KNOWN], the Defendant's probation officer was lawfully subpoenaed to appear before the Court. The officer failed to appear as required, and no justification was presented on record. This failure to comply with a lawful court order violates procedural fairness and undermines the Defendant's due process protections under the Utah Constitution and the United States Constitution.

This absence directly impacted the Defendant's ability to confront and respond to allegations or assessments that may be used to determine probation standing or inform prosecutorial decisions.

WHEREFORE, Defendant respectfully requests the Court to take judicial notice of this procedural failure, and to further consider it in support of the Motion to Dismiss and in review of the credibility and procedural handling of the current charge.

Respectfully submitted,

/s/ Joshua David Neiwert

Email: kingsized@gmail.com

Date: June 23, 2025